

## CITY OF SPOKANE



### REGARDING CITY COUNCIL MEETINGS

City Council's standing committee meetings, Agenda Review Sessions, and Legislative Sessions are held in City Council Chambers – Lower Level of City Hall, 808 W. Spokane Falls Blvd.

City Council Members, City staff, presenters and members of the public have the option to participate virtually via WebEx during all meetings, with the exception of Executive Sessions which are closed to the public. Call in information for the April 27, 2026, meetings is below. All meetings will be streamed live on Channel 5 and online at <https://my.spokanecity.org/citycable5/live> and <https://www.facebook.com/spokanecitycouncil>.

#### **WebEx call in information for the week of April 27, 2026:**

3:30 p.m. Agenda Review Session: 1-408-418-9388; access code: 249 217 29618; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 249 699 17004; password: 0320

#### **To participate in public comment (including Open Forum):**

Testimony sign-up is open beginning at 5:00 p.m. on Friday, April 24, 2026, and ending at 6:00 p.m. on Monday, April 27, 2026, via the online testimony sign-up form link which can be accessed by clicking <https://my.spokanecity.org/citycouncil/meetings/signup/> or in person outside council chambers beginning at 8:00 a.m. on April 27, 2026. You must sign up by 6:00 p.m. to be called on to testify. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Instructions for participation are provided on the form when you sign up.

The open forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City and not relate to the final, updated draft, or draft agendas, pending hearing items, or initiatives or referenda in a pending election. "Affairs of the city" shall include (i) matters within the legislative, fiscal or regulatory purview of the city, (ii) any ordinance, resolution or other official act adopted by the city council, (iii) any rule adopted by the city, (iv) the delivery of city services and operation of city departments, (v) any act of members of the city council, the mayor or members of the administration, or (vi) any other matter deemed by the council president to fall within the affairs of the city, which determination may be overridden by majority vote of the council members present. Individuals speaking during the open forum shall address their comments to the council president and shall maintain decorum as laid out in Rule 2.15 (Participation by Members of the Public in Council Meetings).

# THE CITY OF SPOKANE



## UPDATED DRAFT COUNCIL AGENDA

MEETING OF MONDAY, APRIL 27, 2026

### **MISSION STATEMENT**

**TO DELIVER EFFICIENT AND EFFECTIVE SERVICES  
THAT FACILITATE ECONOMIC OPPORTUNITY  
AND ENHANCE QUALITY OF LIFE.**

**MAYOR LISA BROWN**

**COUNCIL PRESIDENT BETSY WILKERSON**

**COUNCIL MEMBER MICHAEL CATHCART**

**COUNCIL MEMBER PAUL DILLON**

**COUNCIL MEMBER SARAH DIXIT**

**COUNCIL MEMBER KITTY KLITZKE**

**COUNCIL MEMBER KATE TELIS**

**COUNCIL MEMBER ZACK ZAPPONE**

**CITY COUNCIL CHAMBERS  
CITY HALL**

**808 W. SPOKANE FALLS BLVD.  
SPOKANE, WA 99201**

City of Spokane Guest Wireless access for Council Chambers:

Username: **COS Guest**

Password: **K8vCr44y**

**Please note the space in username.**

Both username and password are case sensitive.

## **LAND ACKNOWLEDGEMENT**

We acknowledge that we are on the unceded land of the Spokane people. And that these lands were once the major trading center for the Spokanes as they shared this place and welcomed other area tribes through their relations, history, trade, and ceremony. We also want to acknowledge that the land holds the spirit of the place, through its knowledge, culture, and all the original peoples Since Time Immemorial.

As we take a moment to consider the impacts of colonization may we also acknowledge the strengths and resiliency of the Spokanes and their relatives. As we work together making decisions that benefit all, may we do so as one heart, one mind, and one spirit.

We are grateful to be on the shared lands of the Spokane people and ask for the support of their ancestors and all relations. We ask that you recognize these injustices that forever changed the lives of the Spokane people and all their relatives.

We agree to work together to stop all acts of continued injustices towards Native Americans and all our relatives. It is time for reconciliation. We must act upon the truths and take actions that will create restorative justice for all people.

Adopted by Spokane City Council on the 22nd day of March, 2021  
*via Resolution 2021-0019*

# AGENDA REVIEW AND LEGISLATIVE SESSIONS

Council meetings consist of two parts: The Agenda Review Session (starting at 3:30 P.M.) and the Legislative Session (starting at 6:00 P.M.). The Agenda Review Session is open to the public, but participation is limited to Council Members and appropriate staff. The Legislative Session also is open to the public, and public comment is taken on legislative items (except those that are adjudicatory or solely administrative in nature). Following the conclusion of the Legislative portion of the meeting, an Open Forum is held unless a majority of Council Members vote otherwise. Please see additional Open Forum information that appears at the end of the City Council agenda.

SPOKANE CITY COUNCIL AGENDA REVIEW SESSIONS (BEGINNING AT 3:30 P.M. EACH MONDAY) AND LEGISLATIVE SESSIONS (BEGINNING AT 6:00 P.M. EACH MONDAY) ARE BROADCAST LIVE ON CITY CABLE CHANNEL FIVE AND STREAMED LIVE ON THE CHANNEL FIVE WEBSITE. THE SESSIONS ARE REPLAYED ON CHANNEL FIVE ON THURSDAYS AT 6:00 P.M. AND FRIDAYS AT 10:00 A.M.

## ADDRESSING THE COUNCIL

- Public participation in Council meetings is governed by Council Rules 2.15 and 2.16. A complete copy of the [council rules](https://my.spokanecity.org/citycouncil/documents/rules/) can be found on the Council's documents webpage. (<https://my.spokanecity.org/citycouncil/documents/rules/>)
- No member of the public may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide their name and city of residence as a condition of recognition.
- Persons speaking at the podium shall verbally identify themselves by name, city of residency and, if appropriate, representative capacity.
- Speakers may be provided additional written or verbal instructions to ensure that verbal remarks are electronically recorded. Documents submitted for the record are identified and marked by the Clerk. (If you are submitting paper copies of documents to the Council Members, please provide a minimum of ten copies via the City Clerk. The City Clerk is responsible for officially filing and distributing your submittal.)
- To ensure that evidence and expressions of opinion are included in the record, and to ensure that decorum befitting a deliberative process is maintained, no modes of expression including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults are permitted. To prevent disruption of council meetings and visual obstruction of proceedings, members of the audience shall remain seated during council meetings.
- A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.
- When addressing the Council, members of the public shall direct all remarks to the Council President, and shall confine their remarks to the matters that are specifically before the Council at that time or, if speaking during Open Forum, shall confine their remarks to affairs of the city.
- City staff may testify at Council meetings, including open forum, providing the testimony is in compliance with the City of Spokane Code of Ethics and the staff follow the steps outlined in the City Council Rules of Procedure.

**SPEAKING TIME LIMITS:** Each person addressing the Council is limited to two minutes of speaking time, except during hearings and items under final consideration by the Council, for which three minutes will be allowed. The chair may allow additional time if the speaker is asked to respond to questions from the Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council. Note: No public testimony shall be taken on amendments to consent or legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council.

**CITY COUNCIL AGENDA:** The City Council agendas may be obtained prior to Council Meetings by accessing the [City's website](https://my.spokanecity.org/citycouncil/documents/). (<https://my.spokanecity.org/citycouncil/documents/>)

# **AGENDA REVIEW SESSION**

**(3:30 p.m.)**

**(Council Chambers Lower Level of City Hall)**

**(No Public Testimony Taken)**

**ROLL CALL OF COUNCIL**

**INTERVIEWS OF NOMINEES TO BOARDS AND COMMISSIONS**

**COUNCIL OR STAFF REPORTS OF MATTERS OF INTEREST**

**DRAFT AGENDAS REVIEW (Staff or Council Member briefings and discussion)**

**APPROVAL BY MOTION OF THE DRAFT AGENDA**

**CONSIDERATION OF ANY REQUESTS FOR DEFERRAL OF ITEMS ON THE FINAL AGENDA**

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## **EXECUTIVE SESSION**

**(Closed Session of Council)**

**(Executive Session may be held or reconvened during the 3:30 p.m. Agenda Review Session or the 6:00 p.m. Legislative Session)**

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## **LEGISLATIVE SESSION**

**(Council Reconvenes in Council Chamber)**

**LAND ACKNOWLEDGEMENT**

**PLEDGE OF ALLEGIANCE**

**POETRY AT THE PODIUM, WORDS OF INSPIRATION, AND SPECIAL INTRODUCTIONS**

**ROLL CALL OF COUNCIL**

**PROCLAMATIONS AND SALUTATIONS**

**REPORTS FROM COMMUNITY ORGANIZATIONS**

**ANNOUNCEMENTS**

**(Announcements regarding Changes to the City Council Agenda)**



a. City Council Meeting Minutes: \_\_\_\_\_, 2026.

CPR 2026-0013

b. City Council Standing Committee Meeting Minutes: \_\_\_\_\_, 2026.

# LEGISLATIVE AGENDA

## NO SPECIAL BUDGET ORDINANCES

## NO EMERGENCY ORDINANCES

## RESOLUTIONS & FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2026-0027     Setting forth the City Council’s approval and endorsement of amending Periodic Update Grant contract for the purpose of accepting additional grant funds and authorizing the execution of the applicable contract documents without further City Council action. (Council Sponsors: Council Members Klitzke and Zappone)

**Tirrell Black**

ORD C36862     (To be considered under Hearings Item H1.)

## FIRST READING ORDINANCES

~~ORD C36854     Relating to residential on-street parking for persons with disabilities, establishing a Residential Disability Parking Program, adopting a new Section 16A.05.091 to Chapter 16A.05 SMC, and setting an effective date. (Council Sponsors: Council Members Zappone and Cathcart)~~

~~**Jackson-Deese**~~

(Referred back to committee from April 27, 2026, Agenda, during April 13, 2026, 3:30 p.m. Agenda Review Session)

ORD C36863     Related to the activation of public spaces through mobile food vending; repealing Sections 08.02.0234, 17C.390.020, and Chapter 10.51; amending Sections of Titles 08.01, 10.40, 12.05, and 17C; and adopting new Sections 12.15.070 and 12.15.080, all of the Spokane Municipal Code. (Council Sponsors: Council Members Dixit and Dillon)

**Council Member Dixit and Adam McDaniel**

(First Reading deferred to April 27, 2026, Agenda, from April 13, 2026, Agenda, during April 13, 2026, 3:30 p.m. Agenda Review Session, thereby deferring Final Reading to May 4, 2026, Agenda.)

Council Member Dixit requests motion to consider the following amendment. (NOTE: Absent suspension of Council Rules, adoption of the amendment will result in automatic deferral to May 4, 2026, Agenda.)

Dixit Proposed Amendment:

- Request motion to amend First Reading Ordinance C36863 with an updated revised version filed April 15, 2026, and included in agenda packet under First Reading Ordinance C36863.

FURTHER ACTION DEFERRED

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**NO SPECIAL CONSIDERATIONS**

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**HEARINGS**

RECOMMENDATION

<p>H1. Hearing on Final Reading Ordinance C36862 to extend the duration of interim official control C36680 concerning off-premises alcohol outlets near public assets. (Council Sponsors: Council Members Klitzke and Telis) <b>Spencer Gardner</b></p> <p>(First Reading deferred as amended to April 20, 2026, Agenda, from April 13, 2026, Agenda, during April 13, 2026, 3:30 p.m. Agenda Review Session, thereby deferring Final Reading and Hearing to April 27, 2026, Agenda.)</p>	<p>Hold Hearing/ Close Hearing/ Adopt Findings of Fact</p>	<p>ORD C36862</p>
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## OPEN FORUM

At the conclusion of legislative business, the Council may recess briefly and then convene an open public comment period for up to twenty (20) speakers, unless a majority of council members vote otherwise. If more than twenty (20) people sign up for open forum, the individuals assigned to the twenty (20) spaces available will be chosen at random, with preference given to individuals who have not spoken at open forum during the calendar month. Each speaker is limited to no more than two (2) minutes. In order to participate in Open Forum, you must sign up beginning at 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the virtual testimony form linked in the [meeting packet](#) (<https://my.spokanecity.org/citycouncil/documents/>) or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. The [virtual sign-up form](#) can also be found here <https://my.spokanecity.org/citycouncil/meetings/signup/>. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Speakers must sign themselves in using a name. Instructions for virtual participation are provided on the form when you sign up. The Open Forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City other than items appearing on the final or draft agendas, pending hearing items, and initiatives or referenda in a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not use profanity, engage in obscene speech, or make personal comment or verbal insults about any individual.

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## ADJOURNMENT

The April 27, 2026, Regular Legislative Session of the City Council is adjourned to May 4, 2026.

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**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6373, 808 W. Spokane Falls Blvd., Spokane, WA, 99201; or [ddecorde@spokanecity.org](mailto:ddecorde@spokanecity.org). Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

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## NOTES

**Agenda Sheet for City Council:****Committee:** PIES **Date:** 02/09/2026**Committee Agenda type:** Consent**Date Rec'd**

2/3/2026

**Clerk's File #**

OPR 2026-0348

**Cross Ref #****Project #**

2024074

**Council Meeting Date:** 04/27/2026**Submitting Dept**

ENGINEERING SERVICES

**Bid #****Contact Name/Phone**

DAN BULLER 6391

**Requisition #**

CR 28544

**Contact E-Mail**

DBULLER@SPOKANECITY.ORG

**Agenda Item Type**

Engineer Construction Contract

**Council Sponsor(s)**

KKLITZKE

**Sponsoring at Administrators Request**

NO

**Lease?** NO**Grant Related?** YES**Public Works?** YES**Agenda Item Name**

LOW BID AWARD - HIGH VISIBILITY CROSSWALKS CITY WIDE 2024074

**Agenda Wording**

Low Bid of Road Products, Inc., of Spokane, WA, for High Visibility Crosswalks - \$696,335.50. An administrative reserve of \$69,633.55, which is 10% of the contract, will be set aside. (Various Neighborhood Councils)

**Summary (Background)**

This fed funded project consists of installation of high visibility crosswalks (piano key type) at approximately 35 arterial intersections citywide. Studies have shown that the piano key type crosswalks are safer than the traditional two line style crosswalk. On Monday, April 6, 2026, bids were opened for the above project. The low bid was from Road Products, Inc., in the amount of \$696,335.50, which is \$226,365.50 or 25% below the Engineer's Estimate of \$922,701.00. Two other bids were received as follows: Specialized Pavement Marking, LLC - \$708,076.70 and KB Markings, LLC - \$749,172.65.

**What impacts would the proposal have on historically excluded communities?**

Public works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, distribute public investment throughout the community, and respond to gaps in services identified in various City plans.

**How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?**

N/A

**How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?**

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

**Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?**

This work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

**Council Subcommittee Review**

<b>Fiscal Impact</b>			
Approved in Current Year Budget? YES			
Total Cost	\$ \$696,335.50		
Current Year Cost	\$ \$696,335.50		
Subsequent Year(s) Cost	\$		
<b>Narrative</b>			
Federally funded			
<b>Amount</b>			
<b>Budget Account</b>			
Expense	\$ \$696,335.50		
Select	# 3200 95164 95300 56501 86173		
Select	#		
Select	#		
Select	#		
Select	#		
Select	#		
<b>Funding Source</b> One-Time			
<b>Funding Source Type</b> Grant			
<b>Is this funding source sustainable for future years, months, etc?</b>			
Federally funded			
<b>Expense Occurrence</b> One-Time			
<b>Other budget impacts (revenue generating, match requirements, etc.)</b>			
<b>Approvals</b>			
<b>Additional Approvals</b>			
<b>Dept Head</b>	BULLER, DAN	<b>ACCOUNTING -</b>	BROWN, SKYLER
<b>Division Director</b>	FEIST, MARLENE	<b>PURCHASING</b>	NECHANICKY, JASON
<b>Accounting Manager</b>	ALBIN-MOORE, ANGELA		
<b>Legal</b>	SCHOEDEL, ELIZABETH		
<b>For the Mayor</b>	PICCOLO, MIKE		
<b>Distribution List</b>			
Joshua Polello - josh@asphaltsupply.net		eraea@spokanecity.org	
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		dbuller@spokanecity.org	
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City of Spokane  
**PUBLIC WORKS CONTRACT**  
Title: **HIGH VISIBILITY CROSSWALKS**

This Contract is made and entered into by and between the **CITY OF SPOKANE** as (“City”), a Washington municipal corporation, and **ROAD PRODUCTS, LLC**, whose address is 9915 East Trent Avenue, Spokane Valley, Washington 99206 as (“Contractor”), individually hereafter referenced as a “party”, and together as the “parties”.

The parties agree as follows:

1. PERFORMANCE. The Contractor will do all work, furnish all labor, materials, tools, construction equipment, transportation, supplies, supervision, organization and other items of work and costs necessary for the proper execution and completion of the work described in the Special Provisions entitled **HIGH VISIBILITY CROSSWALKS**.
2. CONTRACT DOCUMENTS. The contract documents are this Contract, the Contractor’s completed bid proposal form, the Washington State Department of Transportation’s Standard Specifications for Road, Bridge and Municipal Construction 2025, City of Spokane Special Provisions, contract provisions, contract plans, standard plans, addenda, various certifications and affidavits, supplemental agreements, change orders and subsurface boring logs (if any). These contract documents are on file in the Engineering Services Department and are incorporated into this Contract by reference as if they were set forth at length. In the event of a conflict, or to resolve an ambiguity or dispute, the order of precedence defined in the City of Spokane Special Provisions section 1-04.2 City Engineering Services File No. 2024074 shall apply.
3. TIME OF PERFORMANCE. The time of performance of the Contract shall be in accordance with the contract documents.
4. LIQUIDATED DAMAGES. Liquidated damages shall be in accordance with the contract documents.
5. TERMINATION. Either party may terminate this Contract in accordance with the contract documents.
6. COMPENSATION. This is a unit price contract, and upon full and complete performance by the Contractor, the City will pay only the amount set forth in Schedule A-

1 for the actual quantities furnished for each bid item at a total cost not to exceed \$696,335.50, which are taxed as noted in Section 7.

7. TAXES. Bid items in Schedule A-1 shall include sales tax.

8. PAYMENT. The Contractor will send its applications for payment to the Engineering Services Department, 998 E North Foothills Drive Spokane, WA 99207-2735. All invoices should include the City Clerk's File No. "OPR 2026-XXXX" and an approved L & I Intent to Pay Prevailing Wage number. The final invoice should include an approved Affidavit of Wages Paid number. Payment will not be made without this documentation included on the invoice. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Company's application except as provided by state law.

9. INDEMNIFICATION. The Contractor shall defend, indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage which arise from the Contractor's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Contractor to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Contractor's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Contractor, its agents or employees. The Contractor specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the Contractor's own employees against the City and, solely for the purpose of this indemnification and defense, the Contractor specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. The Contractor recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

10. BONDS. The Contractor may not commence work until it obtains all insurance, permits and bonds required by the contract documents and applicable law. This includes the execution of a performance bond and a payment bond on the forms attached, each equal to one hundred percent (100%) of the contract price, and written by a corporate surety company licensed to do business in Washington State.

11. INSURANCE. The Contractor represents that it and its employees, agents and subcontractors, in connection with the Contract, are protected against the risk of loss by the insurance coverages required in the contract documents attached hereto including attached Certificates of Insurance (COI) and any other insurance documents attached. The policies shall be issued by companies that meet with the approval of the City Risk Manager. The policies shall not be canceled without at least minimum required written notice to the City as Additional Insured.

12. CONTRACTOR'S WARRANTY. The Contractor's warranty for all work, labor and materials shall be in accordance with the contract documents.

13. WAGES. Contractor will comply with the Davis Bacon Act (40 USC 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). Minimum wages paid by the Contractor will be those determined by the Secretary of Labor under the Davis Bacon Act, 40 USC 276(a). In the event that a state minimum wage rate exceeds a Department of Labor rate, the conflict will be resolved by applying the higher rate. The Contractor and all subcontractors will submit a "Statement of Intent to Pay Prevailing Wages" certified by the industrial statistician of the State Department of Labor and Industries, prior to any payments. The "Statement of Intent to Pay Prevailing Wages" shall include: (1) the Contractor's registration number; and (2) the prevailing rate of wage for each classification of workers entitled to prevailing wages under RCW 39.12.020 and the number of workers in each classification. Each voucher claim submitted by the Contractor for payment on a project estimate shall state that the prevailing wages have been paid in accordance with the "Statement(s) of Intent to Pay Prevailing Wages" on file with the City.

Under 40 USC 3702 of the Act, contractor is required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. No laborer or mechanic may be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous.

14. STATEMENT OF INTENT TO PAY PREVAILING WAGES TO BE POSTED. The Contractor and each subcontractor required to pay the prevailing rate of wages shall post in a location readily visible at the job site: (1) a copy of a "Statement of Intent to Pay Prevailing Wages" approved by the industrial statistician of the State Department of Labor and Industries; and (2) the address and telephone number of the industrial statistician of the Department of Labor and Industries where a complaint or inquiry concerning prevailing wages may be made.

15. PUBLIC WORKS REQUIREMENTS. The Contractor and each subcontractor are required to fulfill the Department of Labor and Industries Public Works and Prevailing Wage Training Requirement under RCW 39.04.350. The contractor must verify responsibility criteria for each first tier subcontractor, and a subcontractor of any tier that hires other subcontractors must verify the responsibility criteria listed in RCW 39.04.350(1) for each of its subcontractors. Verification shall include that each subcontractor, at the time of subcontract execution, meets the responsibility criteria. This verification requirement, as well as responsibility criteria, must be included in every public works contract and subcontract of every tier.

16. SUBCONTRACTOR RESPONSIBILITY.

A. The Contractor shall include the language of this section in each of its first tier subcontracts, and shall require each of its subcontractors to include the same language of this section in each of their subcontracts, adjusting only as necessary the terms used for the contracting parties. Upon request of the City, the Contractor shall promptly provide documentation to the City demonstrating that the subcontractor meets the subcontractor responsibility criteria below. The requirements of this section apply to all subcontractors regardless of tier.

B. At the time of subcontract execution, the Contractor shall verify that each of its first tier subcontractors meets the following bidder responsibility criteria:

1. Have a current certificate of registration in compliance with chapter 18.27 RCW, which must have been in effect at the time of subcontract bid submittal;
2. Have a current Washington Unified Business Identifier (UBI) number;
3. If applicable, have:
  - a. Industrial Insurance (workers' compensation) coverage for the subcontractor's employees working in Washington, as required in Title 51 RCW;
  - b. A Washington Employment Security Department number, as required in Title 50 RCW;
  - c. A Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;
  - d. An electrical contractor license, if required by Chapter 19.28 RCW;
  - e. An elevator contractor license, if required by Chapter 70.87 RCW.
4. Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065 (3).

C. On Public Works construction projects, as defined in RCW 39.04.010, with an estimated cost of six hundred thousand dollars (\$600,000) or more, at least fifteen (15) percent of the labor hours on each project shall be performed by apprentices enrolled in a State-approved apprenticeship program; and for each contract in the project fifteen (15) percent of the labor hours for each craft that has an available state-approved apprenticeship program for Spokane County and utilizes more than one hundred sixty (160) hours in each contract; shall be performed by apprentices enrolled in a state-approved apprenticeship program.

1. Subcontracting Requirements. The utilization percentages for apprenticeship labor for Public Works construction contracts shall also apply to all subcontracts of one hundred thousand dollars (\$100,000) or

more within those contracts, and at least fifteen percent (15%) of the labor hours for each such subcontract shall be performed by apprentices in a state-approved apprenticeship program. For each craft that has an available apprenticeship program for Spokane county and performs more than one hundred sixty (160) hours on each project, fifteen (15) percent of the labor hours shall be performed by apprentices enrolled in a State-approved apprenticeship program.

2. Each subcontractor which this chapter applies to is required to execute a form, provided by the city, acknowledging that the requirements of Article X 07.06 SMC are applicable to the labor hours for the project.

17. NONDISCRIMINATION. No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Contract because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Contractor agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Contractor.

