

RESOLUTION _____

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.

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

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

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

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

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

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

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

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

WHEREAS, the City will need to conduct ongoing food vending monitoring and evaluation to assess vending impacts and to effectively and robustly enforce the vending rules and 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.

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.

5 Section 5: In addition to responding to complaints, SDOT should conduct random and
6 unannounced inspections of food carts and vehicles during the day and night.

7 Section 6: SDOT should work in close coordination with Seattle-King County
8 Department of Public Health staff to achieve a transparent and efficient food-vending permit
9 process.
10

11 Section 7: The Executive should research and report back to the City Council by June 1,
12 2012 on measures the City could adopt to encourage healthy-food vending options.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

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.
8

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

16 THE MAYOR CONCURRING:
17

18 _____
19 Michael McGinn, Mayor
20

21 Filed by me this ____ day of _____, 2011.
22

23 _____
24 Monica Martinez Simmons, City Clerk
25

26 (Seal)
27