

Resolution No. 31307

The City of Seattle – Legislative Department

Resolution sponsored by: Samy V. Lewis

A RESOLUTION stating the City Council's intent to foster a safe and lively food-vending culture in Seattle and providing policy guidance and direction to the Executive to provide a transparent and efficient permitting process, adequate enforcement, and on-going monitoring and evaluation of program implementation and impacts.

Related Legislation File: Council Bill 117225

Date Introduced and Referred: <u>July 11, 2011</u>	To: (committee): <u>Built Environment</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>7.18.11</u>	Date Presented to Mayor: <u>7.19.11</u>
Date Signed by Mayor: <u>July 21, 2011</u>	Date Returned to City Clerk: <u>July 21, 2011</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Returned Without Concurrence:
Published in Full Text	

Committee Action:

Date	Recommendation	Vote
<u>071211</u>	<u>ADOPT AS AMENDED</u>	<u>① UN</u>
	<u>3-0 SC, TB, SC</u>	

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
<u>7.18.11</u>	<u>Adopted</u>	<u>8-0 excused: NL</u>

RESOLUTION

31307

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2 A RESOLUTION stating the City Council's intent to foster a safe and lively food-vending
3 culture in Seattle and providing policy guidance and direction to the Executive to provide
4 a transparent and efficient permitting process, adequate enforcement, and on-going
5 monitoring and evaluation of program implementation and impacts.

6 WHEREAS, food vending has become a popular mode of providing culturally-diverse and
7 varied food options to the public; and

8 WHEREAS, food vending attracts foot traffic and pedestrian activity to commercial districts and
9 creates a more vibrant retail business climate; and

10 WHEREAS, food vending can provide an affordable, entry-level business opportunity for
11 budding entrepreneurs; and

12 WHEREAS, to date, because of cumbersome rules, food vehicles have been restricted to private
13 property in Seattle, which has resulted in limited food vending options available to the
14 public; and

15 WHEREAS, C.B. 117225 expands opportunities for food vending in the City's right-of-way by
16 allowing food vehicles to park in street-side curb spaces and and modifying existing rules
17 for vending carts in the right-of-way; and

18 WHEREAS, the Board of the Seattle-King County Public Health Department (SKCPH) passed a
19 resolution in June 2011 to encourage SKCPH to allow a greater variety of foods to be
20 offered by cart vendors; and

21 WHEREAS, the Seattle Department of Transportation will, when issuing permits for food carts
22 and vehicles, consider whether the vending activity would block retail displays and
23 business signage; and

24 WHEREAS, with the expansion of food vending opportunities in the City's right-of-way, illegal
25 vending activity will not be tolerated and the Executive should effectively and robustly
26 enforce the vending rules and regulations; and

27 WHEREAS, the City will need to conduct ongoing food vending monitoring and evaluation to
28 assess vending impacts and to effectively and robustly enforce the vending rules and
29 regulations; and

WHEREAS, the Executive will be required to collect data and report back to the City Council by
August 31, 2012; NOW, THEREFORE,



1 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
2 **MAYOR CONCURRING, THAT:**

3 Section 1. The City Council expects the Seattle Department of Transportation (SDOT) to
4 address a variety of programmatic details in its Director's Rules, including, but not limited to the
5 following:

- 6 a. Circumstances when SDOT would revoke or deny a permit renewal request;
- 7 b. When and how SDOT staff will mitigate potential visibility impacts on retail
8 window displays and business signage;
- 9 c. Procedures for holding a lottery for food-vending locations;
- 10 d. City-wide design guidelines for food carts;
- 11 e. Details on how SDOT will measure the prescribed buffers from restaurants,
12 building entrances, and schools;
- 13 f. Enforcement protocols, including when and how SDOT staff should work with
14 the Seattle Police Department to confiscate food carts or trucks; and
- 15 g. Online posting of prospective food-vehicle zones or vending-cart locations during
16 the public notification and comment period, including instructions on how the
17 public may comment.

18 Section 2: SDOT, and other relevant Executive departments, shall collect data on the
19 following:

- 20 a. Number of new and renewed permits issued by type of food vehicle or cart;
- 21 b. Number of permits issued by neighborhood or distinct geographic areas;
- 22 c. Number of permits denied or revoked;
- 23 d. Amount of SDOT fees collected, and whether they are sufficient to cover related
24 programmatic expenses;
- 25 e. Number of inspections conducted, broken out by day versus night;
- 26 f. Number of warnings and citations issued, and reasons for citations;
- 27 g. Disposition of citations paid in full or reduced by Hearing Examiner;
- 28 h. Number and type of complaints received, for example: mobility, parking, ADA
access, visibility, and noise, and resolution of complaints;
- i. Number of paid parking hours reserved by food vehicles;
- j. Average amount of time required for SDOT to issue a permit;
- k. Type of food served by general categories and broken out by vehicle and cart.
- l. When and how lottery procedures were employed.
- m. Stakeholder input.