18. DEBARMENT AND SUSPENSION. The Contractor has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or ineligible from participation in Federal Assistance Programs under Executive Order 12549 and "Debarment and Suspension", codified at 29 CFR part 98.

19. ASSIGNMENTS. The Contractor may not assign, transfer or sublet any part of the work under this Contract, or assign any monies due, without the written approval of the City, except as may be required by law. In the event of assignment of accounts or monies due under this Contract, the Contractor specifically agrees to give immediate written notice to the City Administrator, no later than five (5) business days after the assignment.

20. ANTI-KICKBACK. No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Contract shall have or acquire any interest in the Contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the Contract. Contractor will comply with the Copeland "Anti-Kickback" Act (40 USC 3145), as supplemented by Department of Labor Regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States").

21. COMPLIANCE WITH LAWS. Each party shall comply with all applicable federal, state, and local laws and regulations that are incorporated herein by reference.

22. DISPUTES. This Contract shall be performed under the laws of the State of Washington. Any litigation to enforce this Contract or any of its provisions shall be brought in Spokane County, Washington.

23. SEVERABILITY. In the event any provision of this Contract should become invalid, the rest of the Contract shall remain in full force and effect.

24. AUDIT / RECORDS. The Contractor and its subcontractors shall maintain for a minimum of three (3) years following final payment all records related to its performance of the Contract. The Contractor and its subcontractors shall provide access to authorized City representatives, at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the Contract, the federal law shall prevail.

25. BUSINESS REGISTRATION REQUIREMENT. Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Contractor shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

26. CONSTRUAL. The Contractor acknowledges receipt of a copy of the contract documents and agrees to comply with them. The silence or omission in the contract documents concerning any detail required for the proper execution and completion of the work means that only the best general practice is to prevail and that only material and workmanship of the best quality are to be used. This Contract shall be construed neither in favor of nor against either party.

27. MODIFICATIONS. The City may modify this Contract and order changes in the work whenever necessary or advisable. The Contractor will accept modifications when ordered in writing by the Director of Engineering Services, and the Contract time and compensation will be adjusted accordingly.

28. INTEGRATION. This Contract, including any and all exhibits and schedules referred to herein or therein set forth the entire Agreement and understanding between the parties pertaining to the subject matter and merges all prior agreements, negotiations and discussions between them on the same subject matter.

29. FORCE MAJEURE. Neither party shall be liable to the other for any failure or delay in performing its obligations hereunder, or for any loss or damage resulting therefrom, due to: (1) acts of God or public enemy, acts of government, riots, terrorism, fires, floods, strikes, lock outs, epidemics, act or failure to act by the other party, or unusually severe weather affecting City, Contractor or its subcontractors, or (2) causes beyond their reasonable control and which are not foreseeable (each a "Force Majeure

Event"). In the event of any such Force Majeure Event, the date of delivery or performance shall be extended for a period equal to the time lost by reason of the delay.

30. CLEAN AIR ACT.

Contractor must comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 USC 7401-7671q) and the Federal Water Pollution Control Act as amended (33 USC 1251-1387). Violations will be reported.

31. USE OF PROJECT MANAGEMENT SOFTWARE. The Contractor shall transmit all submittal documentation for proposed project materials by uploading it to the City's web based construction management software. A City representative will be available to assist in learning this process.

**ROAD PRODUCTS, LLC**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature Date

By \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Contract:**

- Payment Bond
- Performance Bond
- Certification Regarding Debarment
- Schedule A-1

26-092

**PAYMENT BOND**

We, **ROAD PRODUCTS, LLC**, as principal, and \_\_\_\_\_, as surety, are held and firmly bound to the City of Spokane, Washington, in the sum of **SIX HUNDRED NINETY-SIX THOUSAND THREE HUNDRED THIRTY-FIVE AND 50/100 DOLLARS (\$696,335.50)** for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a contract with the City of Spokane, Washington, to do all work and furnish all materials for the **HIGH VISIBILITY CROSSWALKS**. If the principal shall:

- A. pay all laborers, mechanics, subcontractors, material suppliers and all person(s) who shall supply such person or subcontractors; and pay all taxes and contributions, increases and penalties as authorized by law; and
- B. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the contract or this bond, shall be conclusive against the principal and the surety, as to the amount of damages, and their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on \_\_\_\_\_.

**ROAD PRODUCTS, LLC,**

AS PRINCIPAL

By: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_,  
AS SURETY

By: \_\_\_\_\_

Its Attorney in Fact

A valid POWER OF ATTORNEY for the Surety's agent must accompany this bond.



**PERFORMANCE BOND**

We, **ROAD PRODUCTS, LLC**, as principal, and \_\_\_\_\_, as Surety, are held and firmly bound to the City of Spokane, Washington, in the sum of **SIX HUNDRED NINETY-SIX THOUSAND THREE HUNDRED THIRTY-FIVE AND 50/100 DOLLARS (\$696,335.50)** for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a Contract with the City of Spokane, Washington, to do all the work and furnish all materials for the **HIGH VISIBILITY CROSSWALKS**. If the principal shall:

- A. promptly and faithfully perform the Contract, and any contractual guaranty and indemnify and hold harmless the City from all loss, damage or claim which may result from any act or omission of the principal, its agents, employees, or subcontractors; and
- B. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the Contract or this bond, shall be conclusive against the principal and the Surety, not only as to the amount of damages, but also as to their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on \_\_\_\_\_

**ROAD PRODUCTS, LLC,**

AS PRINCIPAL

By: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_,  
AS SURETY

By: \_\_\_\_\_  
Its Attorney in Fact

A valid POWER OF ATTORNEY for the Surety's agent must accompany this bond.

STATE OF WASHINGTON            )  
  ) ss.  
County of \_\_\_\_\_            )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
\_\_\_\_\_ signed this document; on oath stated that  
he/she was authorized to sign the document and acknowledged it as the agent or representative of  
the named Surety Company which is authorized to do business in the State of Washington, for the  
uses and purposes mentioned in this document.

DATED on \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary

My appointment expires \_\_\_\_\_

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION**

1. The undersigned (i.e., signatory for the Subrecipient / Contractor / Consultant) certifies, to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
  - b. Have not within a three-year period preceding this contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
  - c. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and,
  - d. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.
  
2. The undersigned agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
  
3. The undersigned further agrees by signing this contract that it will include the following clause, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:
 

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

  1. The lower tier contractor certifies, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
  
4. I understand that a false statement of this certification may be grounds for termination of the contract.

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Name of Subrecipient / Contractor / Consultant (Type or Print)	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Program Title (Type or Print)
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Name of Certifying Official (Type or Print)	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Signature
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Title of Certifying Official (Type or Print)	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Date (Type or Print)

**SCHEDULE A-1**

*Tax Classification: Sales tax shall be included in unit prices*

<b>ITEM NO.</b>	<b>ITEM DESCRIPTION</b>	<b>ESTIMATED QUANTITIES</b>	<b>UNIT PRICE</b>	<b>TOTAL</b>
1	REIMBURSEMENT OF THIRD PARTY DAMAGE	1.00 EST	\$ 1.00	\$ 1.00
2	SPCC PLAN	1.00 LS	\$ 750.00	\$ 750.00
3	MOBILIZATION	1.00 LS	\$ 40,000.00	\$ 40,000.00
4	PROJECT TEMPORARY TRAFFIC CONTROL	1.00 LS	\$ 142,000.00	\$ 142,000.00
5	WORK ZONE SAFETY CONTINGENCY	5,000.00 FA	\$ 1.00	\$ 5,000.00
6	REMOVAL OF EXISTING PAVEMENT MARKINGS	1.00 LS	\$ 73,000.00	\$ 73,000.00
7	PAVEMENT MARKING - DURABLE HEAT APPLIED	11,780.00 SF	\$ 9.75	\$ 114,855.00
8	PAVEMENT MARKING – DURABLE	13,489.00 SF	\$ 16.75	\$ 225,940.75
9	PAVEMENT GROOVING	9,261.00 SF	\$ 8.75	\$ 81,033.75
10	TEMPORARY PAVEMENT MARKING	1.00 LS	\$ 13,755.00	\$ 13,755.00
<b>Schedule A-1 Subtotal</b>				\$ <u>696,335.50</u>
<b>Summary of Bid Items</b>			<b>Bid Total</b>	\$ <u>696,335.50</u>

**City Of Spokane**  
**Engineering Services Department**  
**\*\*\*Bid Tabulation\*\*\***

**Project Number**      2024074

**Project Description** High Visibility Crosswalks

**Original Date**

4/6/2026 2:38:00 PM

<b>Project Number:</b> 2024074			<b>Engineer's Estimate</b>		ROAD PRODUCTS INC (Submitted)		SPECIALIZED PAVEMENT MARKING, LLC (Submitted)		KB MARKINGS LLC (Submitted)	
Item No	Bid Item Description	Est Qty	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount

**Tax Classification**

**Schedule 01**

Sales tax shall be included in unit prices

1	REIMBURSEMENT OF THIRD PARTY DAMAGE	1 EST	1.00	1.00	1.00	\$1.00	1.00	\$1.00	1.00	\$1.00
2	SPCC PLAN	1 LS	2,000.00	2,000.00	750.00	\$750.00	1,000.00	\$1,000.00	500.00	\$500.00
3	MOBILIZATION	1 LS	40,000.00	40,000.00	40,000.00	\$40,000.00	32,000.00	\$32,000.00	28,000.00	\$28,000.00
4	PROJECT TEMPORARY TRAFFIC CONTROL	1 LS	154,000.00	154,000.00	142,000.00	\$142,000.00	200,500.00	\$200,500.00	240,000.00	\$240,000.00
5	WORK ZONE SAFETY CONTINGENCY	5000 FA	1.00	5,000.00	1.00	\$5,000.00	1.00	\$5,000.00	1.00	\$5,000.00
6	REMOVAL OF EXISTING PAVEMENT MARKINGS	1 LS	60,000.00	60,000.00	73,000.00	\$73,000.00	52,000.00	\$52,000.00	67,000.00	\$67,000.00
7	PAVEMENT MARKING - DURABLE HEAT APPLIED	11780 SF	15.00	176,700.00	9.75	\$114,855.00	10.50	\$123,690.00	12.50	\$147,250.00
8	PAVEMENT MARKING - DURABLE	13489 SF	20.00	269,780.00	16.75	\$225,940.75	18.25	\$246,174.25	12.85	\$173,333.65
9	PAVEMENT GROOVING	9261 SF	20.00	185,220.00	8.75	\$81,033.75	4.45	\$41,211.45	8.00	\$74,088.00
10	TEMPORARY PAVEMENT MARKING	1 LS	30,000.00	30,000.00	13,755.00	\$13,755.00	6,500.00	\$6,500.00	14,000.00	\$14,000.00
<b>Bid Total</b>			<b>\$922,701.00</b>		<b>\$696,335.50</b>		<b>\$708,076.70</b>		<b>\$749,172.65</b>	

**City Of Spokane**  
**Engineering Services Department**  
**\*\*\*Bid Tabulation\*\*\***

**SCHEDULE SUMMARY**

	<b>Sched 1</b>	<b>Sched 2</b>	<b>Sched 3</b>	<b>Sched 4</b>	<b>Total</b>
ENGINEER'S ESTIMATE	922,701.00	0.00	0.00	0.00	922,701.00
ROAD PRODUCTS INC (Submitted)	696,335.50	0.00	0.00	0.00	696,335.50
SPECIALIZED PAVEMENT MARKING, LLC (Submitted)	708,076.70	0.00	0.00	0.00	708,076.70
KB MARKINGS LLC (Submitted)	749,172.65	0.00	0.00	0.00	749,172.65

**Low Bid Contractor: ROAD PRODUCTS INC**

	<b>Contractor's Bid</b>	<b>Engineer's Estimate</b>	<b>% Variance</b>
<b>Schedule 01</b>	696,335.50	922,701.00	24.53 % Under Estimate
<b>Schedule 02</b>	0.00	0.00	% Under Estimate
<b>Schedule 03</b>	0.00	0.00	% Under Estimate
<b>Schedule 04</b>	0.00	0.00	% Under Estimate
<b>Bid Totals</b>	696,335.50	922,701.00	24.53 % Under Estimate



< **Business Lookup**

## License Information:

[New search](#) [Back to results](#)

**Entity name:** ROAD PRODUCTS, LLC

**Business name:** ROAD PRODUCTS, LLC.

**Entity type:** [Limited Liability Company](#)

**UBI #:** 601-603-787

**Business ID:** 001

**Location ID:** 0002

**Location:** Active

**Location address:** 12301 E EMPIRE AVE  
SPOKANE VALLEY WA 99216-1231

**Mailing address:** 9915 E TRENT AVE  
SPOKANE VALLEY WA 99206-4204



**Excise tax and reseller permit status:**

[Click here](#)


**Secretary of State information:**

[Click here](#)

## Endorsements

Endorsements held at this lo	License #	Count	Details	Status	Expiration da	First issuance
Airway Heights General Business - Non-Resident				Active	Feb-28-2027	Mar-24-2022
Colville General Business - Non-Resident	030625.0			Active	Feb-28-2027	Apr-25-2012
Franklin County General Business - Non-Resident	2746			Active	Feb-28-2027	Jan-20-2021
Spokane General Business - Non-Resident	T12016839BL			Active	Feb-28-2027	Oct-15-2012
Spokane Valley General Business	00527			Active	Feb-28-2027	Feb-02-2004

## Owners and officers on file with the Department of Revenue

Owners and officers	Title
ARROW CONSTRUCTION HOLDINGS LLC	

# Registered Trade Names

Registered trade names	Status	First issued
ROAD PRODUCTS, LLC.	Active	Feb-06-2023
RPI	Active	May-20-2010

[View Additional Locations](#)

The Business Lookup information is updated nightly. Search date and time:  
4/13/2026 1:23:52 PM

## Contact us

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## Certificate Disclaimer

Alliant Insurance has recently updated their Certificate of Liability procedures to minimize unnecessary errors and to help clients and certificate holders understand the limitations and provisions outlined in their insurance policies. We will do so by adhering to the recommendations found in the recent Acord form manual and by staying compliant with state statute WAC 284-30-355 and (ORS)744.074(1)(e). Alliant aims to ensure clarity and accuracy in coverage interpretation while also protecting the interests of its clients and certificate holders.

While we can still add specific details such as job numbers, contract names, event dates, or specific locations on certificates, it's crucial to note that Alliant cannot bind our insurers to anything beyond what is specified in the endorsement. If the Additional Insured box is checked, individuals can refer to the Additional Insured endorsement attached to their certificate for detailed coverage information.

Ultimately, coverage is determined by the policy, its terms, and individual endorsements, and as established by the contract between the Named Insured and the Additional Insured. If there are any further inquiries or requests for clarification, please do not hesitate to reach out to us for further assistance.

## COMMERCIAL GENERAL LIABILITY ENHANCEMENT ENDORSEMENT

The Commercial General Liability Enhancement Endorsement is an optional endorsement that provides coverage enhancements. The following is a summary of broadened coverages provided by this endorsement. No coverage is provided by this summary, refer to following endorsement for changes in your policy.

<b>SUMMARY OF COVERAGES</b>	<b>PAGE</b>
Bodily Injury And Property Damage Liability	
• Non Owned Watercraft Up To 50 Feet .....	2
Property Damage Liability	
• Elevators .....	3
• Fire, Lightning, Explosion Or Sprinkler Leakage Exception.....	3
• Borrowed Equipment (\$25,000 Per Occurrence, \$50,000 Aggregate, \$2,500 Deductible Per Occurrence.....	3
Supplementary Payments – Amended	
• Bail Bonds Up To \$5,000 .....	3
• Loss of Earnings Up To \$500/Day .....	3
Who Is An Insured Amendments	
• Employee Bodily Injury To A Co-Employee.....	4
• Newly Formed Or Acquired Organizations For Up To 180 Days.....	4
• Blanket Additional Insured – Vendors – As Required By Contract.....	4
• Blanket Additional Insured – Lessor Of Leased Equipment .....	6
• Blanket Additional Insured – Managers Or Lessors Of Premises.....	6
• Blanket Additional Insured – State Or Governmental Agency Or Subdivisions Or Political Subdivision – Permits Or Authorizations .....	7
• Blanket Additional Insured – State Or Governmental Agency Or Subdivision Or Political Subdivision – Permits Or Authorizations Relating To Premises.....	8
Damage To Premises Rented To You – \$300,000 .....	9
Medical Payments Increased Limit – \$10,000 Or Amount Shown on Declarations .....	9
Conditions	
• Knowledge of Occurrence, Offense, Claim Or Suit Amended.....	9
• Unintentional Failure To Disclose Hazards.....	9
• Waiver of Subrogation.....	10
Insured Contract Amended .....	10
Personal And Advertising Injury Redefined	
• Televised, Videotaped Or Electronic Publication .....	10

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY**

**COMMERCIAL GENERAL LIABILITY ENHANCEMENT ENDORSEMENT**

This endorsement modifies the insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

With respect to the coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by this endorsement. The SECTIONS of the Commercial General Liability Coverage Form identified in this endorsement will be amended as shown below.

**SECTION I – COVERAGES AMENDMENTS**

**COVERAGE A – BODILY INJURY AND PROPERTY DAMAGE LIABILITY**

**A. Non Owned Aircraft Or Watercraft**

Item **2. Exclusions**, Paragraph **g.** is replaced by the following:

**g. Aircraft, Auto Or Watercraft**

“Bodily injury” or “property damage” arising out of the ownership, maintenance, use or entrustment to others of any aircraft, “auto” or watercraft owned or operated by or rented or loaned to any insured. Use includes operation and “loading or unloading”.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the “occurrence” which caused the “bodily injury” or “property damage” involved in the ownership, maintenance, use or entrustment to others of any aircraft, “auto” or watercraft that is owned or operated by or rented or loaned to any insured.

This exclusion does not apply to:

(1) A watercraft while ashore on premises you own or rent;

(2) A watercraft you do not own that is:

(a) Less than 50 feet long; and

(b) Not being used to carry persons or property for a charge;

This Subparagraph (2) applies to any person, who with your expressed or implied consent, either uses or is responsible for the use of the watercraft;

(3) Parking an “auto” on, or on the ways next to, premises you own or rent, provided the “auto” is not owned by or rented or loaned to you or the insured;

(4) Liability assumed under any “insured contract” for the ownership, maintenance or use of aircraft or watercraft; or

(5) “Bodily injury” or “property damage” arising out of:

(a) The operation of machinery or equipment that is attached to, or part of, a land vehicle that would qualify under the definition of “mobile equipment” if it were not subject to a compulsory or financial responsibility law or other motor vehicle insurance law where it is licensed or principally garaged; or

(b) The operation of any of the machinery or equipment listed in Paragraph **f. (2)** or **f. (3)** of the definition of “mobile equipment”.

## B. Damage To Property Coverage Extensions

Item **2. Exclusions**, Paragraph **j.** is replaced by the following:

### j. Damage To Property

“Property damage” to:

- (1) Property you own, rent, or occupy, including any costs or expenses incurred by you, or any other person, organization or entity, for repair, replacement, enhancement, restoration or maintenance of such property for any reason, including prevention of injury to a person or damage to another’s property;
- (2) Premises you sell, give away or abandon, if the “property damage” arises out of any part of those premises;
- (3) Property loaned to you;
- (4) Personal property in the care, custody or control of the insured;
- (5) That particular part of real property on which you or any contractors or subcontractors working directly or indirectly on your behalf are performing operations, if the “property damage” arises out of those operations; or
- (6) That particular part of any property that must be restored, repaired or replaced because “your work” was incorrectly performed on it.

Paragraphs (1), (3) and (4) of this exclusion do not apply to “property damage” (other than damage by fire, lightning, explosion or sprinkler leakage) to premises, including the contents of such premises, rented to you for a period of seven or fewer consecutive days. A separate limit of insurance applies to Damage To Premises Rented To You as described in **SECTION III – LIMITS OF INSURANCE**. However, the provisions of this paragraph do not apply if coverage for Damage To Premises Rented To You is excluded by endorsement.

Paragraph (2) of this exclusion does not apply if the premises are “your work” and were never occupied, rented or held for rental by you.

Paragraphs (3) and (4) of this exclusion do not apply to the use of elevators.

Paragraphs (3), (4), (5) and (6) of this exclusion do not apply to liability assumed under a sidetrack agreement.

Paragraph (4) of this exclusion does not apply to “property damage” to borrowed equipment while not being used to perform operations at the jobsite. Subject to Paragraph 2. of **SECTION III – LIMITS OF INSURANCE**, the rules below fix the most we will pay for “property damage” under this provision:

- (1) \$25,000 any one “occurrence”, regardless of the number of persons or organizations who sustain damages because of that “occurrence”;
- (2) \$50,000 annual aggregate; and
- (3) We will pay only for damages in excess of \$2,500 as a result of any one “occurrence”, regardless of the number of persons or organizations who sustain damages because of that “occurrence”. We may, or if required by law, pay all or any part of any deductible amount, if applicable, to effect settlement of any claim or “suit”. Upon notice of our payment of a deductible amount, you shall promptly reimburse us for the part of the deductible amount we paid.

Paragraph (6) of this exclusion does not apply to “property damage” included in the “products-completed operations hazard”.

The insurance provided for “property damage” from the use of elevators and for “property damage” to borrowed equipment is excess over any other valid and collectible property insurance (including any deductible portion thereof) available to the insured whether primary, excess, contingent or on any other basis.

## C. Damage To Premises Rented To You

Item **2. Exclusions**, the last paragraph is replaced by the following:

Exclusions **c.** through **n.** do not apply to damage by fire, lightning, explosion or sprinkler leakage to premises while rented to you or temporarily occupied by you with permission of the owner. A separate limit of insurance applies to this coverage as described in Paragraph **6.** of **SECTION III – LIMITS OF INSURANCE**.

## COVERAGE B – PERSONAL AND ADVERTISING INJURY LIABILITY

### D. Personal And Advertising Injury

Item 2. **Exclusions** is amended by replacing Sub-paragraphs **b.** and **c.** with the following:

#### b. Material Published With Knowledge Of Falsity

“Personal and advertising injury” arising out of oral, written, televised, videotaped or electronic publication, in any manner, of material, if done by or at the direction of the insured with knowledge of its falsity.

#### c. Material Published Prior To Policy Period

“Personal and advertising injury” arising out of oral, written, televised, videotaped or electronic publication, in any manner, of material whose first publication took place before the beginning of the policy period.

## SUPPLEMENTARY PAYMENTS – COVERAGES A AND B

### E. Supplementary Payments – Coverages A and B

Item 1. is amended by replacing Subparagraphs **b.** and **d.** with the following:

**b.** Up to \$5,000 for cost of bail bonds required because of accidents or traffic law violations arising out of the use of any vehicle to which the Bodily Injury Liability Coverage applies. We do not have to furnish these bonds.

**d.** All reasonable expenses incurred by the insured at our request to assist us in the investigation or defense of the claim or “suit”, including actual loss of earnings up to \$500 a day because of time off from work.

## SECTION II – WHO IS AN INSURED AMENDMENTS

### A. Employee Bodily Injury To A Co-Employee

Paragraph 2. **a. (1)** is replaced by the following:

However, none of these “employees” or “volunteer workers” are insureds for “bodily injury” or “personal and advertising injury”:

**(a)** To you, to your partners or members (if you are a partnership or joint venture), to your members (if you are a limited liability company), to a co-“employee” while in the course of his or her employment or performing duties related to the conduct of your business, or to your other “volunteer workers” while performing duties related to the conduct of your business;

**(b)** To the spouse, child, parent, brother or sister of the co-“employee” or “volunteer worker” as a consequence of Paragraph **(1)(a)** above;

**(c)** For which there is any obligation to share damages with or repay someone else who must pay damages because of the injury described in Paragraph **(1)(a)** or **(b)** above; or

**(d)** Arising out of his or her providing or failing to provide professional health care services.

However, if a suit seeking damages for “bodily injury” or “personal and advertising injury” to any co-“employee” or other “volunteer worker” arising out of and in the course of the co-“employee’s” or “volunteer worker’s” employment or while performing duties related to the conduct of your business, or a suit seeking damages brought by the spouse, child, parent, brother or sister of the co-“employee” or other “volunteer worker”, is brought against you or a co-“employee” or a “volunteer worker”, we will reimburse the reasonable costs that you incur in providing a defense to the co-“employee” or “volunteer worker” against such matters. Any reimbursement made pursuant to this sub-section will be in addition to the limits of liability set forth in the Declarations.

### B. Newly Acquired Organizations

Paragraph 3. **a.** is replaced by the following:

**a.** Coverage under this provision is afforded only until the 180<sup>th</sup> day after you acquire or form the organization or the end of the policy period, whichever is earlier;

The following are added:

**C. Blanket Additional Insured – Vendors – As Required By Contract**

1. **Section II – Who Is An Insured** is amended to include as an additional insured any person(s) or organization(s) (referred to throughout this endorsement as vendor) with whom you have agreed in a written contract, executed prior to loss, to name as an additional insured, but only with respect to "bodily injury" or "property damage" arising out of "your products" which are distributed or sold in the regular course of the vendor's business.

However,

- a. The insurance afforded to such vendor only applies to the extent permitted by law; and
  - b. If coverage provided to the vendor is required by a contract or agreement, the insurance afforded to such vendor will not be broader than that which you are required by the contract or agreement to provide for such vendor.
2. With respect to the insurance afforded to these vendors, the following additional exclusions apply:

- a. The insurance afforded the vendor does not apply to:

- (1) "Bodily injury" or "property damage" for which the vendor is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement;
- (2) Any express warranty unauthorized by you;
- (3) Any physical or chemical change in the product made intentionally by the vendor;
- (4) Repackaging, except when unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the manufacturer, and then repackaged in the original container;
- (5) Any failure to make such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products;
- (6) Demonstration, installation, servicing or repair operations, except such operations performed at the vendor's premises in connection with the sale of the product;
- (7) Products which, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or for the vendor; or
- (8) "Bodily injury" or "property damage" arising out of the sole negligence of the vendor for its own acts or omissions or those of its employees or anyone else acting on its behalf. However, this exclusion does not apply to:
  - (i) The exceptions contained in Subparagraphs (4) or (6); or
  - (ii) Such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products.

3. This Provision **C.** does not apply:

- a. To any insured person or organization from whom you have acquired such products, or any ingredient, part or container, entering into, accompanying or containing such products;
- b. To any vendor for which coverage as an additional insured specifically is scheduled by endorsement; or
- c. When liability included within the "products-completed operations hazard" has been excluded for such product either by the provisions of the coverage part or by endorsement.

4. With respect to the insurance afforded to these vendors, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the vendor is required by a contract or agreement, the most we will pay on behalf of the vendor is:

- a. The minimum amount required by the contract or agreement; or
  - b. The Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

5. With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to:

- a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:
- (1) The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
  - (2) Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against an additional insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or failure to render any professional services by you with respect to your providing engineering, architectural or surveying services in your capacity as an engineer, architect or surveyor.

#### **D. Blanket Additional Insured – Lessor Of Leased Equipment**

1. **Section II – Who Is An Insured** is amended to include as an additional insured any person(s) or organization(s) from whom you lease equipment when you and such person(s) or organization(s) have agreed in writing in a contract or agreement, executed prior to loss, that such person(s) or organization(s) be added as an additional insured on your policy. Such person(s) or organization(s) is an insured only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused by your negligent acts or omissions in the maintenance, operation or use of equipment leased to you by such person(s) or organization(s).

However, the insurance afforded to such additional insured:

- a. Only applies to the extent permitted by law; and
- b. Will not be broader than that which you are required by the contract or agreement to provide for such additional insured.
- c. Does not apply to any "occurrence" which takes place after the equipment lease expires;

A person's or organization's status as an additional insured under this endorsement ends when their contract or agreement with you for such leased equipment ends.

2. With respect to the insurance afforded to the Lessor, the following additional exclusions apply:

"Bodily injury" or "property damage" arising out of:

- (1) The assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the Lessor would have in the absence of the contract or agreement;
- (2) Any express warranty made by the Lessor;
- (3) The demonstration, installation, servicing, inspections, adjustments, tests, repair, or maintenance operations by or for the Lessor;
- (4) The negligence or strict liability of the Lessor for its own acts or omissions or those of its employees or anyone else acting on its behalf; or
- (5) Any failure on the part of the Lessor to provide information, instructions and/or warnings with respect to the maintenance, use or operation of the equipment.

3. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance**:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is:

- a. The minimum amount required by the contract or agreement; or
  - b. The Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

4. With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to:

- a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:
- (1) The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
  - (2) Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against an additional insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or failure to render any professional services by you with respect to your providing engineering, architectural or surveying services in your capacity as an engineer, architect or surveyor.

**E. Blanket Additional Insured – Managers Or Lessors Of Premises**

1. **Section II – Who Is An Insured** is amended to include as an additional insured any person(s) or organization(s) with whom you have agreed in a written contract, executed prior to loss, to name as an additional insured, but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you, subject to the following additional exclusions:

This insurance does not apply to:

- a. Any "occurrence" which takes place after you cease to be a tenant in that premises.
- b. Structural alterations, new construction or demolition operations performed by or on behalf of such additional insured.

However:

- a. The insurance afforded to such additional insured only applies to the extent permitted by law; and
- b. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

2. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance**:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is:

- a. The minimum amount required by the contract or agreement; or
- b. The Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

3. With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to:

- a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:
- (1) The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
  - (2) Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against an additional insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or failure to render any professional services by you with respect to your providing engineering, architectural or surveying services in your capacity as an engineer, architect or surveyor.

**F. Blanket Additional Insured – State Or Governmental Agency Or Subdivision Or Political Subdivision – Permits Or Authorizations**

**Section II – Who Is An Insured** is amended to include as an additional insured any state or governmental agency or subdivision or political subdivision with whom you have agreed in a written contract, executed prior to loss, to name as an additional insured, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization.

However:

- a. The insurance afforded to such additional insured only applies to the extent permitted by law; and
- b. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

2. This insurance does not apply to:

- a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the federal government, state or municipality; or
- b. "Bodily injury" or "property damage" included within the "products-completed operations hazard".

3. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance**:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is:

- a. The minimum amount required by the contract or agreement; or
- b. The Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

4. With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to:

- a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:

- (1) The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
- (2) Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against an additional insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or failure to render any professional services by you with respect to your providing engineering, architectural or surveying services in your capacity as an engineer, architect or surveyor.

**G. Blanket Additional Insured – State Or Governmental Agency Or Subdivision Or Political Subdivision – Permits Or Authorizations Relating To Premises**

**Section II – Who Is An Insured** is amended to include as an additional insured any state or governmental agency or subdivision or political subdivision with whom you have agreed in a written contract, executed prior to loss, to name as an additional insured, subject to the following provision:

1. This insurance applies only with respect to the following hazards for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization in connection with premises you own, rent or control and to which this insurance applies:

- a. The existence, maintenance, repair, construction, erection or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, street banners or decorations and similar exposures; or
- b. The construction, erection or removal of elevators; or
- c. The ownership, maintenance or use of any elevators covered by this insurance.

However,

- a. The insurance afforded to such additional insured only applies to the extent permitted by law; and
  - b. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.
2. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance**:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is:

- a. The minimum amount required by the contract or agreement; or
  - b. The Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

3. With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to:

- a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:
  - (1) The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
  - (2) Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against an additional insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or failure to render any professional services by you with respect to your providing engineering, architectural or surveying services in your capacity as an engineer, architect or surveyor.

## SECTION III – LIMITS OF INSURANCE AMENDMENTS

### A. Damage To Premises Rented To You

Paragraph 6. is replaced by the following:

6. Subject to Paragraph 5. above, the most we will pay under Coverage A for damages because of "property damage" to any one premises, while rented to you, or in the case of damage by fire, lightning, explosion or sprinkler leakage, while rented to you or temporarily occupied by you with permission of the owner is the greater of:
  - a. \$300,000; or
  - b. The amount shown next to the Damage To Premises Rented To You Limit in the Declarations.

However, the provisions of this paragraph do not apply if Damage To Premises Rented To You Coverage is excluded by endorsement.

### B. Medical Expense Limit

Paragraph 7. is replaced with the following:

7. Subject to Paragraph 5. above, the most we will pay under Coverage C for all medical expenses because of "bodily injury" sustained by any one person is the greater of:
  - a. \$10,000; or
  - b. The amount shown next to the Medical Expense Limit in the Declarations.

This insurance does not apply if coverage for Medical Expenses is excluded either by the provisions of the coverage part or by endorsement.

## SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS AMENDMENTS

### A. Knowledge Of Occurrence

Item **2. Duties In The Event Of Occurrence, Offense, Claim or Suit** is amended by adding the following:

- e. You must give us or our authorized representative prompt notice of an “occurrence”, claim or loss only when the “occurrence”, claim or loss is known to:
  - (1) You, if you are an individual;
  - (2) A partner, if you are a partnership;
  - (3) An executive officer or insurance manager, if you are a corporation; or
  - (4) A member or manager, if you are a limited liability company.

### B. Other Insurance

Item **4. Other Insurance, b. Excess Insurance (1) (a) (ii)** is replaced by the following:

- (ii) That is fire, lightning, explosion or sprinkler leakage insurance for premises rented to you or temporarily occupied by you with permission of the owner;

### C. Unintentional Failure To Disclose Hazards

Item **6. Representations** is replaced by the following:

#### 6. Representations And Unintentional Failure To Disclose Hazards

- a. By accepting this policy, you agree:
  - (1) The statements in the Declarations are accurate and complete;
  - (2) Those statements are based upon representations you made to us; and
  - (3) We have issued this policy in reliance upon your representations.
- b. If you unintentionally fail to disclose any hazards existing at the inception date of your policy, we will not deny coverage under this Coverage Part because of such failure. However, this provision does not affect our right to collect additional premium or exercise our right of cancellation or non-renewal.

### D. Waiver of Subrogation

Item **8. Transfer of Rights of Recovery Against Others to Us** is hereby amended by the addition of the following:

We waive any right of recovery we may have because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a written contract, executed prior to loss, requiring such waiver with that person or organization and included in the "products-completed operations hazard". However, our rights may only be waived prior to the "occurrence" giving rise to the injury or damage for which we make payment under this Coverage Part. The insured must do nothing after a loss to impair our rights. At our request, the insured will bring "suit" or transfer those rights to us and help us enforce those rights.

## SECTION V – DEFINITIONS AMENDMENTS

### A. Insured Contract Amended

Paragraph **9. a.** is replaced by the following:

- a. A contract for a lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damage by fire, lightning, explosion or sprinkler leakage to premises while rented to you or temporarily occupied by you with permission of the owner is not an “insured contract”;

### B. Personal And Advertising Injury Redefined

Paragraph **14. d.** and **e.** are replaced by the following:

- d. Oral, written, televised, videotaped or electronic publication of material that slanders or libels a person or organization or disparages a person’s or organization’s goods, products or service;
- e. Oral, written, televised, videotaped or electronic publication of material that violates a person’s right of privacy;

**Agenda Sheet for City Council:****Committee:** PIES **Date:** 04/13/2026**Committee Agenda type:** Discussion**Date Rec'd**

4/8/2026

**Clerk's File #**

RES 2026-0027

**Cross Ref #**

OPR 2025-0622

**Project #****Council Meeting Date:** 04/27/2026**Submitting Dept**

PLANNING SERVICES

**Bid #****Contact Name/Phone**

TIRRELL BLACK X6185

**Requisition #****Contact E-Mail**

TBLACK@SPOKANECITY.ORG

**Agenda Item Type**

Resolutions

**Council Sponsor(s)**

KKLITZKE ZZAPPONE

**Sponsoring at Administrators Request**

NO

**Lease?** NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

PERIODIC UPDATE TO COMPREHENSIVE PLAN 2026 – ACCEPTANCE OF WA

**Agenda Wording**

WA legislature has appropriated funding to cities to assist with Periodic Update to the Comprehensive Plan. This resolution allows the city to amend OPR 2025-0622 to accept an additional \$6910. in funding by April 30, 2026.

**Summary (Background)**

RCW 36.70A.130 mandates Periodic Update to the Comprehensive Plan in 2026. The WA legislature appropriated funds to assist cities with this work. The City of Spokane was awarded \$325,000 in funding in 2024. To accommodate the WA state budget cycles, this was broken into 3 contracts (FY 24/25, 25/26, 26/27). The first contract was for 24/25, OPR 2024-0909, October 28, 2024. The amount was \$162,500. The second contract was for FY 25/26, OPR 2025-0622, September 22, 2025 (Commerce contract 26-63114-247) amount \$105,625. At time of adoption of second contract, it was anticipated a third contract would be executed in July 2026 for the balance of the grant award. WA Legislature did not act on funding this program in the 2026 session. It is currently unknown if there will be state funds for a third contract/grant award. However, WA Commerce has a fund surplus currently and is offering a \$6,910 amount to the second contract OPR 2025-0622 if the contract amendment is completed by April 30, 2026. These funds were anticipated in the budget (1360-94175-99999-33442-20267)

**What impacts would the proposal have on historically excluded communities?**

The Periodic Update to the Comprehensive Plan has an improved emphasis on engaging traditionally underrepresented communities. For Housing policy, racially disparate impact analysis, a new requirement will deepen understanding on historic impacts and potential solutions.

**How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?**

Through the environmental review Environmental Impact Statement (EIS) the city's comprehensive plan will be updated to current population forecasts. New assumptions will include analysis for impacts to climate and how this affects specific populations within Spokane. Additionally, WA Commerce provides extensive guidance on examining historic racially disparate impacts on housing. This data will help the city design comprehensive plan policies to address displacement in housing and the impacts of climate on already overburdened communities

**How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?**

Climate planning will be integrated into the 2026 Periodic update to the City's Comprehensive Plan, RCW 36.70A.130 now requires that the city reassess the plan every 5 years. An Implementation Progress Report will be required in 2031.

**Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?**

Aligns with: Sustainability Action Plan 2021 - Land Use, Goal 4, Strategy 8. update the Comp Plan with ...climate goals." The Periodic Update will incorporate Climate planning policies.

**Council Subcommittee Review**

<b>Fiscal Impact</b>	
Approved in Current Year Budget? YES	
Total Cost	\$ 105,625
Current Year Cost	\$ 105,625
Subsequent Year(s) Cost	\$
<b><u>Narrative</u></b>	
No match required; grant is deliverable based.	
<b>Amount</b>	
<b>Budget Account</b>	
Revenue \$ 6910	# 1360- 94175- 99999- 33442-20267
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
<b>Funding Source</b> N/A	
<b>Funding Source Type</b> Select	
<b>Is this funding source sustainable for future years, months, etc?</b>	
additional funding from Planning Consultant funds	
<b>Expense Occurrence</b>	One-Time
<b>Other budget impacts (revenue generating, match requirements, etc.)</b>	
<b>Approvals</b>	
<b>Additional Approvals</b>	
<b>Dept Head</b>	BLACK, TIRRELL
<b>Division Director</b>	MACDONALD, STEVEN
<b>Accounting Manager</b>	ALBIN-MOORE, ANGELA
<b>Legal</b>	SCHOEDEL, ELIZABETH
<b>For the Mayor</b>	PICCOLO, MIKE
<b>Distribution List</b>	
	smacdonald@spokanecity.org
sgardner@spokanecity.org	eking@spokanecity.org
tblack@spokanecity.org	

## RESOLUTION 2026-0027

A resolution setting forth the City Council's approval and endorsement of amending Periodic Update Grant contract for the purpose of accepting additional grant funds and authorizing the execution of the applicable contract documents without further City Council action.

WHEREAS, the City of Spokane is currently engaged in a periodic update to the Comprehensive Plan as mandated by RCW 36.70A.130; and

WHEREAS, City of Spokane received a legislative appropriation "grant" from WA Commerce in 2024 in the amount of \$325,000. as part of a grant program to support the periodic update work of cities and counties; and

WHEREAS, upon award of the funds, WA Commerce determined that this grant award should be divided into two contracts; and

WHEREAS, the City accepted the first tranche of funds (half) in the amount of \$162,500 with OPR 2024-0909 (WA Commerce Contract 25-63335-147); and

WHEREAS, during the 2025 Washington legislative session, the periodic update deadline for 2026 communities was extended from June 30, 2026, to December 31, 2026 (SB 5558/Chapter 148, Laws of 2025); and

WHEREAS, with this change in the due date from June 30, 2026, to December 31, 2026, Commerce determined, due to state fiscal years, the second tranche of funding should be further divided into two contracts; and

WHEREAS, the City received the second tranche of funding in the amount of \$105,625 via contract in August 2025, OPR 2025-0622 (Commerce contract number 26-63114-247) in the amount of \$105,625, and anticipated a third tranche of funding after July 1, 2026, in the amount of \$58,875; and

WHEREAS, the City was notified on April 1, 2026, via email from the Washington Department of Commerce that the department is working to reallocate uncontracted Periodic Update Grant (PUG) funds for the state's current fiscal year (2025/2026), and further that cities over 100,000 population are eligible for \$6,910 dollars of funding, which is available via amendment of the existing grant contract (OPR 2025-0622) (Commerce Grant 26-63114-247), so long as the parties formally amend the contract by April 30, 2026; and

WHEREAS, the City has also been further notified that the anticipated third tranche of funds, estimated to be distributed in the balance of the grant amount \$58,875 for state FY 26/27 will be reduced because of the 2026 state budget reductions, and further notified that the amount that the City will receive of these remaining funds will be reduced by the \$6,910 once there is an amendment of the existing contract; and

WHEREAS, the Washington Department of Commerce will inform the City's staff of final reduction in grant award in late April 2026;

NOW, THEREFORE,

IT IS RESOLVED that the City Council authorizes the City to accept the reallocated PUG grant funds on the terms outlined by the Washington Department of Commerce; and

IT IS FURTHER RESOLVED that the administration, through the Planning & Economic Development department and any other applicable staff, to execute the appropriate contracts and related documents related to the PUG grant, without further action by the City Council, consistent with the recitals and terms of this resolution.

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

**Agenda Sheet for City Council:****Committee:** PIES **Date:** 03/09/2026**Committee Agenda type:** Discussion**Date Rec'd**

3/4/2026

**Clerk's File #**

ORD C36854

**Cross Ref #****Project #****Council Meeting Date:** 03/30/2026**Submitting Dept**

CITY COUNCIL

**Bid #****Contact Name/Phone**

JACKSON DEESE 509 625-6718

**Requisition #****Contact E-Mail**

JDEESE@SPOKANECITY.ORG

**Agenda Item Type**

First Reading Ordinance

**Council Sponsor(s)**

ZZAPPONE MCATHCART

**Sponsoring at Administrators Request**

NO

**Lease?** NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

ORDINANCE RELATING TO RESIDENTIAL ON-STREET PARKING FOR PERSONS

**Agenda Wording**

An ordinance relating to residential on-street parking for persons with disabilities, establishing a Residential Disability Parking Program, adopting a new Section 16A.05.091 to Chapter 16A.05 SMC, and setting an effective date

**Summary (Background)**

This ordinance establishes residential on-street parking program for persons with disabilities, adopts new Section 16A.05.091 to Chapter 16A.05 SMC, and sets an effective date of September 1, 2026.

**What impacts would the proposal have on historically excluded communities?**

Costs passed onto applicants could provide hardship to disabled residents on fixed incomes or low-income environments.

**How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?**

Quantitative data would be difficult to collect; Qualitative, anecdotal data could be useful if the program increases access or quality of life for persons with disabilities in their neighborhoods.

**How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?**

Number of applications could provide an analog for demand for residential disability parking.

**Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?**

Currently unaware of alignment with specific existing policies or plans; potential alignment with Safe Streets and Complete Streets and in light of the City motto 'In Spokane, We All Belong,' provides relief to persons with disabilities who have challenges parking near their homes in neighborhoods with high demand for on-street parking space and reduces need for persons with disabilities to consider moving elsewhere for accommodations.

**Council Subcommittee Review**

May send to Transportation Commission/Equity Subcommittee for feedback.

<b>Fiscal Impact</b>	
Approved in Current Year Budget? NO	
Total Cost	\$ Unknown
Current Year Cost	\$ Unknown
Subsequent Year(s) Cost	\$ Unknown
<b><u>Narrative</u></b>	
Current year: Est \$400 per sign + staff time for processing applications & sign installation. Subsequent year(s) same. City staff (currently the Parking Department) would need funding to purchase and install signage and process applications	
<b>Amount</b>	<b>Budget Account</b>
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
<b>Funding Source</b> Recurring	
<b>Funding Source Type</b> Program Revenue	
<b>Is this funding source sustainable for future years, months, etc?</b>	
Yes	
<b>Expense Occurrence</b>	N/A
<b>Other budget impacts (revenue generating, match requirements, etc.)</b>	
<b>Approvals</b>	
<b>Dept Head</b>	
<b>Division Director</b>	
<b>Accounting Manager</b>	BUSTOS, KIM
<b>Legal</b>	SCHOEDEL, ELIZABETH
<b>For the Mayor</b>	
<b>Distribution List</b>	

**ORDINANCE NO. C36854**

An ordinance relating to residential on-street parking for persons with disabilities, establishing a Residential Disability Parking Program, adopting a new Section 16A.05.091 to Chapter 16A.05 SMC, and setting an effective date.

**WHEREAS**, according to the 2020 Census, 16.3% of residents in Spokane County live with a disability; and

**WHEREAS**, several of Spokane’s neighborhoods were built without driveways or other parking facilities in mind; and

**WHEREAS**, disabled residents parking their vehicles on the street compete with neighbors for public on-street parking; and

**WHEREAS**, disabled residents may lose accessible parking in front of or near their homes when leaving for appointments, work, or other regular activities that require personal transportation; and

**WHEREAS**, the City Council intends to create a program to allow disabled residents to reserve and maintain parking near their homes for safety, accessibility, and quality of life.

**NOW, THEREFORE**, the City of Spokane does ordain:

**Section 1.** There is adopted a new section 16A.05.091 to Chapter 16A.05 of the Spokane Municipal Code to read as follows:

**Section 16A.05.091 Disabled Parking – Residential Disability Parking Program**

- A. Establishment. There is established a Residential Disability Parking Program for residents to apply for reserved parking in the public right-of-way near their property to improve access for persons with permanent disabilities.
- B. Criteria. Residents who have obtained a permanent disability identification card, placard, or license plate pursuant to RCW 46.19.010 may apply for designation of a disability accessible residential parking space in the public right-of-way immediately abutting the residential property owned or rented by the resident, if:

1. The property does not have a driveway, parking lot, garage, car port, private alley parking, or similar paved or unpaved parking surface;
  2. Disability accessible parking is not otherwise required or provided on the property;
  3. The applicant has a permanent (blue) disability placard or similar identification of a permanent disability; and
  4. The applicant or their representative can identify a portion of curbed public right-of-way no less than eight feet in length and no more than eighteen feet in length abutting the residential property of which they own or rent.
- C. Process. Applications for residential on-street parking for persons with disabilities shall be submitted to the Parking Department. Applicants must submit at least the following:
1. A valid disability identification card, placard, or license plate, including any serial numbers and expiration dates;
  2. A valid driver's license, vehicle insurance, and vehicle registration; and
  3. Any information as deemed necessary by the Parking Department.
- D. Signage and Display. Once approved, the City shall install at least two accessible parking signs as described in RCW 46.61.581 identifying the location of the reserved parking spot.
1. The applicant shall appropriately display any placards or license plates pursuant to RCW 46.19.030.
  2. The applicant shall maintain visibility of any signage for their reserved parking spot.
- E. Penalty. Relevant restrictions, prohibitions, violations, and penalties pursuant to RCW 46.19.050 may apply to parking granted under this section.
- F. Public Rule. The Parking Department shall create a public rule identifying any further criteria, processes, procedures, penalties or regulations not included in this section.

**Section 2. Effective Date.** This ordinance shall take effect and be in force on September 1, 2026.

**Section 3. Severability.** If a section, subsection, paragraph, sentence, clause, phrase or word of this ordinance should be held to be unconstitutional or invalid by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the constitutionality of any other portion of this ordinance.

**Section 4. Clerical Errors.** Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or number or referencing of ordinances or their sections and subsections.