Section 3: SDOT will compile and provide a written report to the City Council on the



1 data collected in Section 2 no later than August 31, 2012.

2 Section 4: Prior to issuing a night-time food vending permit in neighborhoods with a
3 relatively-high concentration of carts or trucks, SDOT staff should consult with the Code
4 Compliance Team on any potential issues or conditions that should be applied to the permit.
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6 Section 5: In addition to responding to complaints, SDOT should conduct random and
7 unannounced inspections of food carts and vehicles during the day and night.

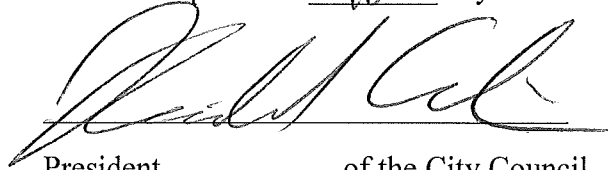
8 Section 6: SDOT should work in close coordination with Seattle-King County
9 Department of Public Health staff to achieve a transparent and efficient food-vending permit
10 process.
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12 Section 7: The Executive should research and report back to the City Council by June 1,
13 2012 on measures the City could adopt to encourage healthy-food vending options.
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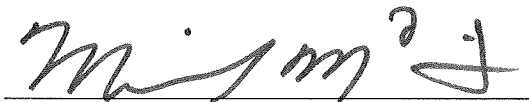


1 Section 8: The Office of Economic Development should expand its website to include
2 comprehensive information on food vending in Seattle. This information should include a
3 list of all permits food vendors are required to obtain and contact information for each
4 relevant agency or department, along with an overview of when and where food vending
5 is permitted in Seattle. The goal of the website is to provide one location where food
6 vendors or the public may obtain or be linked to any and all information related to
7 Seattle's food vending rules and regulations.

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9 Adopted by the City Council the 18th day of July, 2011, and
10 signed by me in open session in authentication of its adoption this 18th day
11 of July, 2011.


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14 President _____ of the City Council

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16 THE MAYOR CONCURRING:

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18 _____

19 Michael McGinn, Mayor

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21 Filed by me this 21st day of July, 2011.

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23 _____
24 Monica Martinez Simmons, City Clerk

25
26 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Christa Valles/4-5336	

Legislation Title:

A RESOLUTION stating the City Council's intent to foster a safe and lively food-vending culture in Seattle and providing policy guidance and direction to the Executive to provide a transparent and efficient permitting process, adequate enforcement, and on-going monitoring and evaluation of program implementation and impacts.

Summary of the Legislation:

This resolution requests the Executive collect and report back on various data associated with a new program in Seattle to allow more food vending in the public right of way. It also directs the Executive to address several specific issues in its Director's Rules and for the Office of Economic Development to provide comprehensive food vending information on its website.

Background:

This resolution is a companion to a Council Bill that enables food trucks to park in curbside parking spaces and for vending carts to locate on sidewalks and public plazas without obtaining adjacent property owner approval.

Please check one of the following:

- This legislation does not have any financial implications.**
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16 way by allowing food vehicles to park in street-side curb spaces and and modifying
17 existing rules for vending carts in the right-of-way; and

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30 WHEREAS, the Executive will be required to collect data and report back to the City Council by
31 August 31, 2012; NOW, THEREFORE,

THIS VERSION IS NOT ADOPTED



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9 Adopted by the City Council the ____ day of _____, 2011, and
10 signed by me in open session in authentication of its adoption this ____ day
11 of _____, 2011.
12

13 _____
14 President _____ of the City Council

15 THE MAYOR CONCURRING:
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17 _____
18 Michael McGinn, Mayor
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20 Filed by me this ____ day of _____, 2011.
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22 _____
23 Monica Martinez Simmons, City Clerk
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25 (Seal)
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STATE OF WASHINGTON – KING COUNTY

--SS.

274434
CITY OF SEATTLE, CLERKS OFFICE

No. 31307

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

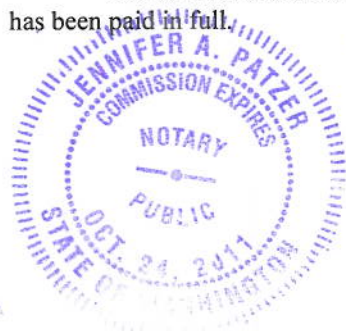
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY RESOLUTION

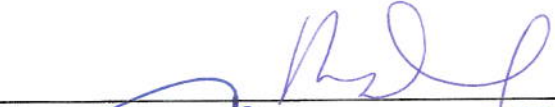
was published on


07/28/11

The amount of the fee charged for the foregoing publication is the sum of \$ 27.30, which amount has been paid in full.



Affidavit of Publication



Subscribed and sworn to before me on
07/28/11


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle Title Only Resolution

The full text of the following legislation, passed by the City Council on July 18, 2011, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

RESOLUTION NO. 31307

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Date of publication in the Seattle Daily Journal of Commerce, July 28, 2011.

7/28(274434)