PASSED by the City Council on \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/16/2026**Committee Agenda type:** Discussion**Date Rec'd**

3/11/2026

**Clerk's File #**

ORD C36863

**Cross Ref #****Project #****Council Meeting Date:** 04/13/2026**Submitting Dept**

MAYOR

**Bid #****Contact Name/Phone**

SARAH 6779

**Requisition #****Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

**Agenda Item Type**

First Reading Ordinance

**Council Sponsor(s)**

SDIXIT PDILLON

**Sponsoring at Administrators Request**

NO

**Lease?** NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

ORDINANCE RELATING TO MOBILE FOOD VENDING REGULATIONS

**Agenda Wording**

An ordinance related to the activation of public spaces through mobile food vending; repealing Sections 08.02.0234, 17C.390.020, and Chapter 10.51; amending Sections 08.01.070, 10.40.010, 12.05.010, 17C.120.110, 17C.122.070, 17C.124.110, 17C.130.110, and 17C.390.030; and adopting new Sections 12.15.070 and 12.15.080 of the Spokane Municipal Code.

**Summary (Background)**

Mobile food vending, such as mobile food trucks and carts, adds vitality to public spaces, encourages pedestrian activity, and promotes economic development. The City Council adopted regulations for mobile food vending in 2014 through Ordinance C35097 and has not updated them since. This ordinance intends to make it easier for mobile food vendors to thrive in Spokane by removing unnecessary regulatory barriers and barriers to entry while also protecting public health and safety. This ordinance eliminates the additional annual mobile food vending regulatory license requirement. This ordinance eliminates the requirement that a mobile food vendor obtain written permission from an adjacent property owner when operating in the public right-of-way in downtown. The ordinance intends to activate surface parking areas by providing that a mobile food vendor is not required to make site improvements when operating on a surface parking area. The ordinance updates the prohibition on the sale of alcohol by recognizing state law changes that now allow a mobile food vendor to also obtain a caterer's permit and liquor license from the Washington State Liquor and Cannabis Board to sell alcohol at certain events. The ordinance moves mobile food vending regulations to the Activation of Public Spaces code chapter.

**What impacts would the proposal have on historically excluded communities?**

Regulatory licensing increases barriers to entry for small businesses and increases compliance costs and risks. Mobile food vending can provide opportunities to chefs and entrepreneurs who may lack the initial capital to open a brick-and-mortar restaurant.

**How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?**

This ordinance does not create additional data collection requirements.

**How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?**

This ordinance does not create additional data collection requirements.

**Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?**

Comprehensive Plan Policy DP 4.2 – Street Life Comprehensive Plan Policy N 1.1 – Downtown Development  
Comprehensive Plan Policy ED 3.10 – Downtown Spokane Downtown Plan Priority Action 1.3 – Make sidewalks active  
Downtown Plan Priority Action 3.1 – Use the edges of surface parking lots for active uses  
Downtown Plan Priority Action PS 1.1 – Activate public spaces downtown Comprehensive Plan Policy ED 3.5 – Locally-Owned Businesses  
Comprehensive Plan Policy ED 3.6 – Small Businesses

**Council Subcommittee Review**

<b>Fiscal Impact</b>	
Approved in Current Year Budget? NO	
Total Cost	\$ 500
Current Year Cost	\$ 500
Subsequent Year(s) Cost	\$ 0
<b><u>Narrative</u></b>	
The City generally receives less than \$500 in revenue from the mobile food vending regulatory license. The revenue generated through this license requirement is likely less than the administrative costs to maintain the license program.	
<b>Amount</b>	<b>Budget Account</b>
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
<b>Funding Source</b> N/A	
<b>Funding Source Type</b> Select	
<b>Is this funding source sustainable for future years, months, etc?</b>	
<b>Expense Occurrence</b>	N/A
<b>Other budget impacts (revenue generating, match requirements, etc.)</b>	
<b>Approvals</b>	
<b>Dept Head</b>	MCDANIEL, ADAM
<b>Division Director</b>	
<b>Accounting Manager</b>	BUSTOS, KIM
<b>Legal</b>	SCHOEDEL, ELIZABETH
<b>For the Mayor</b>	PICCOLO, MIKE
<b>Distribution List</b>	

**ORDINANCE NO. C36863**

An ordinance related to the activation of public spaces through mobile food vending; repealing Sections 08.02.0234, 17C.390.020, and Chapter 10.51; amending Sections of Titles 08.01, 10.40, 12.05, and 17C; and adopting new Sections 12.15.070 and 12.15.080, all of the Spokane Municipal Code.

**WHEREAS**, Spokane Municipal Code 17C.390.010 reads: *“Mobile food vending such as mobile food trucks and carts can add vitality to the commercial districts and the street environment, encourage walking, and promote economic development”*; and



**WHEREAS**, Comprehensive Plan Policy DP 4.2 – Street Life calls for the City to *“Promote actions designed to increase pedestrian use of streets, especially downtown, thereby creating a healthy street life in commercial areas”*; and

**WHEREAS**, Comprehensive Plan Policy N 1.1 – Downtown Development calls for the City to *“Develop downtown Spokane as the primary economic and cultural center of the region...”*; and

**WHEREAS**, Comprehensive Plan Policy ED 3.10 – Downtown Spokane calls for the City to *“Promote downtown Spokane as the economic and cultural center of the region.”*; and

**WHEREAS**, Downtown Plan Priority Action 1.3 calls for the City to *“Make sidewalks active and vibrant places through continued efforts to streamline design requirements, and developing new pilot projects in partnership with local businesses downtown”*; and

**WHEREAS**, Downtown Plan Priority Action 3.1 calls for the City to *“Develop a program to use the edges of surface parking lots for active uses, programming, and events such as food trucks, vendors, and farmers markets.”*; and



An activated surface parking lot in Asheville, NC, parts of which are used for outdoor seating with railings, low cost overhead lighting, while also serving the parking and service needs for the surrounding businesses



A food plaza in Portland, OR, with vendors along the edge of the street in a surface parking lot.



Food trucks used to activate the street edge along a surface lot in Naples, FL

**WHEREAS**, Downtown Plan Priority Action PS1.1 calls for the City to *“Strategically program and activate public spaces downtown.”*; and

**WHEREAS**, Comprehensive Plan Policy ED 3.5 – Locally-Owned Businesses calls for the City to *“Support opportunities to expand and increase the number of locally-owned businesses in Spokane.”*; and

**WHEREAS**, Comprehensive Plan Policy ED 3.6 – Small Businesses calls for the City to *“Recognize the significant contributions of small businesses to the city’s economy and seek to enhance small business opportunities”*; and

**WHEREAS**, the City Council on March 16, 2026 adopted Ordinance C36850, relating to activation of public spaces, which ordinance is slated to be effective in April 2026; and

**WHEREAS**, the City Council wishes to further encourage activation of public spaces by making it easier to operate mobile food carts, and to harmonize current regulations relating to mobile food vendors with other provisions in the Spokane Municipal Code, including recently adopted provisions in Ordinance C36850;

**NOW, THEREFORE,** the City of Spokane does ordain:

**Section 1.** That Section 08.01.070 of the Spokane Municipal Code is amended to read as follows:

**Section 08.01.070 Business Registration Required**

- A. No person may engage in business in the city of Spokane or with the City without first having obtained and being the holder of a valid annual business registration or temporary business registration a Spokane city endorsement as provided in this chapter. Annual general business licenses with a Spokane city endorsement shall be issued and registered through the Washington State Department of Revenue’s Business Licensing Service (BLS). A general business license is good for twelve months and must be renewed before expiration for the next twelve months. Any temporary registrations, to include itinerant vendor registrations shall be issued and registered by the City of Spokane Taxes and Licenses Office. In addition, persons whose activities fall within the definition of [SMC 10.40.010](#) must obtain an “itinerant vendor” permit as provided in [SMC 10.40.010](#), in addition to a business registration. A business license does not authorize illegal activities.
- B. If a business changes names or locations during a registration year, it must notify the Washington State Business Licensing Service to obtain a new registration document to display in the place of business that reflects the change of name or location. A change of location may require the filing of a new application through the Business Licensing Service, as described in this chapter.
- C. A person or business conducting the following activities shall register for an annual regulatory business license or obtain an annual permit in addition to obtaining a general business license and shall follow the requirements of the activity's respective chapter:

<b>Annual Regulatory Licenses and Permits</b>	<b>Licensing Requirements</b>
Amusement Facility License	<a href="#">SMC 10.23A</a>
Commercial Tree License	<a href="#">SMC 10.25</a>
Building Moving and Relocation Permit	<a href="#">SMC 10.26</a>
Sidewalk Café, Streateries, and Parklets ((Permit)) License	((SMC 10.28)) <a href="#">SMC 12.15</a>
Contractors and Workers Licensing: Blaster, Boiler Operator, Fire Equipment Servicer, Gas Hearing Mechanic	<a href="#">SMC 10.29</a>

Fireworks Permit	<a href="#">SMC 10.33A</a>
For-hire Vehicle Driver and For-hire Operator License	<a href="#">SMC 10.34A</a>
Infectious Waste License	<a href="#">SMC 10.35</a>
Itinerant Vendor License	<a href="#">SMC 10.40</a>
Special Police Officer License	<a href="#">SMC 10.41A</a>
Charitable Solicitation License	<a href="#">SMC 10.42</a>
Telephone and Telegraph Construction Permit	<a href="#">SMC 10.43</a>
Emergency Medical Transport Permit	<a href="#">SMC 10.47</a>
<del>((Mobile Food Vendor License))</del>	<del>((SMC 10.51))</del>
Food Delivery License	<a href="#">SMC 10.515</a>
Short Term Rental License	<a href="#">SMC 10.52</a>
<del>((Parklets and Streateries Licenses))</del>	<del>((SMC 10.55))</del>
Residential Rental House License	<a href="#">SMC 10.57</a>

**Section 2.** That Section 08.02.0234 (Mobile Food Vendor Permit) of the Spokane Municipal Code is hereby repealed.

**Section 3.** That Section 10.40.010 of the Spokane Municipal Code is amended to read as follows:

**Section 10.40.010 Itinerant Vendor Designation & Permit - When Required**

A regular or temporary business issued a registration under chapter [8.01 SMC](#) must obtain a separate “itinerant vendor” permit from the City of Spokane (~~Taxes and Licensing Officer~~) Office of Taxes and Licenses under any of the following circumstances:

- A. Where the person is engaged in the business of selling or delivering goods or services within the City from a fixed or temporary location as an itinerant vendor, except ~~((those))~~ mobile food vendors (~~operating under the provisions of chapter 10.51 SMC Mobile Food Vending~~) shall not be considered itinerant vendors.
  - 1. Examples are people selling prepackaged food or wares from roving vehicles in the streets, except mobile food vendors. (Cross Reference: [SMC 8.01.220](#) ~~((and chapter 10.51 SMC-))~~).

- B. Where the person travels from door to door as the ((~~principle~~)) principal means of conducting business, offering, exposing for sale, or selling within the City any goods, merchandise, service, or product.
- C. Where the person engages in any business in the City with no permanent location. (Cross Reference: [SMC 8.01.070](#)).
- D. A person who engages in constitutionally protected expressive activities in the public right-of-way shall not be required to obtain a business registration unless the person engages in business activities. Constitutionally protected expressive activities conducted in the public right-of-way shall include, but is not limited to, street performers. For the purposes of this section, a street performer means an individual, including street musicians, who performs any form of artistic expression. The voluntary contribution of money or other items of value by members of the public to the individual in association with the expressive activity shall not result in the requirement of obtaining a business registration. A person who engages in constitutionally protected expressive activities in the public right-of-way must still comply with all other regulations regarding conduct in the public right-of-way.

**Section 4.** That Chapter 10.51 (Mobile Food Vendors) of the Spokane Municipal Code is hereby repealed.

**Section 5.** That Section 12.15.010 of the Spokane Municipal Code is amended to read as follows:

**Section 12.15.010 Definitions**

<b>Term</b>	<b>Definition</b>
Alcohol Service Area	“Alcohol service area” means an area in which alcohol may be sold, served, and consumed as authorized by the City of Spokane and the Washington State Liquor and Cannabis Board.
Applicant	“Applicant” means any person seeking a license on their own behalf or on behalf of a property owner. The applicant shall serve as the primary contact for the license.
<u>Mobile Food Vending Unit</u>	<u>“Mobile Food Vending Unit” means a movable food service establishment such</u>

	<p><u>as a pushcart, van, trailer, or a temporary/movable structure approved for mobile food vending by the Spokane Regional Health District. The Mobile Food Vending Unit provides space for limited storage, handling, and/or dispensing of foods. The entire operation must be contained within/on the mobile food vending unit, except that expansion of the operation may be allowed in conjunction with an approved temporary event as allowed under the rules of the Spokane Regional Health District.</u></p>
<p><u>Mobile Food Vendor</u></p>	<p><u>“Mobile Food Vendor” means a person or persons owning, operating, or working in a mobile food vending unit and is the permit holder and person in charge of a mobile food vending unit under the provisions of the Washington Administrative Code (WAC) 246-215 and the rules of Spokane Regional Health District. A mobile food vendor, as defined herein, is not an itinerant vendor as defined in Chapter 10.40 SMC, Itinerant Vendors.</u></p> <p><u>Mobile food vendors do not include temporary drink stands as described in WAC 246-215-01115 (50) and mobile caterers who are engaged in the business of transporting, in vehicles, food and beverages to residential, business, and industrial establishments pursuant to prearranged schedules and dispensing from the vehicles the items to and for the convenience of the personnel or occupants of such establishments.</u></p>
<p>Parklet</p>	<p>“Parklet” means a small public gathering space, occupying up to two parking stalls</p>

	<p>or a loading zone, as applicable, on a public street, and treated in all respects as a public sidewalk, but the facilities of which are privately owned and maintained.</p>
<p><u>Restaurant</u></p>	<p><u>“Restaurant” means any establishment having designated space and accommodation for customers and where food and beverages are regularly sold to the public for immediate, on-site consumption. The term “restaurant” includes, but is not limited to, diners, coffee shops, bars, delicatessens, and cafeterias.</u></p>
<p>Sidewalk Café</p>	<p>“Sidewalk café” means a portion of a public sidewalk on which tables and chairs are placed for the use of patrons while consuming food and/or beverages, including liquor as defined in RCW 66.04.010, served by a café, restaurant, or tavern located on abutting property.</p>
<p>Streatory</p>	<p>“Streatory” means up to two parking stalls or a loading zone, as applicable, used either as an extension of, or a stand-alone sidewalk café, connected visually to, and for use by patrons of, a nearby restaurant or bar and service at which is subject to all the terms and conditions of the nearby restaurant or bar’s food service permits and alcohol licenses.</p>

**Section 6.** That there is adopted a new Section 12.15.070 of the Spokane Municipal Code to read as follows:

## **Section 12.15.070 Mobile Food Vending Requirements**

- A. The mobile food vendor must have a City general business license and necessary, Washington State Labor and Industries, Spokane Regional Health District, and Spokane Fire Department permits and approvals to operate as a mobile food vendor within the city of Spokane.
- B. The mobile food vendor shall maintain a minimum five-foot clear pedestrian pathway along the public sidewalk at all times. Placement of the mobile food vending unit shall be consistent with any applicable standards established by the Americans with Disabilities Act.
- C. A mobile food vendor shall comply with all applicable parking regulations, except that a mobile food vendor operating is exempt from SMC Section [16A.05.280](#), and the parking time limits of SMC Section [16A.05.310](#).
- D. A mobile food vendor vending from any public property including public streets, sidewalks, plazas or parks shall maintain in full force public liability insurance in the amount specified by [SMC 12.02.0730\(B\)](#) to cover potential claims for bodily injury, death or disability and for property damage, which may arise from or be related to the use of the public property for mobile food vending purposes, naming the City as an additional insured.
- E. Mobile food vendors shall not sell or serve liquor, as defined in RCW 66.04.010, in the public right-of-way. Mobile food vendors shall not sell or serve liquor on private property without approval and licensure by the Washington State Liquor and Cannabis Board.
- F. A mobile vending unit may not be within fifty feet walking distance of the front entrance of an existing and open restaurant located on the same block face without the documented approval of the restaurant owner or authorized representative of the restaurant.
- G. Mobile food vending is prohibited in City parks or on a street adjoining a City park without documented approval of the Director of Parks and Recreation or their designee.
- H. A mobile food vending unit vending from private property shall have documented consent from the owner(s) of the private property or their designated property manager, as to the use and location of the mobile food vendor on their property.

- I. A mobile food vending unit vending from private property shall be subject to the same land use and development standards applicable to the property as if the unit were a permanent structure, except that a mobile food vendor shall not be required to make any additional site improvements when:
  1. The mobile food unit is located on a surface parking area that will provide circulation for any other existing uses on the property;
  2. The mobile food unit is a licensed, wheeled vehicle, and the wheels will not be removed;
  3. Any canopies, awnings, or any other attachments are supported entirely by the mobile food unit and do not touch the ground, provided temporary seating, sandwich board signs, refuse collection containers, and other temporary appurtenances may be allowed;
  4. The mobile food unit is self-contained, with no plumbing connections; and
  5. The mobile food unit will not be used for “drive-thru” vending.
- J. Mobile food vendors may vend from residential zones, under the following conditions:
  1. The owner of the property where an event such as a community event, special event approved by the City, a neighborhood block party, wedding, or birthday party will occur has invited the mobile food vendor to participate, and mobile food vending is part of the event activities.
  2. The mobile food vending unit may not remain at the location for longer than the duration of the special event and must avoid creating conflicts with pedestrian or vehicle traffic or creating other public safety problems.
- K. The City may order a mobile food vendor to depart from a specific location when the mobile food vendor is creating an imminent public health or safety hazard.

**Section 7.** That there is adopted a new Section 12.15.080 of the Spokane Municipal Code is amended to read as follows:

**Section 12.15.080 Violations**

A violation of this chapter is a civil infraction. Each day upon which a violation occurs or is knowingly continued constitutes a separate violation.

**Section 8.** That Section 17C.120.110 of the Spokane Municipal Code is amended to read as follows:

**Section 17C.120.110 Limited Use Standards**

The paragraphs listed below contain the limitations and correspond with the bracketed [ ] footnote numbers from [Table 17C.120-1](#).

1. Group Living.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [1].

a. General Standards.

All group living uses except for alternative or post-incarceration facilities are allowed by right.

b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are conditional uses.

2. Adult Business.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [2]. Adult businesses are subject to the additional standards of chapter [17C.305 SMC](#).

3. Commercial Parking.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [3]. In the O and OR zones, a commercial parking use provided within a building or parking structure is a conditional use. Commercial parking on surface lots is not permitted in the O and OR zones.

4. Drive-through Facility.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [4]. In the O and OR zones, a drive-through facility is permitted only when associated with a drive-through bank. In addition, in the OR zone, for a florist use approved by a special permit, sales of non-alcoholic beverages, and sale of food items not prepared on site, including drive-through sales of such items are allowed as an accessory use at locations situated on principal arterials or a designated state route. Drive-through facilities are subject to the additional standards of [SMC 17C.120.290](#) and [SMC 17C.325](#).

5. Quick Vehicle Servicing.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [5]. Quick vehicle servicing uses are permitted only on sites that have frontage on a principal arterial street. Quick vehicle servicing uses are subject to the additional standards of [SMC 17C.120.290](#).

6. Retail Sales and Service Uses Size Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [6]. Retail sales and services are limited in size in order to reduce their potential impacts on residential uses

and to promote a relatively local market area. Retail sales and services uses are limited to the following:

- a. When retail sales and services uses are located within an office building, the retail sales and services may be larger than three thousand square feet, but may not exceed ten percent of the total floor area of the building exclusive of parking areas located within the structure.
- b. Uses not within an office building which are listed as sales-oriented under [SMC 17C.190.270\(C\)](#), retail sales and service, are limited to three thousand square feet of total floor area per site exclusive of parking areas located within a structure.
- c. Uses other than a hotel, motel, private club or lodge which are listed as personal service-oriented, entertainment-oriented or repair-oriented under [SMC 17C.190.270\(C\)](#), retail sales and service, that are larger than three thousand square feet are a conditional use. A hotel, motel, private club or lodge may be larger than three thousand square feet.

7. Required Residential Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [7]. The limitations are stated in [SMC 17C.120.280](#).

8. Industrial Size Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [8]. These types of uses are limited in size to assure that they will not dominate the commercial area and to limit their potential impacts on residential and commercial uses. In addition, if the planning and economic development services director determines that the proposed use will not be able to comply with the off- site impact standards of [chapter 17C.220 SMC](#), the planning and economic development services director may require documentation that the development will be modified to conform with the standards.

- a. Individual uses in the NR and NMU zones are limited to five thousand square feet of floor area per site exclusive of parking area
- b. Individual uses in the CB zone that exceed twenty thousand square feet of floor area per site exclusive of parking area are a conditional use.
- c. Individual uses in the GC zone that exceed fifty thousand square feet of floor area per site exclusive of parking area are a conditional use.

9. Mini-storage Facilities Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have an [9]. The limitations are stated with the special standards for these uses in [chapter 17C.350 SMC](#), Mini-storage Facilities.

10. Outdoor Activity Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [10]. Outdoor display, storage or use of industrial equipment, such as tools, equipment, vehicles, products, materials or other objects that are part of or used for the business operation is prohibited.

11. [Deleted]

12. [Deleted]

13. Mobile Food Vending.

This standard applies to all parts of [Table 17C.120-1](#) that have a [13]. All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 10.51.010 Mobile Food Vendors))~~ comply with the requirements of SMC 12.15.

**Section 9.** That Section 17C.122.070 of the Spokane Municipal Code is amended to read as follows:

**Section 17C.122.070 Center and Corridor Zone Allowed Uses**

The uses allowed in the Center and Corridor zones are shown in Table 17C.122.070-1.

<b>TABLE 17C.122.070-1 CENTER AND CORRIDOR ZONE ALLOWED USES</b>			
Use is: <b>P</b> – Permitted <b>N</b> – Not Permitted <b>L</b> – Allowed, but special limitations <b>CU</b> – Conditional use review required	<b>CC Zone Type</b>		
	<b>Core Zones</b>		<b>Transition Zone</b>
	<b>CC1</b>	<b>CC2</b>	<b>CC4</b>
Residential	P	P	P
Hotels, including Bed and Breakfast Inns	P	P	N
Commercial, Financial, Retail, Personal Services	P[1]	P[1]	L[4]
Eating and Drinking Establishments	P[2]	P[2]	N
Restaurants without Cocktail Lounges	P	P	L[4]
Professional and Medical Offices	P	P	L[4]
Entertainment, Museum and Cultural	P	P	N

Government, Public Service or Utility Structures, Social Services and Education	P	P	P
Religious Institutions	P	P	P
Parks and Open Space	P	P	P
Surface Lot Commercial Parking	N	N	N
Structured Commercial Parking*	P	P	P
Public Parking Lot	P	P	N
Limited Industrial (if entirely within a building)	P[3]	P[3]	N
Heavy Industrial	N	N	N
Drive-through Businesses	N	P[5]	P[5]
Motor Vehicles Sales, Rental, Repair or Washing	N	P	N
Automotive Parts and Tires (with exterior storage or display)	N	P	N
Gasoline Sales (serving more than six vehicles)	N	P	N
Gasoline Sale (serving six vehicles or less)	P	P	P
Self-storage or Warehouse	N	P	N
Adult Business (subject to <a href="#">chapter 17C.305 SMC</a> special provisions)	N	N	N
Winery and Microbreweries	P	P	N
Mobile Food Vending	P[6]	P[6]	P[6]

Notes:

[1] Retail uses having more than forty thousand gross floor area are not permitted in neighborhood centers designated by the comprehensive plan.

[2] Eating and drinking establishments larger than five thousand gross floor area are not permitted in neighborhood centers designated by the comprehensive plan.

[3] Limited industrial uses having more than twenty thousand gross floor area are not permitted in neighborhood centers designated by the comprehensive plan.

[4] Residential uses are required to be mixed on the same parcel as proposed office and retail uses. Nonresidential uses are limited to three thousand square feet per parcel. In neighborhood centers, nonresidential uses are only allowed on parcels with frontage on an arterial street. Nonresidential uses in the CC4 zone are not allowed

within sixty feet of a single-family and two-family residential zone or further than three hundred feet (neighborhood center only) from a CC core comprehensive plan designation.

[5] Drive-through businesses are not permitted along designated Pedestrian Streets

[6] All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 10.51.010))~~ comply with the requirements of SMC 12.15.

**Section 10.** That Section 17C.124.110 of the Spokane Municipal Code is amended to read as follows:

### **Section 17C.124.110 Limited Use Standards**

A. The paragraphs listed below contain the limitations and correspond with the bracketed [ ] footnote numbers from [Table 17C.124.100-1](#).

1. Group Living.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [1].

a. General Standards.

All group living uses except for alternative or post-incarceration facilities are allowed by right.

b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are conditional uses.

2. Adult Business.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [2]. Adult businesses are subject to the additional standards of [chapter 17C.305 SMC](#).

3. Commercial Parking.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [3]. See [SMC 17C.230.310](#) for the parking structure design guidelines. See [SMC 17C.124.340](#), Parking and Loading, for ground level parking structure use standards.

a. New standalone surface commercial parking lots are not allowed as the primary use within the area shown on [Map 17C.124-M1](#), Surface Parking Limited Area. Within the area shown on [Map 17C.124-M1](#), standalone commercial parking as a primary use must be located entirely within a parking structure.

4. Drive-through Facility.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [4]. Drive-through facilities are subject to the additional standards of [SMC 17C.124.290](#).

#### 5. Quick Vehicle Servicing.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [5]. Quick vehicle servicing uses are permitted only on sites that have frontage on a Type III or IV complete street. Quick vehicle servicing uses must be fully contained within a structure. Quick vehicle servicing uses are subject to the additional standards of [SMC 17C.124.290](#).

#### 6. Retail Sales and Services Uses Motorized Vehicle Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [6]. Sale, rental, or leasing of motor vehicles, including passenger vehicles, light and medium trucks is not allowed. Sale, rental, and leasing of motorcycles and other recreational vehicles not able to be licensed for normal on street use is allowed. For sale or leasing of motorcycles and other recreational vehicles see [SMC 17C.124.270](#), Outdoor Activities.

#### 7. Industrial Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [7]. These types of uses are limited to assure that they will not dominate the downtown area and to limit their potential impacts on residential and commercial uses. In addition, if the planning and economic development services director determines that the proposed use will not be able to comply with the off-site impact standards of [chapter 17C.220 SMC](#), the planning and economic development services director may require documentation that the development will be modified to conform with the standards.

- a. Limited industrial uses are allowed. Industrial uses more intensive than the limited industrial definition are not allowed.
- b. Industrial buildings and industrial sites are subject to the same design standards as commercial buildings and commercial sites.

#### 8. Mini-storage, Storage, Warehousing, Industrial and Parking Structure Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have an [8]. See [SMC 17C.124.340](#).

#### 9. Mini-storage Facilities Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have an [9]. Mini-storage facilities are subject to the additional standards of [chapter 17C.350 SMC](#), Mini-storage Facilities.

#### 10. Outdoor Activity Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [10]. Outdoor display, storage, or use of industrial equipment or other industrial items such as tools,

equipment, vehicles, products, materials, or other objects that are part of or used for the business operation is prohibited.

#### 11. Community Services.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [11]. Most community service uses are allowed by right.

#### 12. Wireless Communication Facilities.

See [chapter 17C.355A SMC](#).

#### 13. Existing Light Industrial and Self-service Storage Uses.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have an [13]. Light industrial and self-service storage uses in operation on the effective date of this ordinance, are considered to be a conforming use.

#### 14. Mobile Food Vending.

This standard applies to all parts of [Table 17C.124.100-1](#) that have a [14]. All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 40.51.040))~~ comply with the requirements of SMC 12.15.

**Section 11.** That Section 17C.130.110 of the Spokane Municipal Code is amended to read as follows:

### **Section 17C.130.110 Limited Use Standards**

The paragraphs listed below contain the limitations and correspond with the bracketed [ ] footnote numbers from [Table 17C.130.100-1](#).

#### 1. Group Living.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [1].

- a. Group living uses are allowed on sites within one-quarter mile of the Spokane River where residents can take advantage of the river amenity. The planning and economic development services director may authorize a group living use greater than one-quarter mile from the Spokane River if the applicant demonstrates that the site has a river viewpoint and a pedestrian connection to the river. Group living uses shall provide buffering from adjacent industrial lands by use of berms, landscaping, fencing or a combination of these measures or other appropriate screening measures deemed appropriate by the planning and economic development services director. The proposal shall include a design, landscape and transportation plan which will limit conflicts between the residential, employment and industrial uses.

b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are not permitted.

2. Residential Household Living.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [2].

- a. Residential household living uses are allowed on sites within one-quarter mile of the Spokane River where residents can take advantage of the river amenity. The planning and economic development services director may authorize a residential living use greater than one-quarter mile from the Spokane River if the applicant demonstrates that the site has a river viewpoint and a pedestrian connection to the river. Residential uses shall provide buffering from adjacent industrial lands by use of berms, landscaping, fencing or a combination of these measures or other appropriate screening measures deemed appropriate by the planning and economic development services director. The proposal shall include a design, landscape, and transportation plan, which will limit conflicts between the residential, employment and industrial uses.
- b. A single-family residence may be erected on a lot having a side property line which adjoins a lot in a residential zone, with or without an intervening alley, or on a lot which has less than one hundred feet of frontage and has residences existing on all lots adjoining its side property lines.
- c. Living quarters for one caretaker per site in the LI, HI and PI zones are permitted.

3. Group Living and Residential Household Living.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [3]. Group living and residential household living uses may be permitted in the PI zone as a part of a binding site plan under the provisions of the subdivision code or a planned unit development under the provisions of Division G – Administration and Procedures. A minimum of fifty percent of the site within the binding site plan or planned unit development shall be in manufacturing and production, industrial service or office uses. Group living and residential household living uses shall be buffered from industrial lands by use of berms, landscaping, fencing or a combination of these measures or other appropriate screening measures deemed appropriate by the planning and economic development services director. The buffering improvements shall be developed on the residential portion of the binding site plan or planned unit development at the time the residential uses are constructed. The site development plan shall include a design, landscape, and transportation plan, which will limit conflicts between the residential and industrial uses.

#### 4. Adult Business.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [4]. Adult businesses are subject to the following standards:

- a. [Chapter 17C.305 SMC](#), Adult Business.
- b. Adult businesses are subject to the size requirements specified in item [5] below applicable to retail sales and services uses in the light industrial (LI) zone.
- c. In addition to the standards in subsections (4)(a) and (b) of this section, adult businesses are permitted only in the light industrial zone adult business overlay zone as designated on the official zoning map.

#### 5. Retail Sales and Service Uses Size Limitation.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [5]. Retail sales and service uses are allowed if the floor area plus outdoor sales and display and outdoor storage area is not more than sixty thousand square feet per site. Retail sales and service uses where the floor area plus the outdoor sales and display and outdoor storage area is more than sixty thousand square feet per site are a conditional use.

#### 6. Retail Sales and Service Uses Size Limitation.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [6]. Retail sales and service uses are allowed if the floor area plus outdoor sales and display and outdoor storage area is not more than twenty thousand square feet per site. Retail sales and service uses where the floor area plus the outdoor sales and display and outdoor storage area is more than twenty thousand square feet per site are a conditional use.

#### 7. Retail Sales and Service Uses Size Limitation.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [7]. Retail sales and service uses are allowed if the floor area plus the outdoor sales and display and outdoor storage area is not more than three thousand square feet per site. Retail sales and service uses where the floor area plus the outdoor sales and display and outdoor storage area is more than three thousand square feet per site may be permitted as a part of a binding site plan under the provisions of the subdivision code or a planned unit development under the provisions of the zoning code. A minimum of fifty percent of the site area of the uses in the planned unit development or binding site plan shall be in manufacturing and production, industrial service or office uses.

#### 8. Mini-storage Facilities.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [8]. The limitations are stated with the special standards for these uses in [chapter 17C.350 SMC](#), Mini-Storage Facilities.

## 9. High Impact Uses.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [9]. High impact uses shall be located a minimum of six hundred feet from the boundary of a residential or commercial zone.

## 10. Colleges, Medical Centers, Daycare and School Uses.

This standard applies to all parts of [Table 17C.130.100-1](#) that have an [10]. Colleges, medical centers, daycare and school uses may be permitted as a part of a binding site plan under the provisions of the subdivision code, or a planned unit development under the provisions of the zoning code. A minimum of fifty percent of the site within the planned unit development or binding site plan shall be in manufacturing and production, industrial service or office uses. Colleges, medical centers, daycare and school uses are allowed within the planned unit development or binding site plan provided that the site development includes a design, landscape and transportation plan which will limit conflicts between the college, medical center, daycare, school and industrial uses.

## 11. Wireless Communication Facilities.

See chapter 17C.355A SMC.

## 12. Mobile Food Vending.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [12]. All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 40-51-040))~~ comply with the requirements of SMC 12.15.

**Section 12.** That Section 17C.390.020 of the Spokane Municipal Code is hereby repealed.

**Section 13.** That Section 17C.390.030 of the Spokane Municipal Code is amended to read as follows:

### **Section 17C.390.030 Conditions**

#### A. Mobile food vending from or onto the public right of way.

1. Mobile food vending may be allowed on a public street right of way in any Neighborhood Retail (NR), Neighborhood Mixed Use (NMU), Community Business (CB), General Commercial (GC); Center and Corridor Types 1, 2 and 3; Downtown Core (DTC), Downtown General (DTG), Downtown University (DTU), Downtown South (DTS), Light Industrial (LI), Heavy

Industrial (HI) and Planned Industrial (PI) zone, provided the vendor shall comply with the mobile food vending requirements outlined in SMC 12.15.

~~((2. The mobile food vendor must have a valid license issued pursuant to SMC 10.51.010 and must be in compliance with the terms and conditions thereof.))~~

B. Mobile food vending located entirely on private property.

4. Mobile food vending may be allowed on property in any Neighborhood Retail (NR), Neighborhood Mixed Use (NMU), Community Business (CB), General Commercial (GC); Center and Corridor Types 1, 2 and 3; Downtown Core (DTC), Downtown General (DTG), Downtown University (DTU), Downtown South (DTS), Light Industrial (LI), Heavy Industrial (HI) and Planned Industrial (PI) zone, provided the vendor shall comply with the mobile food vending requirements outlined in SMC 12.15. ~~((subject to the land use and development standards applicable to said property, except that a mobile food vendor shall not be required to make any additional site improvements when:~~

~~a. The mobile food unit will be located on an existing paved parking area that will continue to provide sufficient space for required off street parking and circulation for any other existing uses on the property;~~

~~b. The mobile food unit is a licensed, wheeled vehicle and the wheels will not be removed;~~

~~c. Any canopies, awnings or any other attachments are supported entirely by the mobile food unit and do not touch the ground;~~

~~d. The mobile food unit is self-contained, with no plumbing connections; and,~~

~~e. The mobile food unit will not be used for “drive thru” vending.~~

~~2. The mobile food vendor must have a valid license issued pursuant to [SMC 10.51.010](#) and must be in compliance with the terms and conditions thereof.~~

C. ~~Mobile food vending on City Parks or on streets adjacent to a City Park.~~

~~1. Mobile food vending is prohibited in City Parks and on any street adjacent to or across the street from a City Park without the expressed written~~

~~consent of the City Park Board or its designee.~~

- ~~2. The mobile food vendor must have a valid license issued pursuant to [SMC 10.51.010](#) and must be in compliance with the terms and conditions thereof.))~~

**Section 14. Severability.** If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

**Section 15. Clerical Errors.** Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

PASSED by the City Council on \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



# Memorandum

Office of the Mayor

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DATE: March 16, 2026

FROM: Councilmember Sarah Dixit, Vice Chair of the Urban Experience Committee & Adam McDaniel, Policy Advisor – Office of the Mayor

TO: Urban Experience Committee

RE: Eliminating unnecessary barriers to mobile food vending

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## **Background:**

*“Mobile food vending such as mobile food trucks and carts can add vitality to the commercial districts and the street environment, encourage walking, and promote economic development” – Spokane Municipal Code 17C.390.010.*



The City Council adopted regulations for mobile food vending in 2014 through Ordinance C35097. Before the adoption of Ordinance C35097 in 2014, the City had vague regulations addressing mobile food vending. Most mobile food vending

regulations were considered under the Itinerant Vendors regulations in SMC 10.40. The regulations for mobile food vending have not been updated since their original adoption in 2014.

### **Regulatory License Requirement**

Regulatory licensing increases barriers to entry for small businesses and increases compliance costs and risks. The City currently requires mobile food vendors who operate for more than 14 days in the city to buy an annual \$60 mobile food vendor license. This \$60 annual license is in addition to the City's annual business license, permits/inspection fees by the Spokane Regional Health District<sup>1</sup>, permits/inspections by the Spokane Fire Department, and additional requirements of the Washington State Department of Labor and Industries (L&I)<sup>2</sup>. The City receives less than \$500 annually in mobile food vendor license revenue.

Mobile food vending is allowed in most zones except residential. Mobile food vending is allowed in residential zones when connected to a special event, such as a block party or wedding, and with the property owner's permission.

### **Vending in the public right-of-way**

Under current regulations, a mobile food vendor must be at least 50 feet from a restaurant's entrance, but the code does not define "restaurant".

Additionally, the current code requires mobile food vendors to obtain the permission of a property owner or their designated agent in the downtown business improvement district to vend in the public right-of-way adjacent to the property owner's building. This is a significant deterrent to mobile food vending in downtown Spokane. We are unaware of any other local regulation that requires a person to obtain permission from a private property owner to perform a legal and allowed use in the public right-of-way. What happens if property ownership changes? Does consent remain, or does the vendor need permission from the new property owner?

Mobile vending in or on a street adjacent to a Park must also have the permission of the Director of Parks and Recreation.

### **Vending on private property**

The Downtown Plan supports using the edges of surface parking lots for active uses, such as food trucks.<sup>3</sup>

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<sup>1</sup> <https://srhd.org/programs-and-services/foodsafety/temporary-food-establishment-permits>

<sup>2</sup> <https://www.lni.wa.gov/licensing-permits/manufactured-modular-mobile-structures/food-trucks-trailers/>

<sup>3</sup> Downtown Plan Priority Action 3.1



An activated surface parking lot in Asheville, NC, parts of which are used for outdoor seating with railings, low cost overhead lighting, while also serving the parking and service needs for the surrounding businesses



A food plaza in Portland, OR, with vendors along the edge of the street in a surface parking lot.



Food trucks used to activate the street edge along a surface lot in Naples, FL

The current code provides that a mobile food vendor is not required to make permanent improvements to private property when the mobile food unit meets certain criteria, including that the vendor is located on an existing paved parking area. It is unclear if this provision would also apply to unpaved parking lots. Mobile food vending also provides an opportunity to activate vacant lots and parcels that may not necessarily be used for parking purposes.

### **Guiding Plans and Policies**

Comprehensive Plan Policy DP 4.2 – Street Life

Comprehensive Plan Policy N 1.1 – Downtown Development

Comprehensive Plan Policy ED 3.10 – Downtown Spokane

Downtown Plan Priority Action 1.3 – Make sidewalks active

Downtown Plan Priority Action 3.1 – Use the edges of surface parking lots for active uses

Downtown Plan Priority Action PS 1.1 – Activate public spaces downtown

Comprehensive Plan Policy ED 3.5 – Locally-Owned Businesses

Comprehensive Plan Policy ED 3.6 – Small Businesses

## II. Policy Recommendation:

### **Proposed Ordinance Table of Contents**

- Section 1. Amends SMC Section 08.01.070 (Business Registration Required)
- Section 2. Repeals SMC Section 08.02.0234 (Mobile Food Vendor Permit)
- Section 3. Amends SMC Section 10.40.010 (Itinerant Vendor Designation & Permit – When Required)
- Section 4. Repeals SMC Chapter 10.51 (Mobile Food Vendors)
- Section 5. Amends SMC Section 12.15.010 (Definitions)
- Section 6. Adopts new SMC Section 12.15.070 (Mobile Food Vending Requirements)
- Section 7. Adopts new SMC Section 12.15.080 (Violations)
- Section 8. Amends SMC Section 17C.120.110 (Limited Use Standards)
- Section 9. Amends SMC Section 17C.122.070 (Center and Corridor Zone Allowed Uses)
- Section 10. Amends SMC Section 17C.124.110 (Limited Use Standards)
- Section 11. Amends SMC Section 17C.130.110 (Limited Use Standards)
- Section 12. Repeals SMC Section 17C.390.020 (Applicability)
- Section 13. Amends SMC Section 17C.390.030 (Conditions)
- Section 14. Severability
- Section 15. Clerical Errors

#### **Section 1. Amends SMC Section 08.01.070 (Business Registration Required)**

- Amends this code section to remove the business and occupation license requirement for mobile food vending
  
- Amends this section related to parklets and street cafes as a result of the anticipated adoption of Ordinance C36850 (Encouraging the Activation of Public Spaces)

#### **Section 2. Repeals SMC Section 08.02.0234 (Mobile Food Vendor Permit)**

- Repeals this section because of the elimination of the regulatory licensing requirement.

#### **Section 3. Amends SMC Section 10.40.010 (Itinerant Vendor Designation & Permit – When Required)**

- Removes reference to SMC Chapter 10.51, which is repealed in this ordinance.
  
- Makes small clerical updates.

#### **Section 4. Repeals SMC Chapter 10.51 (Mobile Food Vendors)**

- Repeals the chapter and moves mobile food regulations to SMC Chapter 12.15.



- The intent behind moving these regulations to a new chapter is to align these regulations with other regulations that support and encourage the activation of the public right-of-way, such as licensing for street cafes, parklets, and special event permitting.

**Section 5. Amends SMC Section 12.15.010 (Definitions)**

- Carries over the definition of Mobile Food Vending Unit from the existing definition in SMC 10.51.
- Carries over the definition of Mobile Food Vendor from the existing definition in SMC 10.51 and adds a clarification that lemonade stands, as described in Washington Administrative Code 2446-215-01115<sup>4</sup> is not considered a mobile food vendor for purposes of these regulations.
- Adds a definition for “restaurant”. The term “restaurant” was not defined in SMC Chapter 10.51. A restaurant is defined as “any establishment having special space and accommodation where food and beverages are regularly sold to the public for immediate, on-site consumption. Restaurant includes, but is not limited to, diners, coffee shops, bars, delicatessens, and cafeterias”.

**Section 6. Adopts new SMC Section 12.15.070 (Mobile Food Vending Requirements)**

- This new section combines relevant mobile food vending regulations from SMC 10.51 and places them in one section.
- The most significant policy and regulatory changes proposed in this section are:

Current – SMC 10.51	Proposed – SMC 12.15.070	Intent
SMC 10.51.050(A)(7) requires that a mobile food vendor may not be within fifty feet walking distance of the front entrance of an existing restaurant located on the same block face without the written consent of the owner or authorized representative of the restaurant owner.	This proposal maintains this fifty-foot buffer for existing and <b>open</b> restaurants. This proposal also defines a restaurant because the current code did not define it.	This section intends to maintain the buffer for open and operating restaurants and other food establishments.

<sup>4</sup> <https://app.leg.wa.gov/wac/default.aspx?cite=246-215-01115>

<p>SMC 10.51.050(A)(2) requires that a mobile food vendor operating in the downtown business improvement district have written permission from an adjoining property owner to the public right-of-way “accepts mobile food vending on the right of way adjoining their properties as an allowable activity.”</p>	<p>This proposal eliminates this requirement.</p>	<p>Permission from a private property owner should not be necessary for legal mobile food vendors operating in the public’s right-of-way. The proposal maintains the requirement that mobile food vending on private property have documented permission from the property owner.</p>
<p>SMC 10.51.060(A)(2) provides that a mobile food vendor is not required to make permanent improvements to private property when the mobile food unit is located on an existing paved parking area.</p>	<p>This proposal clarifies that a mobile food vendor is not required to make permanent site improvements to a private property when the mobile food vendor is operating on an unpaved parking surface.</p>	<p>This change intends to allow mobile food vending as a way of activating any parking area.</p>
<p>SMC 10.51.090 prohibits the sale of alcohol by mobile food vendors.</p>	<p>This proposal maintains the prohibition on selling alcohol when vending from the public right-of-way. The proposal provides that a mobile food vendor may sell alcohol on private property only when licensed and approved by the Washington State Liquor and Cannabis Board.</p>	<p>This change intends to recognize updated state law changes that allow some mobile food vendors to also obtain a caterer’s permit and liquor license from the Washington State Liquor and Cannabis Board to sell alcohol at certain events.</p>

- This proposal maintains existing parking and insurance requirements and the requirement that a mobile food vendor obtain permission from the Director of Parks and Recreation before vending in or adjacent to a park.

**Section 7. Adopts new SMC Section 12.15.080 (Violations)**

- This section establishes the penalty for violations of the chapter as a civil infraction.

**Section 8. Amends SMC Section 17C.120.110 (Limited Use Standards)**



- Updates reference of SMC 10.51 to the new mobile food vendor regulations in SMC 12.15.

**Section 9. Amends SMC Section 17C.122.070 (Center and Corridor Zone Allowed Uses)**

- Updates reference of SMC 10.51 to the new mobile food vendor regulations in SMC 12.15.

**Section 10. Amends SMC Section 17C.124.110 (Limited Use Standards)**

- Updates reference of SMC 10.51 to the new mobile food vendor regulations in SMC 12.15.

**Section 11. Amends SMC Section 17C.130.110 (Limited Use Standards)**

- Updates reference of SMC 10.51 to the new mobile food vendor regulations in SMC 12.15.

**Section 12. Repeals SMC Section 17C.390.020 (Applicability)**

- Repeals this section as it references mobile food licensing requirements.

**Section 13. Amends SMC Section 17C.390.030 (Conditions)**

- Removes reference to mobile food vending licensing requirements.
- Updates reference of SMC 10.51 to the new mobile food vendor regulations in SMC 12.15.

**Section 14. Severability**

- Standard severability clause

**Section 15. Clerical Errors**

- Standard clerical errors clause

ORD C36863 (DIXIT AMENDMENT) (Mobile Food Vending) - REDLINE

**PURPOSE OF AMENDMENT:** If adopted, this amendment (1) makes technical changes to the defined terms, and (2) makes technical changes to the examples of itinerant vendors. These changes were made in response to concerns raised by the SRHD in communications and at a meeting with Mayor's administration.

**Strike the entirety of the ordinance and substitute the following in its place:**

**ORDINANCE NO. C36863**

An ordinance related to the activation of public spaces through mobile food vending; repealing Sections 08.02.0234, 17C.390.020, and Chapter 10.51; amending Sections of Titles 08.01, 10.40, 12.05, and 17C; and adopting new Sections 12.15.070 and 12.15.080, all of the Spokane Municipal Code.

**WHEREAS**, Spokane Municipal Code 17C.390.010 reads: *“Mobile food vending such as mobile food trucks and carts can add vitality to the commercial districts and the street environment, encourage walking, and promote economic development”*; and



**WHEREAS**, Comprehensive Plan Policy DP 4.2 – Street Life calls for the City to *“Promote actions designed to increase pedestrian use of streets, especially downtown, thereby creating a healthy street life in commercial areas”*; and

**WHEREAS**, Comprehensive Plan Policy N 1.1 – Downtown Development calls for the City to *“Develop downtown Spokane as the primary economic and cultural center of the region...”*; and

**WHEREAS**, Comprehensive Plan Policy ED 3.10 – Downtown Spokane calls for the City to *“Promote downtown Spokane as the economic and cultural center of the*

region.”; and

**WHEREAS**, Downtown Plan Priority Action 1.3 calls for the City to “*Make sidewalks active and vibrant places through continued efforts to streamline design requirements, and developing new pilot projects in partnership with local businesses downtown*”; and

**WHEREAS**, Downtown Plan Priority Action 3.1 calls for the City to “*Develop a program to use the edges of surface parking lots for active uses, programming, and events such as food trucks, vendors, and farmers markets*.”; and



An activated surface parking lot in Asheville, NC, parts of which are used for outdoor seating with railings, low cost overhead lighting, while also serving the parking and service needs for the surrounding businesses



A food plaza in Portland, OR, with vendors along the edge of the street in a surface parking lot.



Food trucks used to activate the street edge along a surface lot in Naples, FL

**WHEREAS**, Downtown Plan Priority Action PS1.1 calls for the City to “*Strategically program and activate public spaces downtown*.”; and

**WHEREAS**, Comprehensive Plan Policy ED 3.5 – Locally-Owned Businesses calls for the City to “*Support opportunities to expand and increase the number of locally-owned businesses in Spokane*.”; and

**WHEREAS**, Comprehensive Plan Policy ED 3.6 – Small Businesses calls for the City to “*Recognize the significant contributions of small businesses to the city’s economy and seek to enhance small business opportunities*”; and

**WHEREAS**, the City Council on March 16, 2026 adopted Ordinance C36850, relating to activation of public spaces, which ordinance is slated to be effective in April 2026; and

**WHEREAS**, the City Council wishes to further encourage activation of public spaces by making it easier to operate mobile food carts, and to harmonize current regulations relating to mobile food vendors with other provisions in the Spokane Municipal Code, including recently adopted provisions in Ordinance C36850;

**NOW, THEREFORE**, the City of Spokane does ordain:

**Section 1.** That Section 08.01.070 of the Spokane Municipal Code is amended to read as follows:

**Section 08.01.070 Business Registration Required**

- A. No person may engage in business in the city of Spokane or with the City without first having obtained and being the holder of a valid annual business registration or temporary business registration a Spokane city endorsement as provided in this chapter. Annual general business licenses with a Spokane city endorsement shall be issued and registered through the Washington State Department of Revenue’s Business Licensing Service (BLS). A general business license is good for twelve months and must be renewed before expiration for the next twelve months. Any temporary registrations, to include itinerant vendor registrations shall be issued and registered by the City of Spokane Taxes and Licenses Office. In addition, persons whose activities fall within the definition of [SMC 10.40.010](#) must obtain an “itinerant vendor” permit as provided in [SMC 10.40.010](#), in addition to a business registration. A business license does not authorize illegal activities.
- B. If a business changes names or locations during a registration year, it must notify the Washington State Business Licensing Service to obtain a new registration document to display in the place of business that reflects the change of name or location. A change of location may require the filing of a new application through the Business Licensing Service, as described in this chapter.
- C. A person or business conducting the following activities shall register for an annual regulatory business license or obtain an annual permit in addition to obtaining a general business license and shall follow the requirements of the activity's respective chapter:

<b>Annual Regulatory Licenses and Permits</b>	<b>Licensing Requirements</b>
Amusement Facility License	<a href="#">SMC 10.23A</a>
Commercial Tree License	<a href="#">SMC 10.25</a>

Building Moving and Relocation Permit	<a href="#">SMC 10.26</a>
<del>Sidewalk Café, Streateries, and Parklets ((Permit))</del> License	<del>((SMC 10.28))</del> <a href="#">SMC 12.15</a>
Contractors and Workers Licensing: Blaster, Boiler Operator, Fire Equipment Servicer, Gas Hearing Mechanic	<a href="#">SMC 10.29</a>
Fireworks Permit	<a href="#">SMC 10.33A</a>
For-hire Vehicle Driver and For-hire Operator License	<a href="#">SMC 10.34A</a>
Infectious Waste License	<a href="#">SMC 10.35</a>
Itinerant Vendor License	<a href="#">SMC 10.40</a>
Special Police Officer License	<a href="#">SMC 10.41A</a>
Charitable Solicitation License	<a href="#">SMC 10.42</a>
Telephone and Telegraph Construction Permit	<a href="#">SMC 10.43</a>
Emergency Medical Transport Permit	<a href="#">SMC 10.47</a>
<del>((Mobile Food Vendor License))</del>	<del>((SMC 10.51))</del>
Food Delivery License	<a href="#">SMC 10.515</a>
Short Term Rental License	<a href="#">SMC 10.52</a>
<del>((Parklets and Streateries Licenses))</del>	<del>((SMC 10.55))</del>
Residential Rental House License	<a href="#">SMC 10.57</a>

**Section 2.** That Section 08.02.0234 (Mobile Food Vendor Permit) of the Spokane Municipal Code is hereby repealed.

**Section 3.** That Section 10.40.010 of the Spokane Municipal Code is amended to read as follows:

**Section 10.40.010 Itinerant Vendor Designation & Permit - When Required**

A regular or temporary business issued a registration under chapter [8.01 SMC](#) must obtain a separate “itinerant vendor” permit from the City of Spokane (~~Taxes and Licensing Officer~~) Office of Taxes and Licenses under any of the following circumstances:

- A. Where the person is engaged in the business of selling or delivering goods or services within the City from a fixed or temporary location as an itinerant vendor, except ~~((these))~~ mobile food vendors ~~((operating under the provisions of chapter 10.51 SMC Mobile Food Vending))~~ shall not be considered itinerant vendors.
  - 1. Examples are people selling prepackaged food that requires refrigeration or wares from roving vehicles in the streets, except mobile food vendors. (Cross Reference: [SMC 8.01.220](#) ~~((and chapter 10.51 SMC.))~~).
- B. Where the person travels from door to door as the ~~((principle))~~ principal means of conducting business, offering, exposing for sale, or selling within the City any goods, merchandise, service, or product.
- C. Where the person engages in any business in the City with no permanent location. (Cross Reference: [SMC 8.01.070](#)).
- D. A person who engages in constitutionally protected expressive activities in the public right-of-way shall not be required to obtain a business registration unless the person engages in business activities. Constitutionally protected expressive activities conducted in the public right-of-way shall include, but is not limited to, street performers. For the purposes of this section, a street performer means an individual, including street musicians, who performs any form of artistic expression. The voluntary contribution of money or other items of value by members of the public to the individual in association with the expressive activity shall not result in the requirement of obtaining a business registration. A person who engages in constitutionally protected expressive activities in the public right-of-way must still comply with all other regulations regarding conduct in the public right-of-way.

**Section 4.** That Chapter 10.51 (Mobile Food Vendors) of the Spokane Municipal Code is hereby repealed.

**Section 5.** That Section 12.15.010 of the Spokane Municipal Code is amended to read as follows:

**Section 12.15.010 Definitions**

Term	Definition
Alcohol Service Area	“Alcohol service area” means an area in which alcohol may be sold, served, and consumed as authorized by the City of Spokane and the Washington State Liquor and Cannabis Board.

Applicant	<p>“Applicant” means any person seeking a license on their own behalf or on behalf of a property owner. The applicant shall serve as the primary contact for the license.</p>
<u>Mobile Food Vending Unit</u>	<p><u>“Mobile Food Vending Unit” means a movable food service establishment such as a pushcart, van, or trailer approved for mobile food vending by the Spokane Regional Health District. The Mobile Food Vending Unit provides space for limited storage, handling, and/or dispensing of foods. The entire operation must be contained within/on the mobile food vending unit, except that expansion of the operation may be allowed in conjunction with an approved temporary event as allowed under the rules of the Spokane Regional Health District.</u></p>
<u>Mobile Food Vendor</u>	<p><u>“Mobile Food Vendor” means a person or persons owning, operating, or working in a mobile food vending unit and is the permit holder and person in charge of a mobile food vending unit under the provisions of the Washington Administrative Code (WAC) 246-215 and the rules of Spokane Regional Health District. A mobile food vendor, as defined herein, is not an itinerant vendor as defined in Chapter 10.40 SMC, Itinerant Vendors.</u></p> <p><u>Mobile food vendors do not include temporary drink stands as described in WAC 246-215-01115 (50) and mobile caterers who are engaged in the business of transporting, in vehicles, food and beverages to residential, business, and industrial establishments pursuant to</u></p>

	<u>prearranged schedules and dispensing from the vehicles the items to and for the convenience of the personnel or occupants of such establishments.</u>
Parklet	“Parklet” means a small public gathering space, occupying up to two parking stalls or a loading zone, as applicable, on a public street, and treated in all respects as a public sidewalk, but the facilities of which are privately owned and maintained.
<u>Restaurant</u>	<u>“Restaurant” means any establishment having designated space and accommodation for customers and where food and beverages are regularly served to the public for immediate, on-site consumption. The term “restaurant” includes, but is not limited to, diners, coffee shops, bars, delicatessens, and cafeterias.</u>
Sidewalk Café	“Sidewalk café” means a portion of a public sidewalk on which tables and chairs are placed for the use of patrons while consuming food and/or beverages, including liquor as defined in RCW 66.04.010, served by a café, restaurant, or tavern located on abutting property.
Streatery	“Streatery” means up to two parking stalls or a loading zone, as applicable, used either as an extension of, or a stand-alone sidewalk café, connected visually to, and for use by patrons of, a nearby restaurant or bar and service at which is subject to all the terms and conditions of

	the nearby restaurant or bar's food service permits and alcohol licenses.
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**Section 6.** That there is adopted a new Section 12.15.070 of the Spokane Municipal Code to read as follows:

**Section 12.15.070 Mobile Food Vending Requirements**

- A. The mobile food vendor must have a City general business license and necessary, Washington State Labor and Industries, Spokane Regional Health District, and Spokane Fire Department permits and approvals to operate as a mobile food vendor within the city of Spokane.
- B. The mobile food vendor shall maintain a minimum five-foot clear pedestrian pathway along the public sidewalk at all times. Placement of the mobile food vending unit shall be consistent with any applicable standards established by the Americans with Disabilities Act.
- C. A mobile food vendor shall comply with all applicable parking regulations, except that a mobile food vendor operating is exempt from SMC Section [16A.05.280](#), and the parking time limits of SMC Section [16A.05.310](#).
- D. A mobile food vendor vending from any public property including public streets, sidewalks, plazas or parks shall maintain in full force public liability insurance in the amount specified by [SMC 12.02.0730\(B\)](#) to cover potential claims for bodily injury, death or disability and for property damage, which may arise from or be related to the use of the public property for mobile food vending purposes, naming the City as an additional insured.
- E. Mobile food vendors shall not sell or serve liquor, as defined in RCW 66.04.010, in the public right-of-way. Mobile food vendors shall not sell or serve liquor on private property without approval and licensure by the Washington State Liquor and Cannabis Board.
- F. A mobile vending unit may not be within fifty feet walking distance of the front entrance of an existing and open restaurant located on the same block face without the documented approval of the restaurant owner or authorized representative of the restaurant.

- G. Mobile food vending is prohibited in City parks or on a street adjoining a City park without documented approval of the Director of Parks and Recreation or their designee.
- H. A mobile food vending unit vending from private property shall have documented consent from the owner(s) of the private property or their designated property manager, as to the use and location of the mobile food vendor on their property.
- I. A mobile food vending unit vending from private property shall be subject to the same land use and development standards applicable to the property as if the unit were a permanent structure, except that a mobile food vendor shall not be required to make any additional site improvements when:
  - 1. The mobile food unit is located on a surface parking area that will provide circulation for any other existing uses on the property;
  - 2. The mobile food unit is a licensed, wheeled vehicle, and the wheels will not be removed;
  - 3. Any canopies, awnings, or any other attachments are supported entirely by the mobile food unit and do not touch the ground, provided temporary seating, sandwich board signs, refuse collection containers, and other temporary appurtenances may be allowed;
  - 4. The mobile food unit is self-contained, with no plumbing connections; and
  - 5. The mobile food unit will not be used for “drive-thru” vending.
- J. Mobile food vendors may vend from residential zones, under the following conditions:
  - 1. The owner of the property where an event such as a community event, special event approved by the City, a neighborhood block party, wedding, or birthday party will occur has invited the mobile food vendor to participate, and mobile food vending is part of the event activities.
  - 2. The mobile food vending unit may not remain at the location for longer than the duration of the special event and must avoid creating conflicts with pedestrian or vehicle traffic or creating other public safety problems.
- K. The City may order a mobile food vendor to depart from a specific location when the mobile food vendor is creating an imminent public health or safety hazard.

**Section 7.** That there is adopted a new Section 12.15.080 of the Spokane Municipal Code is amended to read as follows:

**Section 12.15.080 Violations**

A violation of this chapter is a civil infraction. Each day upon which a violation occurs or is knowingly continued constitutes a separate violation.

**Section 8.** That Section 17C.120.110 of the Spokane Municipal Code is amended to read as follows:

### **Section 17C.120.110 Limited Use Standards**

The paragraphs listed below contain the limitations and correspond with the bracketed [ ] footnote numbers from [Table 17C.120-1](#).

#### 1. Group Living.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [1].

##### a. General Standards.

All group living uses except for alternative or post-incarceration facilities are allowed by right.

##### b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are conditional uses.

#### 2. Adult Business.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [2]. Adult businesses are subject to the additional standards of chapter [17C.305 SMC](#).

#### 3. Commercial Parking.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [3]. In the O and OR zones, a commercial parking use provided within a building or parking structure is a conditional use. Commercial parking on surface lots is not permitted in the O and OR zones.

#### 4. Drive-through Facility.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [4]. In the O and OR zones, a drive-through facility is permitted only when associated with a drive-through bank. In addition, in the OR zone, for a florist use approved by a special permit, sales of non-alcoholic beverages, and sale of food items not prepared on site, including drive-through sales of such items are allowed as an accessory use at locations situated on principal arterials or a designated state route. Drive-through facilities are subject to the additional standards of [SMC 17C.120.290](#) and [SMC 17C.325](#).

#### 5. Quick Vehicle Servicing.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [5]. Quick vehicle servicing uses are permitted only on sites that have frontage on a principal arterial street. Quick vehicle servicing uses are subject to the additional standards of [SMC 17C.120.290](#).

#### 6. Retail Sales and Service Uses Size Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [6]. Retail sales and services are limited in size in order to reduce their potential impacts on residential uses and to promote a relatively local market area. Retail sales and services uses are limited to the following:

- a. When retail sales and services uses are located within an office building, the retail sales and services may be larger than three thousand square feet, but may not exceed ten percent of the total floor area of the building exclusive of parking areas located within the structure.
- b. Uses not within an office building which are listed as sales-oriented under [SMC 17C.190.270\(C\)](#), retail sales and service, are limited to three thousand square feet of total floor area per site exclusive of parking areas located within a structure.
- c. Uses other than a hotel, motel, private club or lodge which are listed as personal service-oriented, entertainment-oriented or repair-oriented under [SMC 17C.190.270\(C\)](#), retail sales and service, that are larger than three thousand square feet are a conditional use. A hotel, motel, private club or lodge may be larger than three thousand square feet.

#### 7. Required Residential Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [7]. The limitations are stated in [SMC 17C.120.280](#).

#### 8. Industrial Size Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [8]. These types of uses are limited in size to assure that they will not dominate the commercial area and to limit their potential impacts on residential and commercial uses. In addition, if the planning and economic development services director determines that the proposed use will not be able to comply with the off- site impact standards of [chapter 17C.220 SMC](#), the planning and economic development services director may require documentation that the development will be modified to conform with the standards.

- a. Individual uses in the NR and NMU zones are limited to five thousand square feet of floor area per site exclusive of parking area
- b. Individual uses in the CB zone that exceed twenty thousand square feet of floor area per site exclusive of parking area are a conditional use.

- c. Individual uses in the GC zone that exceed fifty thousand square feet of floor area per site exclusive of parking area are a conditional use.

9. Mini-storage Facilities Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have an [9]. The limitations are stated with the special standards for these uses in [chapter 17C.350 SMC](#), Mini-storage Facilities.

10. Outdoor Activity Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [10]. Outdoor display, storage or use of industrial equipment, such as tools, equipment, vehicles, products, materials or other objects that are part of or used for the business operation is prohibited.

11. [Deleted]

12. [Deleted]

13. Mobile Food Vending.

This standard applies to all parts of [Table 17C.120-1](#) that have a [13]. All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 10.51.010 Mobile Food Vendors))~~ comply with the requirements of SMC 12.15.

**Section 9.** That Section 17C.122.070 of the Spokane Municipal Code is amended to read as follows:

**Section 17C.122.070 Center and Corridor Zone Allowed Uses**

The uses allowed in the Center and Corridor zones are shown in Table 17C.122.070-1.

<b>TABLE 17C.122.070-1 CENTER AND CORRIDOR ZONE ALLOWED USES</b>			
Use is: <b>P</b> – Permitted <b>N</b> – Not Permitted <b>L</b> – Allowed, but special limitations <b>CU</b> – Conditional use review required	<b>CC Zone Type</b>		
	<b>Core Zones</b>		<b>Transition Zone</b>
	<b>CC1</b>	<b>CC2</b>	<b>CC4</b>
Residential	P	P	P
Hotels, including Bed and Breakfast Inns	P	P	N
Commercial, Financial, Retail, Personal Services	P[1]	P[1]	L[4]

Eating and Drinking Establishments	P[2]	P[2]	N
Restaurants without Cocktail Lounges	P	P	L[4]
Professional and Medical Offices	P	P	L[4]
Entertainment, Museum and Cultural	P	P	N
Government, Public Service or Utility Structures, Social Services and Education	P	P	P
Religious Institutions	P	P	P
Parks and Open Space	P	P	P
Surface Lot Commercial Parking	N	N	N
Structured Commercial Parking*	P	P	P
Public Parking Lot	P	P	N
Limited Industrial (if entirely within a building)	P[3]	P[3]	N
Heavy Industrial	N	N	N
Drive-through Businesses	N	P[5]	P[5]
Motor Vehicles Sales, Rental, Repair or Washing	N	P	N
Automotive Parts and Tires (with exterior storage or display)	N	P	N
Gasoline Sales (serving more than six vehicles)	N	P	N
Gasoline Sale (serving six vehicles or less)	P	P	P
Self-storage or Warehouse	N	P	N
Adult Business (subject to <a href="#">chapter 17C.305 SMC</a> special provisions)	N	N	N
Winery and Microbreweries	P	P	N
Mobile Food Vending	P[6]	P[6]	P[6]

Notes:

- [1] Retail uses having more than forty thousand gross floor area are not permitted in neighborhood centers designated by the comprehensive plan.
- [2] Eating and drinking establishments larger than five thousand gross floor area are not

permitted in neighborhood centers designated by the comprehensive plan.  
[3] Limited industrial uses having more than twenty thousand gross floor area are not permitted in neighborhood centers designated by the comprehensive plan.  
[4] Residential uses are required to be mixed on the same parcel as proposed office and retail uses. Nonresidential uses are limited to three thousand square feet per parcel. In neighborhood centers, nonresidential uses are only allowed on parcels with frontage on an arterial street. Nonresidential uses in the CC4 zone are not allowed within sixty feet of a single-family and two-family residential zone or further than three hundred feet (neighborhood center only) from a CC core comprehensive plan designation.  
[5] Drive-through businesses are not permitted along designated Pedestrian Streets  
[6] All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 10.51.010))~~ comply with the requirements of SMC 12.15.

**Section 10.** That Section 17C.124.110 of the Spokane Municipal Code is amended to read as follows:

### **Section 17C.124.110 Limited Use Standards**

- A. The paragraphs listed below contain the limitations and correspond with the bracketed [ ] footnote numbers from [Table 17C.124.100-1](#).

1. Group Living.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [1].

a. General Standards.

All group living uses except for alternative or post-incarceration facilities are allowed by right.

b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are conditional uses.

2. Adult Business.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [2]. Adult businesses are subject to the additional standards of [chapter 17C.305 SMC](#).

3. Commercial Parking.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [3]. See [SMC 17C.230.310](#) for the parking structure design guidelines. See [SMC 17C.124.340](#), Parking and Loading, for ground level parking structure use standards.

- a. New standalone surface commercial parking lots are not allowed as the primary use within the area shown on [Map 17C.124-M1](#), Surface Parking Limited Area. Within the area shown on [Map 17C.124-M1](#), standalone commercial parking as a primary use must be located entirely within a parking structure.

#### 4. Drive-through Facility.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [4]. Drive-through facilities are subject to the additional standards of [SMC 17C.124.290](#).

#### 5. Quick Vehicle Servicing.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [5]. Quick vehicle servicing uses are permitted only on sites that have frontage on a Type III or IV complete street. Quick vehicle servicing uses must be fully contained within a structure. Quick vehicle servicing uses are subject to the additional standards of [SMC 17C.124.290](#).

#### 6. Retail Sales and Services Uses Motorized Vehicle Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [6]. Sale, rental, or leasing of motor vehicles, including passenger vehicles, light and medium trucks is not allowed. Sale, rental, and leasing of motorcycles and other recreational vehicles not able to be licensed for normal on street use is allowed. For sale or leasing of motorcycles and other recreational vehicles see [SMC 17C.124.270](#), Outdoor Activities.

#### 7. Industrial Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [7]. These types of uses are limited to assure that they will not dominate the downtown area and to limit their potential impacts on residential and commercial uses. In addition, if the planning and economic development services director determines that the proposed use will not be able to comply with the off-site impact standards of [chapter 17C.220 SMC](#), the planning and economic development services director may require documentation that the development will be modified to conform with the standards.

- a. Limited industrial uses are allowed. Industrial uses more intensive than the limited industrial definition are not allowed.
- b. Industrial buildings and industrial sites are subject to the same design standards as commercial buildings and commercial sites.

#### 8. Mini-storage, Storage, Warehousing, Industrial and Parking Structure Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have an [8]. See [SMC 17C.124.340](#).

#### 9. Mini-storage Facilities Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have an [9]. Mini-storage facilities are subject to the additional standards of [chapter 17C.350 SMC](#), Mini-storage Facilities.

#### 10. Outdoor Activity Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [10]. Outdoor display, storage, or use of industrial equipment or other industrial items such as tools, equipment, vehicles, products, materials, or other objects that are part of or used for the business operation is prohibited.

#### 11. Community Services.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [11]. Most community service uses are allowed by right.

#### 12. Wireless Communication Facilities.

See [chapter 17C.355A SMC](#).

#### 13. Existing Light Industrial and Self-service Storage Uses.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have an [13]. Light industrial and self-service storage uses in operation on the effective date of this ordinance, are considered to be a conforming use.

#### 14. Mobile Food Vending.

This standard applies to all parts of [Table 17C.124.100-1](#) that have a [14]. All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 40-51-040))~~ comply with the requirements of SMC 12.15.

**Section 11.** That Section 17C.130.110 of the Spokane Municipal Code is amended to read as follows:

### **Section 17C.130.110 Limited Use Standards**

The paragraphs listed below contain the limitations and correspond with the bracketed [ ] footnote numbers from [Table 17C.130.100-1](#).

#### 1. Group Living.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [1].

- a. Group living uses are allowed on sites within one-quarter mile of the Spokane River where residents can take advantage of the river amenity. The planning and economic development services director may authorize a group living use greater than one-quarter mile from the Spokane River if the applicant demonstrates that the site has a river viewpoint and a pedestrian

connection to the river. Group living uses shall provide buffering from adjacent industrial lands by use of berms, landscaping, fencing or a combination of these measures or other appropriate screening measures deemed appropriate by the planning and economic development services director. The proposal shall include a design, landscape and transportation plan which will limit conflicts between the residential, employment and industrial uses.

b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are not permitted.

2. Residential Household Living.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [2].

- a. Residential household living uses are allowed on sites within one-quarter mile of the Spokane River where residents can take advantage of the river amenity. The planning and economic development services director may authorize a residential living use greater than one-quarter mile from the Spokane River if the applicant demonstrates that the site has a river viewpoint and a pedestrian connection to the river. Residential uses shall provide buffering from adjacent industrial lands by use of berms, landscaping, fencing or a combination of these measures or other appropriate screening measures deemed appropriate by the planning and economic development services director. The proposal shall include a design, landscape, and transportation plan, which will limit conflicts between the residential, employment and industrial uses.
- b. A single-family residence may be erected on a lot having a side property line which adjoins a lot in a residential zone, with or without an intervening alley, or on a lot which has less than one hundred feet of frontage and has residences existing on all lots adjoining its side property lines.
- c. Living quarters for one caretaker per site in the LI, HI and PI zones are permitted.

3. Group Living and Residential Household Living.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [3]. Group living and residential household living uses may be permitted in the PI zone as a part of a binding site plan under the provisions of the subdivision code or a planned unit development under the provisions of Division G – Administration and Procedures. A minimum of fifty percent of the site within the binding site plan or planned unit development shall be in manufacturing and production, industrial service or office uses. Group living and residential household living uses shall be

buffered from industrial lands by use of berms, landscaping, fencing or a combination of these measures or other appropriate screening measures deemed appropriate by the planning and economic development services director. The buffering improvements shall be developed on the residential portion of the binding site plan or planned unit development at the time the residential uses are constructed. The site development plan shall include a design, landscape, and transportation plan, which will limit conflicts between the residential and industrial uses.

#### 4. Adult Business.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [4]. Adult businesses are subject to the following standards:

- a. [Chapter 17C.305 SMC](#), Adult Business.
- b. Adult businesses are subject to the size requirements specified in item [5] below applicable to retail sales and services uses in the light industrial (LI) zone.
- c. In addition to the standards in subsections (4)(a) and (b) of this section, adult businesses are permitted only in the light industrial zone adult business overlay zone as designated on the official zoning map.

#### 5. Retail Sales and Service Uses Size Limitation.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [5]. Retail sales and service uses are allowed if the floor area plus outdoor sales and display and outdoor storage area is not more than sixty thousand square feet per site. Retail sales and service uses where the floor area plus the outdoor sales and display and outdoor storage area is more than sixty thousand square feet per site are a conditional use.

#### 6. Retail Sales and Service Uses Size Limitation.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [6]. Retail sales and service uses are allowed if the floor area plus outdoor sales and display and outdoor storage area is not more than twenty thousand square feet per site. Retail sales and service uses where the floor area plus the outdoor sales and display and outdoor storage area is more than twenty thousand square feet per site are a conditional use.

#### 7. Retail Sales and Service Uses Size Limitation.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [7]. Retail sales and service uses are allowed if the floor area plus the outdoor sales and display and outdoor storage area is not more than three thousand square feet per site. Retail sales and service uses where the floor area plus the outdoor sales and display and outdoor storage area is more than three thousand square feet per site may be permitted as a

part of a binding site plan under the provisions of the subdivision code or a planned unit development under the provisions of the zoning code. A minimum of fifty percent of the site area of the uses in the planned unit development or binding site plan shall be in manufacturing and production, industrial service or office uses.

#### 8. Mini-storage Facilities.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [8]. The limitations are stated with the special standards for these uses in [chapter 17C.350 SMC](#), Mini-Storage Facilities.

#### 9. High Impact Uses.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [9]. High impact uses shall be located a minimum of six hundred feet from the boundary of a residential or commercial zone.

#### 10. Colleges, Medical Centers, Daycare and School Uses.

This standard applies to all parts of [Table 17C.130.100-1](#) that have an [10]. Colleges, medical centers, daycare and school uses may be permitted as a part of a binding site plan under the provisions of the subdivision code, or a planned unit development under the provisions of the zoning code. A minimum of fifty percent of the site within the planned unit development or binding site plan shall be in manufacturing and production, industrial service or office uses. Colleges, medical centers, daycare and school uses are allowed within the planned unit development or binding site plan provided that the site development includes a design, landscape and transportation plan which will limit conflicts between the college, medical center, daycare, school and industrial uses.

#### 11. Wireless Communication Facilities.

See chapter 17C.355A SMC.

#### 12. Mobile Food Vending.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [12]. All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 40.51.010))~~ comply with the requirements of SMC 12.15.

**Section 12.** That Section 17C.390.020 of the Spokane Municipal Code is hereby repealed.

**Section 13.** That Section 17C.390.030 of the Spokane Municipal Code is amended to read as follows:

## Section 17C.390.030 Conditions

### A. Mobile food vending from or onto the public right of way.

1. Mobile food vending may be allowed on a public street right of way in any Neighborhood Retail (NR), Neighborhood Mixed Use (NMU), Community Business (CB), General Commercial (GC); Center and Corridor Types 1, 2 and 3; Downtown Core (DTC), Downtown General (DTG), Downtown University (DTU), Downtown South (DTS), Light Industrial (LI), Heavy Industrial (HI) and Planned Industrial (PI) zone, provided the vendor shall comply with the mobile food vending requirements outlined in SMC 12.15.

~~((2. The mobile food vendor must have a valid license issued pursuant to SMC 10.51.010 and must be in compliance with the terms and conditions thereof.))~~

### B. Mobile food vending located entirely on private property.

- ~~4.~~ Mobile food vending may be allowed on property in any Neighborhood Retail (NR), Neighborhood Mixed Use (NMU), Community Business (CB), General Commercial (GC); Center and Corridor Types 1, 2 and 3; Downtown Core (DTC), Downtown General (DTG), Downtown University (DTU), Downtown South (DTS), Light Industrial (LI), Heavy Industrial (HI) and Planned Industrial (PI) zone, provided the vendor shall comply with the mobile food vending requirements outlined in SMC 12.15. ~~((subject to the land use and development standards applicable to said property, except that a mobile food vendor shall not be required to make any additional site improvements when:~~

- ~~a. The mobile food unit will be located on an existing paved parking area that will continue to provide sufficient space for required off street parking and circulation for any other existing uses on the property;~~

- ~~b. The mobile food unit is a licensed, wheeled vehicle and the wheels will not be removed;~~

- ~~c. Any canopies, awnings or any other attachments are supported entirely by the mobile food unit and do not touch the ground;~~

- ~~d. The mobile food unit is self-contained, with no plumbing connections; and,~~

~~e. The mobile food unit will not be used for “drive thru” vending.~~

~~2. The mobile food vendor must have a valid license issued pursuant to [SMC 10.51.010](#) and must be in compliance with the terms and conditions thereof.~~

~~C. Mobile food vending on City Parks or on streets adjacent to a City Park.~~

~~1. Mobile food vending is prohibited in City Parks and on any street adjacent to or across the street from a City Park without the expressed written consent of the City Park Board or its designee.~~

~~2. The mobile food vendor must have a valid license issued pursuant to [SMC 10.51.010](#) and must be in compliance with the terms and conditions thereof.))~~

**Section 14. Severability.** If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

**Section 15. Clerical Errors.** Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

PASSED by the City Council on \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

Mayor

Date

---

Effective Date

ORD C36863 (DIXIT AMENDMENT) (Mobile Food Vending) - REDLINE

**PURPOSE OF AMENDMENT:** If adopted, this amendment (1) makes technical changes to the defined terms, and (2) makes technical changes to the examples of itinerant vendors. These changes were made in response to concerns raised by the SRHD in communications and at a meeting with Mayor's administration.

**Strike the entirety of the ordinance and substitute the following in its place:**

**ORDINANCE NO. C36863**

An ordinance related to the activation of public spaces through mobile food vending; repealing Sections 08.02.0234, 17C.390.020, and Chapter 10.51; amending Sections of Titles 08.01, 10.40, 12.05, and 17C; and adopting new Sections 12.15.070 and 12.15.080, all of the Spokane Municipal Code.

**WHEREAS**, Spokane Municipal Code 17C.390.010 reads: *“Mobile food vending such as mobile food trucks and carts can add vitality to the commercial districts and the street environment, encourage walking, and promote economic development”*; and



**WHEREAS**, Comprehensive Plan Policy DP 4.2 – Street Life calls for the City to *“Promote actions designed to increase pedestrian use of streets, especially downtown, thereby creating a healthy street life in commercial areas”*; and

**WHEREAS**, Comprehensive Plan Policy N 1.1 – Downtown Development calls for the City to *“Develop downtown Spokane as the primary economic and cultural center of the region...”*; and

**WHEREAS**, Comprehensive Plan Policy ED 3.10 – Downtown Spokane calls for the City to *“Promote downtown Spokane as the economic and cultural center of the*

region.”; and

**WHEREAS**, Downtown Plan Priority Action 1.3 calls for the City to “*Make sidewalks active and vibrant places through continued efforts to streamline design requirements, and developing new pilot projects in partnership with local businesses downtown*”; and

**WHEREAS**, Downtown Plan Priority Action 3.1 calls for the City to “*Develop a program to use the edges of surface parking lots for active uses, programming, and events such as food trucks, vendors, and farmers markets.*”; and



An activated surface parking lot in Asheville, NC, parts of which are used for outdoor seating with railings, low cost overhead lighting, while also serving the parking and service needs for the surrounding businesses



A food plaza in Portland, OR, with vendors along the edge of the street in a surface parking lot.



Food trucks used to activate the street edge along a surface lot in Naples, FL.

**WHEREAS**, Downtown Plan Priority Action PS1.1 calls for the City to “*Strategically program and activate public spaces downtown.*”; and

**WHEREAS**, Comprehensive Plan Policy ED 3.5 – Locally-Owned Businesses calls for the City to “*Support opportunities to expand and increase the number of locally-owned businesses in Spokane.*”; and

**WHEREAS**, Comprehensive Plan Policy ED 3.6 – Small Businesses calls for the City to “*Recognize the significant contributions of small businesses to the city’s economy and seek to enhance small business opportunities*”; and

**WHEREAS**, the City Council on March 16, 2026 adopted Ordinance C36850, relating to activation of public spaces, which ordinance is slated to be effective in April 2026; and

**WHEREAS**, the City Council wishes to further encourage activation of public spaces by making it easier to operate mobile food carts, and to harmonize current regulations relating to mobile food vendors with other provisions in the Spokane Municipal Code, including recently adopted provisions in Ordinance C36850;

**NOW, THEREFORE**, the City of Spokane does ordain:

**Section 1.** That Section 08.01.070 of the Spokane Municipal Code is amended to read as follows:

**Section 08.01.070 Business Registration Required**

- A. No person may engage in business in the city of Spokane or with the City without first having obtained and being the holder of a valid annual business registration or temporary business registration a Spokane city endorsement as provided in this chapter. Annual general business licenses with a Spokane city endorsement shall be issued and registered through the Washington State Department of Revenue’s Business Licensing Service (BLS). A general business license is good for twelve months and must be renewed before expiration for the next twelve months. Any temporary registrations, to include itinerant vendor registrations shall be issued and registered by the City of Spokane Taxes and Licenses Office. In addition, persons whose activities fall within the definition of [SMC 10.40.010](#) must obtain an “itinerant vendor” permit as provided in [SMC 10.40.010](#), in addition to a business registration. A business license does not authorize illegal activities.
- B. If a business changes names or locations during a registration year, it must notify the Washington State Business Licensing Service to obtain a new registration document to display in the place of business that reflects the change of name or location. A change of location may require the filing of a new application through the Business Licensing Service, as described in this chapter.
- C. A person or business conducting the following activities shall register for an annual regulatory business license or obtain an annual permit in addition to obtaining a general business license and shall follow the requirements of the activity's respective chapter:

<b>Annual Regulatory Licenses and Permits</b>	<b>Licensing Requirements</b>
Amusement Facility License	<a href="#">SMC 10.23A</a>
Commercial Tree License	<a href="#">SMC 10.25</a>

Building Moving and Relocation Permit	<a href="#">SMC 10.26</a>
<del>Sidewalk Café, Streateries, and Parklets ((Permit))</del> License	<del>((SMC 10.28))</del> <a href="#">SMC 12.15</a>
Contractors and Workers Licensing: Blaster, Boiler Operator, Fire Equipment Servicer, Gas Hearing Mechanic	<a href="#">SMC 10.29</a>
Fireworks Permit	<a href="#">SMC 10.33A</a>
For-hire Vehicle Driver and For-hire Operator License	<a href="#">SMC 10.34A</a>
Infectious Waste License	<a href="#">SMC 10.35</a>
Itinerant Vendor License	<a href="#">SMC 10.40</a>
Special Police Officer License	<a href="#">SMC 10.41A</a>
Charitable Solicitation License	<a href="#">SMC 10.42</a>
Telephone and Telegraph Construction Permit	<a href="#">SMC 10.43</a>
Emergency Medical Transport Permit	<a href="#">SMC 10.47</a>
<del>((Mobile Food Vendor License))</del>	<del>((SMC 10.51))</del>
Food Delivery License	<a href="#">SMC 10.515</a>
Short Term Rental License	<a href="#">SMC 10.52</a>
<del>((Parklets and Streateries Licenses))</del>	<del>((SMC 10.55))</del>
Residential Rental House License	<a href="#">SMC 10.57</a>

**Section 2.** That Section 08.02.0234 (Mobile Food Vendor Permit) of the Spokane Municipal Code is hereby repealed.

**Section 3.** That Section 10.40.010 of the Spokane Municipal Code is amended to read as follows:

**Section 10.40.010 Itinerant Vendor Designation & Permit - When Required**

A regular or temporary business issued a registration under chapter [8.01 SMC](#) must obtain a separate “itinerant vendor” permit from the City of Spokane (~~Taxes and Licensing Officer~~) Office of Taxes and Licenses under any of the following circumstances:

- A. Where the person is engaged in the business of selling or delivering goods or services within the City from a fixed or temporary location as an itinerant vendor, except ~~((these))~~ mobile food vendors ~~((operating under the provisions of chapter 10.51 SMC Mobile Food Vending))~~ shall not be considered itinerant vendors.
  - 1. Examples are people selling prepackaged food that requires refrigeration or wares from roving vehicles in the streets, except mobile food vendors. (Cross Reference: [SMC 8.01.220](#) ~~((and chapter 10.51 SMC-))~~).
- B. Where the person travels from door to door as the ~~((principle))~~ principal means of conducting business, offering, exposing for sale, or selling within the City any goods, merchandise, service, or product.
- C. Where the person engages in any business in the City with no permanent location. (Cross Reference: [SMC 8.01.070](#)).
- D. A person who engages in constitutionally protected expressive activities in the public right-of-way shall not be required to obtain a business registration unless the person engages in business activities. Constitutionally protected expressive activities conducted in the public right-of-way shall include, but is not limited to, street performers. For the purposes of this section, a street performer means an individual, including street musicians, who performs any form of artistic expression. The voluntary contribution of money or other items of value by members of the public to the individual in association with the expressive activity shall not result in the requirement of obtaining a business registration. A person who engages in constitutionally protected expressive activities in the public right-of-way must still comply with all other regulations regarding conduct in the public right-of-way.

**Section 4.** That Chapter 10.51 (Mobile Food Vendors) of the Spokane Municipal Code is hereby repealed.

**Section 5.** That Section 12.15.010 of the Spokane Municipal Code is amended to read as follows:

**Section 12.15.010 Definitions**

Term	Definition
Alcohol Service Area	“Alcohol service area” means an area in which alcohol may be sold, served, and consumed as authorized by the City of Spokane and the Washington State Liquor and Cannabis Board.

Applicant	<p>“Applicant” means any person seeking a license on their own behalf or on behalf of a property owner. The applicant shall serve as the primary contact for the license.</p>
<u>Mobile Food Vending Unit</u>	<p><u>“Mobile Food Vending Unit” means a movable food service establishment such as a pushcart, van, or trailer, <del>or a temporary/movable structure</del> approved for mobile food vending by the Spokane Regional Health District. The Mobile Food Vending Unit provides space for limited storage, handling, and/or dispensing of foods. The entire operation must be contained within/on the mobile food vending unit, except that expansion of the operation may be allowed in conjunction with an approved temporary event as allowed under the rules of the Spokane Regional Health District.</u></p>
<u>Mobile Food Vendor</u>	<p><u>“Mobile Food Vendor” means a person or persons owning, operating, or working in a mobile food vending unit and is the permit holder and person in charge of a mobile food vending unit under the provisions of the Washington Administrative Code (WAC) 246-215 and the rules of Spokane Regional Health District. A mobile food vendor, as defined herein, is not an itinerant vendor as defined in Chapter 10.40 SMC, Itinerant Vendors.</u></p> <p><u>Mobile food vendors do not include temporary drink stands as described in WAC 246-215-01115 (50) and mobile caterers who are engaged in the business of transporting, in vehicles, food and beverages to residential, business, and</u></p>

	<u>industrial establishments pursuant to prearranged schedules and dispensing from the vehicles the items to and for the convenience of the personnel or occupants of such establishments.</u>
Parklet	“Parklet” means a small public gathering space, occupying up to two parking stalls or a loading zone, as applicable, on a public street, and treated in all respects as a public sidewalk, but the facilities of which are privately owned and maintained.
<u>Restaurant</u>	<u>“Restaurant” means any establishment having designated space and accommodation for customers and where food and beverages are regularly <del>sold</del> served to the public for immediate, on-site consumption. The term “restaurant” includes, but is not limited to, diners, coffee shops, bars, delicatessens, and cafeterias.</u>
Sidewalk Café	“Sidewalk café” means a portion of a public sidewalk on which tables and chairs are placed for the use of patrons while consuming food and/or beverages, including liquor as defined in RCW 66.04.010, served by a café, restaurant, or tavern located on abutting property.
Streatery	“Streatery” means up to two parking stalls or a loading zone, as applicable, used either as an extension of, or a stand-alone sidewalk café, connected visually to, and for use by patrons of, a nearby restaurant or bar and service at which is subject to all the terms and conditions of

	the nearby restaurant or bar's food service permits and alcohol licenses.
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**Section 6.** That there is adopted a new Section 12.15.070 of the Spokane Municipal Code to read as follows:

**Section 12.15.070 Mobile Food Vending Requirements**

- A. The mobile food vendor must have a City general business license and necessary, Washington State Labor and Industries, Spokane Regional Health District, and Spokane Fire Department permits and approvals to operate as a mobile food vendor within the city of Spokane.
- B. The mobile food vendor shall maintain a minimum five-foot clear pedestrian pathway along the public sidewalk at all times. Placement of the mobile food vending unit shall be consistent with any applicable standards established by the Americans with Disabilities Act.
- C. A mobile food vendor shall comply with all applicable parking regulations, except that a mobile food vendor operating is exempt from SMC Section [16A.05.280](#), and the parking time limits of SMC Section [16A.05.310](#).
- D. A mobile food vendor vending from any public property including public streets, sidewalks, plazas or parks shall maintain in full force public liability insurance in the amount specified by [SMC 12.02.0730\(B\)](#) to cover potential claims for bodily injury, death or disability and for property damage, which may arise from or be related to the use of the public property for mobile food vending purposes, naming the City as an additional insured.
- E. Mobile food vendors shall not sell or serve liquor, as defined in RCW 66.04.010, in the public right-of-way. Mobile food vendors shall not sell or serve liquor on private property without approval and licensure by the Washington State Liquor and Cannabis Board.
- F. A mobile vending unit may not be within fifty feet walking distance of the front entrance of an existing and open restaurant located on the same block face without the documented approval of the restaurant owner or authorized representative of the restaurant.

- G. Mobile food vending is prohibited in City parks or on a street adjoining a City park without documented approval of the Director of Parks and Recreation or their designee.
- H. A mobile food vending unit vending from private property shall have documented consent from the owner(s) of the private property or their designated property manager, as to the use and location of the mobile food vendor on their property.
- I. A mobile food vending unit vending from private property shall be subject to the same land use and development standards applicable to the property as if the unit were a permanent structure, except that a mobile food vendor shall not be required to make any additional site improvements when:
  - 1. The mobile food unit is located on a surface parking area that will provide circulation for any other existing uses on the property;
  - 2. The mobile food unit is a licensed, wheeled vehicle, and the wheels will not be removed;
  - 3. Any canopies, awnings, or any other attachments are supported entirely by the mobile food unit and do not touch the ground, provided temporary seating, sandwich board signs, refuse collection containers, and other temporary appurtenances may be allowed;
  - 4. The mobile food unit is self-contained, with no plumbing connections; and
  - 5. The mobile food unit will not be used for “drive-thru” vending.
- J. Mobile food vendors may vend from residential zones, under the following conditions:
  - 1. The owner of the property where an event such as a community event, special event approved by the City, a neighborhood block party, wedding, or birthday party will occur has invited the mobile food vendor to participate, and mobile food vending is part of the event activities.
  - 2. The mobile food vending unit may not remain at the location for longer than the duration of the special event and must avoid creating conflicts with pedestrian or vehicle traffic or creating other public safety problems.
- K. The City may order a mobile food vendor to depart from a specific location when the mobile food vendor is creating an imminent public health or safety hazard.

**Section 7.** That there is adopted a new Section 12.15.080 of the Spokane Municipal Code is amended to read as follows:

**Section 12.15.080 Violations**

A violation of this chapter is a civil infraction. Each day upon which a violation occurs or is knowingly continued constitutes a separate violation.

**Section 8.** That Section 17C.120.110 of the Spokane Municipal Code is amended to read as follows:

### **Section 17C.120.110 Limited Use Standards**

The paragraphs listed below contain the limitations and correspond with the bracketed [ ] footnote numbers from [Table 17C.120-1](#).

#### 1. Group Living.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [1].

##### a. General Standards.

All group living uses except for alternative or post-incarceration facilities are allowed by right.

##### b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are conditional uses.

#### 2. Adult Business.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [2]. Adult businesses are subject to the additional standards of chapter [17C.305 SMC](#).

#### 3. Commercial Parking.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [3]. In the O and OR zones, a commercial parking use provided within a building or parking structure is a conditional use. Commercial parking on surface lots is not permitted in the O and OR zones.

#### 4. Drive-through Facility.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [4]. In the O and OR zones, a drive-through facility is permitted only when associated with a drive-through bank. In addition, in the OR zone, for a florist use approved by a special permit, sales of non-alcoholic beverages, and sale of food items not prepared on site, including drive-through sales of such items are allowed as an accessory use at locations situated on principal arterials or a designated state route. Drive-through facilities are subject to the additional standards of [SMC 17C.120.290](#) and [SMC 17C.325](#).

#### 5. Quick Vehicle Servicing.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [5]. Quick vehicle servicing uses are permitted only on sites that have frontage on a principal arterial street. Quick vehicle servicing uses are subject to the additional standards of [SMC 17C.120.290](#).

#### 6. Retail Sales and Service Uses Size Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [6]. Retail sales and services are limited in size in order to reduce their potential impacts on residential uses and to promote a relatively local market area. Retail sales and services uses are limited to the following:

- a. When retail sales and services uses are located within an office building, the retail sales and services may be larger than three thousand square feet, but may not exceed ten percent of the total floor area of the building exclusive of parking areas located within the structure.
- b. Uses not within an office building which are listed as sales-oriented under [SMC 17C.190.270\(C\)](#), retail sales and service, are limited to three thousand square feet of total floor area per site exclusive of parking areas located within a structure.
- c. Uses other than a hotel, motel, private club or lodge which are listed as personal service-oriented, entertainment-oriented or repair-oriented under [SMC 17C.190.270\(C\)](#), retail sales and service, that are larger than three thousand square feet are a conditional use. A hotel, motel, private club or lodge may be larger than three thousand square feet.

#### 7. Required Residential Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [7]. The limitations are stated in [SMC 17C.120.280](#).

#### 8. Industrial Size Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [8]. These types of uses are limited in size to assure that they will not dominate the commercial area and to limit their potential impacts on residential and commercial uses. In addition, if the planning and economic development services director determines that the proposed use will not be able to comply with the off- site impact standards of [chapter 17C.220 SMC](#), the planning and economic development services director may require documentation that the development will be modified to conform with the standards.

- a. Individual uses in the NR and NMU zones are limited to five thousand square feet of floor area per site exclusive of parking area
- b. Individual uses in the CB zone that exceed twenty thousand square feet of floor area per site exclusive of parking area are a conditional use.

- c. Individual uses in the GC zone that exceed fifty thousand square feet of floor area per site exclusive of parking area are a conditional use.

9. Mini-storage Facilities Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have an [9]. The limitations are stated with the special standards for these uses in [chapter 17C.350 SMC](#), Mini-storage Facilities.

10. Outdoor Activity Limitation.

This regulation applies to all parts of [Table 17C.120-1](#) that have a [10]. Outdoor display, storage or use of industrial equipment, such as tools, equipment, vehicles, products, materials or other objects that are part of or used for the business operation is prohibited.

11. [Deleted]

12. [Deleted]

13. Mobile Food Vending.

This standard applies to all parts of [Table 17C.120-1](#) that have a [13]. All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 10.51.010 Mobile Food Vendors))~~ comply with the requirements of SMC 12.15.

**Section 9.** That Section 17C.122.070 of the Spokane Municipal Code is amended to read as follows:

**Section 17C.122.070 Center and Corridor Zone Allowed Uses**

The uses allowed in the Center and Corridor zones are shown in Table 17C.122.070-1.

<b>TABLE 17C.122.070-1 CENTER AND CORRIDOR ZONE ALLOWED USES</b>			
Use is: <b>P</b> – Permitted <b>N</b> – Not Permitted <b>L</b> – Allowed, but special limitations <b>CU</b> – Conditional use review required	<b>CC Zone Type</b>		
	<b>Core Zones</b>		<b>Transition Zone</b>
	<b>CC1</b>	<b>CC2</b>	<b>CC4</b>
Residential	P	P	P
Hotels, including Bed and Breakfast Inns	P	P	N
Commercial, Financial, Retail, Personal Services	P[1]	P[1]	L[4]

Eating and Drinking Establishments	P[2]	P[2]	N
Restaurants without Cocktail Lounges	P	P	L[4]
Professional and Medical Offices	P	P	L[4]
Entertainment, Museum and Cultural	P	P	N
Government, Public Service or Utility Structures, Social Services and Education	P	P	P
Religious Institutions	P	P	P
Parks and Open Space	P	P	P
Surface Lot Commercial Parking	N	N	N
Structured Commercial Parking*	P	P	P
Public Parking Lot	P	P	N
Limited Industrial (if entirely within a building)	P[3]	P[3]	N
Heavy Industrial	N	N	N
Drive-through Businesses	N	P[5]	P[5]
Motor Vehicles Sales, Rental, Repair or Washing	N	P	N
Automotive Parts and Tires (with exterior storage or display)	N	P	N
Gasoline Sales (serving more than six vehicles)	N	P	N
Gasoline Sale (serving six vehicles or less)	P	P	P
Self-storage or Warehouse	N	P	N
Adult Business (subject to <a href="#">chapter 17C.305 SMC</a> special provisions)	N	N	N
Winery and Microbreweries	P	P	N
Mobile Food Vending	P[6]	P[6]	P[6]

Notes:  
[1] Retail uses having more than forty thousand gross floor area are not permitted in neighborhood centers designated by the comprehensive plan.  
[2] Eating and drinking establishments larger than five thousand gross floor area are not

permitted in neighborhood centers designated by the comprehensive plan.  
[3] Limited industrial uses having more than twenty thousand gross floor area are not permitted in neighborhood centers designated by the comprehensive plan.  
[4] Residential uses are required to be mixed on the same parcel as proposed office and retail uses. Nonresidential uses are limited to three thousand square feet per parcel. In neighborhood centers, nonresidential uses are only allowed on parcels with frontage on an arterial street. Nonresidential uses in the CC4 zone are not allowed within sixty feet of a single-family and two-family residential zone or further than three hundred feet (neighborhood center only) from a CC core comprehensive plan designation.  
[5] Drive-through businesses are not permitted along designated Pedestrian Streets  
[6] All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 10.51.010))~~ comply with the requirements of SMC 12.15.

**Section 10.** That Section 17C.124.110 of the Spokane Municipal Code is amended to read as follows:

### **Section 17C.124.110 Limited Use Standards**

- A. The paragraphs listed below contain the limitations and correspond with the bracketed [ ] footnote numbers from [Table 17C.124.100-1](#).

1. Group Living.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [1].

a. General Standards.

All group living uses except for alternative or post-incarceration facilities are allowed by right.

b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are conditional uses.

2. Adult Business.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [2]. Adult businesses are subject to the additional standards of [chapter 17C.305 SMC](#).

3. Commercial Parking.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [3]. See [SMC 17C.230.310](#) for the parking structure design guidelines. See [SMC 17C.124.340](#), Parking and Loading, for ground level parking structure use standards.

- a. New standalone surface commercial parking lots are not allowed as the primary use within the area shown on [Map 17C.124-M1](#), Surface Parking Limited Area. Within the area shown on [Map 17C.124-M1](#), standalone commercial parking as a primary use must be located entirely within a parking structure.

#### 4. Drive-through Facility.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [4]. Drive-through facilities are subject to the additional standards of [SMC 17C.124.290](#).

#### 5. Quick Vehicle Servicing.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [5]. Quick vehicle servicing uses are permitted only on sites that have frontage on a Type III or IV complete street. Quick vehicle servicing uses must be fully contained within a structure. Quick vehicle servicing uses are subject to the additional standards of [SMC 17C.124.290](#).

#### 6. Retail Sales and Services Uses Motorized Vehicle Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [6]. Sale, rental, or leasing of motor vehicles, including passenger vehicles, light and medium trucks is not allowed. Sale, rental, and leasing of motorcycles and other recreational vehicles not able to be licensed for normal on street use is allowed. For sale or leasing of motorcycles and other recreational vehicles see [SMC 17C.124.270](#), Outdoor Activities.

#### 7. Industrial Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [7]. These types of uses are limited to assure that they will not dominate the downtown area and to limit their potential impacts on residential and commercial uses. In addition, if the planning and economic development services director determines that the proposed use will not be able to comply with the off-site impact standards of [chapter 17C.220 SMC](#), the planning and economic development services director may require documentation that the development will be modified to conform with the standards.

- a. Limited industrial uses are allowed. Industrial uses more intensive than the limited industrial definition are not allowed.
- b. Industrial buildings and industrial sites are subject to the same design standards as commercial buildings and commercial sites.

#### 8. Mini-storage, Storage, Warehousing, Industrial and Parking Structure Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have an [8]. See [SMC 17C.124.340](#).

#### 9. Mini-storage Facilities Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have an [9]. Mini-storage facilities are subject to the additional standards of [chapter 17C.350 SMC](#), Mini-storage Facilities.

#### 10. Outdoor Activity Limitation.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [10]. Outdoor display, storage, or use of industrial equipment or other industrial items such as tools, equipment, vehicles, products, materials, or other objects that are part of or used for the business operation is prohibited.

#### 11. Community Services.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have a [11]. Most community service uses are allowed by right.

#### 12. Wireless Communication Facilities.

See [chapter 17C.355A SMC](#).

#### 13. Existing Light Industrial and Self-service Storage Uses.

This regulation applies to all parts of [Table 17C.124.100-1](#) that have an [13]. Light industrial and self-service storage uses in operation on the effective date of this ordinance, are considered to be a conforming use.

#### 14. Mobile Food Vending.

This standard applies to all parts of [Table 17C.124.100-1](#) that have a [14]. All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 40-51-040))~~ comply with the requirements of SMC 12.15.

**Section 11.** That Section 17C.130.110 of the Spokane Municipal Code is amended to read as follows:

### **Section 17C.130.110 Limited Use Standards**

The paragraphs listed below contain the limitations and correspond with the bracketed [ ] footnote numbers from [Table 17C.130.100-1](#).

#### 1. Group Living.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [1].

- a. Group living uses are allowed on sites within one-quarter mile of the Spokane River where residents can take advantage of the river amenity. The planning and economic development services director may authorize a group living use greater than one-quarter mile from the Spokane River if the applicant demonstrates that the site has a river viewpoint and a pedestrian

connection to the river. Group living uses shall provide buffering from adjacent industrial lands by use of berms, landscaping, fencing or a combination of these measures or other appropriate screening measures deemed appropriate by the planning and economic development services director. The proposal shall include a design, landscape and transportation plan which will limit conflicts between the residential, employment and industrial uses.

b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are not permitted.

2. Residential Household Living.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [2].

- a. Residential household living uses are allowed on sites within one-quarter mile of the Spokane River where residents can take advantage of the river amenity. The planning and economic development services director may authorize a residential living use greater than one-quarter mile from the Spokane River if the applicant demonstrates that the site has a river viewpoint and a pedestrian connection to the river. Residential uses shall provide buffering from adjacent industrial lands by use of berms, landscaping, fencing or a combination of these measures or other appropriate screening measures deemed appropriate by the planning and economic development services director. The proposal shall include a design, landscape, and transportation plan, which will limit conflicts between the residential, employment and industrial uses.
- b. A single-family residence may be erected on a lot having a side property line which adjoins a lot in a residential zone, with or without an intervening alley, or on a lot which has less than one hundred feet of frontage and has residences existing on all lots adjoining its side property lines.
- c. Living quarters for one caretaker per site in the LI, HI and PI zones are permitted.

3. Group Living and Residential Household Living.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [3]. Group living and residential household living uses may be permitted in the PI zone as a part of a binding site plan under the provisions of the subdivision code or a planned unit development under the provisions of Division G – Administration and Procedures. A minimum of fifty percent of the site within the binding site plan or planned unit development shall be in manufacturing and production, industrial service or office uses. Group living and residential household living uses shall be

buffered from industrial lands by use of berms, landscaping, fencing or a combination of these measures or other appropriate screening measures deemed appropriate by the planning and economic development services director. The buffering improvements shall be developed on the residential portion of the binding site plan or planned unit development at the time the residential uses are constructed. The site development plan shall include a design, landscape, and transportation plan, which will limit conflicts between the residential and industrial uses.

#### 4. Adult Business.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [4]. Adult businesses are subject to the following standards:

- a. [Chapter 17C.305 SMC](#), Adult Business.
- b. Adult businesses are subject to the size requirements specified in item [5] below applicable to retail sales and services uses in the light industrial (LI) zone.
- c. In addition to the standards in subsections (4)(a) and (b) of this section, adult businesses are permitted only in the light industrial zone adult business overlay zone as designated on the official zoning map.

#### 5. Retail Sales and Service Uses Size Limitation.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [5]. Retail sales and service uses are allowed if the floor area plus outdoor sales and display and outdoor storage area is not more than sixty thousand square feet per site. Retail sales and service uses where the floor area plus the outdoor sales and display and outdoor storage area is more than sixty thousand square feet per site are a conditional use.

#### 6. Retail Sales and Service Uses Size Limitation.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [6]. Retail sales and service uses are allowed if the floor area plus outdoor sales and display and outdoor storage area is not more than twenty thousand square feet per site. Retail sales and service uses where the floor area plus the outdoor sales and display and outdoor storage area is more than twenty thousand square feet per site are a conditional use.

#### 7. Retail Sales and Service Uses Size Limitation.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [7]. Retail sales and service uses are allowed if the floor area plus the outdoor sales and display and outdoor storage area is not more than three thousand square feet per site. Retail sales and service uses where the floor area plus the outdoor sales and display and outdoor storage area is more than three thousand square feet per site may be permitted as a

part of a binding site plan under the provisions of the subdivision code or a planned unit development under the provisions of the zoning code. A minimum of fifty percent of the site area of the uses in the planned unit development or binding site plan shall be in manufacturing and production, industrial service or office uses.

#### 8. Mini-storage Facilities.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [8]. The limitations are stated with the special standards for these uses in [chapter 17C.350 SMC](#), Mini-Storage Facilities.

#### 9. High Impact Uses.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [9]. High impact uses shall be located a minimum of six hundred feet from the boundary of a residential or commercial zone.

#### 10. Colleges, Medical Centers, Daycare and School Uses.

This standard applies to all parts of [Table 17C.130.100-1](#) that have an [10]. Colleges, medical centers, daycare and school uses may be permitted as a part of a binding site plan under the provisions of the subdivision code, or a planned unit development under the provisions of the zoning code. A minimum of fifty percent of the site within the planned unit development or binding site plan shall be in manufacturing and production, industrial service or office uses. Colleges, medical centers, daycare and school uses are allowed within the planned unit development or binding site plan provided that the site development includes a design, landscape and transportation plan which will limit conflicts between the college, medical center, daycare, school and industrial uses.

#### 11. Wireless Communication Facilities.

See chapter 17C.355A SMC.

#### 12. Mobile Food Vending.

This standard applies to all parts of [Table 17C.130.100-1](#) that have a [12]. All mobile food vendors shall ~~((have a valid mobile food vending license issued pursuant to SMC 40.51.040))~~ comply with the requirements of SMC 12.15.

**Section 12.** That Section 17C.390.020 of the Spokane Municipal Code is hereby repealed.

**Section 13.** That Section 17C.390.030 of the Spokane Municipal Code is amended to read as follows:

## Section 17C.390.030 Conditions

### A. Mobile food vending from or onto the public right of way.

1. Mobile food vending may be allowed on a public street right of way in any Neighborhood Retail (NR), Neighborhood Mixed Use (NMU), Community Business (CB), General Commercial (GC); Center and Corridor Types 1, 2 and 3; Downtown Core (DTC), Downtown General (DTG), Downtown University (DTU), Downtown South (DTS), Light Industrial (LI), Heavy Industrial (HI) and Planned Industrial (PI) zone, provided the vendor shall comply with the mobile food vending requirements outlined in SMC 12.15.

~~((2. The mobile food vendor must have a valid license issued pursuant to SMC 10.51.010 and must be in compliance with the terms and conditions thereof.))~~

### B. Mobile food vending located entirely on private property.

- ~~4. Mobile food vending may be allowed on property in any Neighborhood Retail (NR), Neighborhood Mixed Use (NMU), Community Business (CB), General Commercial (GC); Center and Corridor Types 1, 2 and 3; Downtown Core (DTC), Downtown General (DTG), Downtown University (DTU), Downtown South (DTS), Light Industrial (LI), Heavy Industrial (HI) and Planned Industrial (PI) zone, provided the vendor shall comply with the mobile food vending requirements outlined in SMC 12.15. ((subject to the land use and development standards applicable to said property, except that a mobile food vendor shall not be required to make any additional site improvements when:~~

- ~~a. The mobile food unit will be located on an existing paved parking area that will continue to provide sufficient space for required off street parking and circulation for any other existing uses on the property;~~
- ~~b. The mobile food unit is a licensed, wheeled vehicle and the wheels will not be removed;~~
- ~~c. Any canopies, awnings or any other attachments are supported entirely by the mobile food unit and do not touch the ground;~~
- ~~d. The mobile food unit is self-contained, with no plumbing connections; and,~~

~~e. The mobile food unit will not be used for “drive thru” vending.~~

~~2. The mobile food vendor must have a valid license issued pursuant to [SMC 10.51.010](#) and must be in compliance with the terms and conditions thereof.~~

~~C. Mobile food vending on City Parks or on streets adjacent to a City Park.~~

~~1. Mobile food vending is prohibited in City Parks and on any street adjacent to or across the street from a City Park without the expressed written consent of the City Park Board or its designee.~~

~~2. The mobile food vendor must have a valid license issued pursuant to [SMC 10.51.010](#) and must be in compliance with the terms and conditions thereof.))~~

**Section 14. Severability.** If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

**Section 15. Clerical Errors.** Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

PASSED by the City Council on \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

Mayor

Date

---

Effective Date

**From:** [Emilie Cameron](#)  
**To:** [City Council Testimony](#); [City Council Members and Staff](#); [McDaniel, Adam](#)  
**Cc:** [Dana Harbaugh](#); [Christopher G. Varallo \(chris.varallo@kutakrock.com\)](#)  
**Subject:** ORD C36863 – Concerns related to mobile food vending ordinance  
**Date:** Monday, April 13, 2026 3:54:53 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

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**[CAUTION - EXTERNAL EMAIL - Verify Sender]**

**Comments: ORD C36863 – Concerns related to mobile food vending updates**

Dear Council President and Members of the Spokane City Council,

On behalf of the Downtown Spokane Partnership (DSP), I am writing to express concerns regarding the proposed updates to the City of Spokane’s mobile food vending ordinance (ORD C36863). While we appreciate the intent to support entrepreneurship and activate public spaces, we believe the current proposal raises significant challenges, particularly for the unique and complex environment of downtown. With no outreach to downtown businesses prior to or after introduction of the ordinance, we respectfully urge the Council to delay approval of ORD C36863 and engage in a collaborative process with downtown stakeholders, business owners, residents, and enforcement agencies.

Downtown Spokane is a highly concentrated, mixed-use district where residents, employees, visitors, and businesses all rely on limited and carefully managed public space. Unlike other areas of the city, downtown is not only active during events, but also a place where people live, work, and recreate every day. This density requires thoughtful coordination to ensure that all users can coexist safely and successfully.

The proposed removal of the permitting process is especially concerning. Without a system that provides visibility and oversight, mobile vendors may operate without notifying adjacent property owners or businesses. This lack of coordination can create avoidable conflicts, including:

- Obstructed pedestrian access and ADA pathways
- Reduced visibility and access to storefront businesses
- Increased congestion from customer lines, particularly during peak hours or late at night
- Safety concerns near busy intersections or establishments serving alcohol
- Insufficient waste management, resulting in cleanliness and sanitation issues

Additionally, without requirements to coordinate with adjacent property, the City will have limited authority to address ongoing issues such as illegal parking, improper waste disposal, or problematic co-location of vendors. These are not hypothetical concerns: they reflect real issues raised consistently by downtown stakeholders that remain unaddressed in this proposal. This balance is critical downtown, where unmanaged activity can quickly impact safety, accessibility, and the viability of existing businesses. We are concerned that the ordinance, as written, prioritizes businesses that may not directly contribute to the long-term economic health of downtown in the same way as brick-and-mortar establishments that generate consistent tax revenue, provide stable

local jobs, and invest in the district year-round.

Downtown Spokane thrives when all uses are carefully balanced. We welcome the opportunity to partner with you to ensure this ordinance reflects that reality and sets both new and existing businesses up for success. With thoughtful input, we are confident an ordinance can be developed that both supports entrepreneurial activity and includes appropriate safeguards to mitigate impacts.

Thank you for your consideration. -Emilie



*Emilie Cameron*  
president & ceo

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📞 509.456.0580 ex 103    🌐 [downtownspokane.org](http://downtownspokane.org)    📱 [f](https://www.facebook.com/DowntownSpokane) [x](https://twitter.com/DowntownSpokane) [@](https://www.instagram.com/DowntownSpokane) [in](https://www.linkedin.com/company/downtownspokane) [d](https://www.youtube.com/channel/UC...)  
🌐 [downtownspokane.org](http://downtownspokane.org)    @DowntownSpokane

**DOWNTOWN SPOKANE PARTNERSHIP**

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 03/16/2026**Committee Agenda type:** Discussion**Date Rec'd**

3/5/2026

**Clerk's File #**

ORD C36862

**Cross Ref #**

ORD C36680

**Project #****Council Meeting Date:** 04/13/2026**Submitting Dept**

PLANNING SERVICES

**Bid #****Contact Name/Phone**

SPENCER 509-625-6097

**Requisition #****Contact E-Mail**

SGARDNER@SPOKANECITY.ORG

**Agenda Item Type**

First Reading Ordinance

**Council Sponsor(s)**

KKLITZKE KTELIS

**Sponsoring at Administrators Request**

NO

**Lease?** NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

EXTENSION OF INTERIM OFFICIAL CONTROL FOR OFF-PREMISES ALCOHOL

**Agenda Wording**

Extension of interim zoning ordinance for off-premises alcohol outlets.

**Summary (Background)**

Council adopted ORD C36680 in April 2025 as an interim official control. The ordinance prohibited off-premises alcohol outlets near public assets like schools and parks. As an interim zoning ordinance, it was assigned a duration of one year, which expires on April 28, 2026. The Planning and Economic Development department continues to conduct engagement and study the impacts of permanent changes to regulations for off-premises alcohol outlets as part of the City's periodic update to the Comprehensive Plan. In addition, the City has engaged a consultant, Clarion, to assess and prepare a new development code to replace SMC Title 17. It is expected that policy work regarding the this topic will be completed with the Comprehensive Plan update and that code changes will be implemented as part of the Clarion project. This ordinance proposes to extend the duration of the interim ordinance six months to October 28, 2026. The periodic update is due in December 2026 so it is anticipated that one more extension will be necessary after this one.

**What impacts would the proposal have on historically excluded communities?**

N/A

**How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?**

Study of impacts to continue as anticipated by ORD C36680.

**How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?**

Study of impacts to continue as anticipated by ORD C36680.

**Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?**

This topic will be a consideration in the ongoing Comprehensive Plan update.

**Council Subcommittee Review**

<b>Fiscal Impact</b>	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<b><u>Narrative</u></b>	
<b>Amount</b>	<b>Budget Account</b>
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
<b>Funding Source</b>	N/A
<b>Funding Source Type</b>	Select
<b>Is this funding source sustainable for future years, months, etc?</b>	
<b>Expense Occurrence</b>	N/A
<b>Other budget impacts (revenue generating, match requirements, etc.)</b>	
<b>Approvals</b>	
<b>Dept Head</b>	GARDNER, SPENCER
<b>Division Director</b>	MACDONALD, STEVEN
<b>Accounting Manager</b>	ZOLLINGER, NICHOLAS
<b>Legal</b>	SCHOEDEL, ELIZABETH
<b>For the Mayor</b>	PICCOLO, MIKE
<b>Distribution List</b>	
	sgardner@spokanecity.org
smacdonald@spokanecity.org	eking@spokanecity.org
amcdaniel@spokanecity.org	

## ORDINANCE NO. C36862

An ordinance to extend the duration of interim official control C36680 concerning off-premises alcohol outlets near public assets, and declaring an emergency.

WHEREAS, on April 28, 2025, City Council adopted ordinance C36680, an interim official control regarding off-premises alcohol outlets near public assets, and which imposed an interim control effective through April 28, 2026; and

WHEREAS, on November 3, 2025, City Council adopted ordinance C36773, approving a consultant contract for the project entitled “Code Assessment and Modernization of Title 17 of the Spokane Municipal Code”; and

WHEREAS, the Planning and Economic Development department continues to perform related studies and public engagement as part of the periodic update to the City’s Comprehensive Plan, requiring additional time to complete the work plan for the interim control beyond April 28, 2026; and

WHEREAS, the Code Assessment and Modernization of Title 17 of the Spokane Municipal Code is expected to continue beyond the expiration of April 28, 2026; and

WHEREAS, the Spokane City Council has identified a continuing need to protect and preserve public assets such as schools, parks, and community centers from the potential public health and public safety impacts of off-premises alcohol outlets; and

WHEREAS, the Spokane City Council utilized the authority granted under RCW 36.70A.390 to adopt interim zoning standards to protect and preserve public assets from the potential public health and public safety impacts of off-premises alcohol outlets; and

WHEREAS, RCW 36.70A.390 authorizes the extension of an interim official control after a public hearing; and

WHEREAS, it is important to extend the interim official control first established by Ordinance C36680 without interruption; and

WHEREAS, the City Council finds that the impending interruption to the interim official control is sudden, unexpected, and requires immediate action to prevent or mitigate the threat; and

WHEREAS, the City Council finds also that the normal course of legislative procedures of the City Council cannot timely address the harm from a lapse in the interim

official control without causing or exacerbating harm to the community or government functions; and.

WHEREAS, the Spokane City Council finds that the interim official control imposed by this ordinance is necessary for the protection of then public peace, health, or safety and for the immediate support of City government and its existing public institutions; and

WHEREAS, pursuant to RCW 36.70A.390, the City Council held a public hearing in support of the adoption of this ordinance on April 20, 2026;

NOW, THEREFORE, the City of Spokane does ordain:

**Section 1. Findings of Fact.** The recitals set forth above are hereby adopted as the City Council's findings of fact in support of the continuation of the interim official control previously established by Ordinance C36680.

**Section 2. Hearing.** That the hearing held at the time of adoption of this ordinance fulfills the requirement of RCW 36.70A.390 to hold a hearing in connection with this extension.

**Section 3. Work Plan.** That the Planning and Economic Development Department shall continue to study, conduct additional public engagement, and evaluate regulation of off-premises alcohol outlets as part of the periodic update to the Comprehensive Plan and the Code Assessment and Modernization of Title 17 of the Spokane Municipal Code projects.

**Section 4. Duration.** That the duration of the interim zoning ordinance enacted by ordinance C36680 shall be extended an additional six months to October 28, 2026.

**Section 5. Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 6. Emergency Clause.** The City Council declares that an urgency and emergency exists such that this ordinance is needed for the immediate preservation of the public peace, health, or safety, and/or for the immediate support of City government and its existing public institutions, and that because of such need, this ordinance shall be effective immediately under Section 01.01.080 of the Spokane Municipal Code and

Section 19 of the City Charter, upon the affirmative vote of one more than a majority of the City Council.

**PASSED BY THE CITY COUNCIL ON** \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date