

CITY OF OMAK
OUTDOOR MOBILE VENDOR APPLICATION

City Clerk's Office – P.O. Box 72, Omak 98841
Phone: (509) 826-1170 Fax: (509) 826-6531

Applicants must comply with the City of Omak Municipal Code which includes but is not limited to:

ZONING: Location/Type of Business, signs, parking, setbacks
FIRE: Exit requirements, fire suppression systems, storage of hazardous materials
BUILDING: New construction and building alterations, signs & change of uses
POLICE – Traffic control, type of burglar alarms, etc.

A BUSINESS REGISTRATION IS REQUIRED PRIOR TO OPENING A BUSINESS.

1. **THE PROPOSED MANNER OF OPERATION OF THE BUSINESS;**
2. **THE GOODS, WARES, SERVICES, MERCHANDISE, OR ARTICLES TO BE OFFERED FOR SALE;**
3. **THE PROPOSED DATES, HOURS, AND DURATION OF OPERATION;**
4. **THE PROPOSED LOCATION OF OPERATION;**
5. **AVAILABLE PARKING;**
6. **THE PROPOSED FIRE SAFETY FEATURES AND PROPOSED LIGHTING;**
7. **PROPOSED STRUCTURES;**
8. **SITE PLAN;**
9. **WRITTEN AUTHORIZATION OF LANDOWNER;**

18.08.345 Outdoor mobile vendor.

“Outdoor mobile vendor” means nonpermitted structures, vehicles, or trailers, located on private property, conducting retail sales or offering goods and/or services to the public for a fee or donation, and operated as a temporary use (limited to one hundred eighty days). (Ord. 1877 § 1(5), 2019).

(1) Exemptions. The following activities, businesses, and/or persons, as such are commonly known, shall be exempt from coverage of this section. This exemption shall not be construed to limit or restrict the application of other laws and regulations pertaining to such activities, businesses and/or persons:

- (a) Stands used to sell or distribute flowers, fruit, vegetables, produce or plants grown on the property where the stand is located;
- (b) Outdoor mobile vendors under the umbrella of an event sponsor set up only during community-sponsored events;
- (c) Temporary business registration for 30 days or less; provided, that consecutive/concurrent temporary licenses are not applied for.

(2) Review. The Administrator shall review the application based on such issues as public safety, pedestrian and vehicular traffic, public disturbance and noise concerns. The Administrator shall grant, deny or condition the permit based on the above considerations. Written notice of action on the application shall be provided to the applicant within 14 days of the city's receipt of a completed permit application.

(3) Required Approvals.

(a) All outdoor mobile vendors shall obtain approval from the Okanogan County health district prior to commencing any activities. Outdoor mobile vendors are required to comply with all laws, rules and regulations regarding food handling, and all vehicles, equipment, and devices used for the handling, storage, transportation and/or sale of food shall comply with Chapter 246-215 WAC, as amended, and any other rules and regulations respecting such vehicles, equipment, and devices as may be established by the Okanogan County health district.

(b) All outdoor mobile vendors shall obtain a city business registration.

(c) All outdoor mobile vendors shall provide in writing and on a site plan the locations of utilities (water, sewer, storm water, etc.) servicing the stand or a plan for how water, sewer and stormwater, etc. will be handled. All service locations shall be reviewed by the public works department for approval, prior to commencement of activities at any location.

(d) All outdoor mobile vendors shall obtain required permits from the city fire chief for installation of LPG tanks and piping.

(e) All outdoor mobile vendors that are constructed to use electricity shall obtain a permit from Labor and Industries.

(f) Any structure or accessory structure that is to be placed and used as a commercial stand shall require review for compliance with Omak City Code as amended, which includes at minimum OMC Title 14, Buildings, OMC Title 4, Licenses and Taxation, and this title.

(4) Development Standards.

(a) Shall not conduct business so as to violate any ordinances of the city, including those regulating traffic and rights-of-way, as now in effect or hereafter amended.

(b) Shall not be located in such a manner as to cause a traffic hazard.

(c) Shall not obstruct or cause to be obstructed the passage of a sidewalk, street, avenue, alley or any other public place by causing people to congregate at or near the place where services are being sold or offered for sale.

- (d) Are prohibited from occupying required parking spaces and vehicular traffic areas of existing businesses.
- (e) Employees must have access to sanitary facilities during working hours.
- (f) All outdoor mobile vendors operations related to cooking, sale of goods, displays, and other portions of the operation outside of seating, landscaping, and singular display of goods, menus, and signage attached to the stand shall take place from within the enclosed mobile vending unit.
- (g) Shall provide garbage receptacles for customer use and provide for appropriate waste disposal.
- (h) All outdoor mobile vendors shall be maintained in a neat and orderly condition and manner, free of debris and litter.
- (i) Outdoor mobile vendors shall occupy an area no larger than 400 square feet. The size of an outdoor mobile vendor shall be counted as part of the lot coverage for the specific lot. If more than one outdoor mobile vendor per lot, then the total square footage is reduced to 250 square feet per outdoor mobile vendor. The occupied area of an outdoor mobile vendor should not constitute access, parking, or uncovered outside sitting areas that may make up the "use" area.
- (j) At the conclusion of business activities at a given location, the vendor shall clean all areas surrounding his or her commercial stand of all debris, trash and litter generated by the vendor's business activities.
- (k) Vendors shall remove the vending unit from the property each day at the conclusion of business. Vendors operating at a location for 30 days or less are exempt from this requirement.
- (l) All advertising shall be placed via wall standards and be placed on the commercial stand. Wall sign regulations shall follow those of the underlying zoning district in relation to the size of the commercial stand; no other signage shall be allowed.
- (m) Outdoor mobile vendors shall submit a site plan providing accurate dimensions and locations of the following:
 - (i) Proposed and existing structures;
 - (ii) Proposed and existing land uses;
 - (iii) Garbage and trash receptacles;
 - (iv) Proposed and existing storage areas;
 - (v) Location of adjacent streets, avenues, and alleys;
 - (vi) Ingress and egress locations;
 - (vii) "Use" area;
 - (viii) Proposed and existing landscaping;
 - (ix) Proposed and existing off-street parking.
- (n) For the purposes of this chapter, the "use" area is defined as an area described in the tenancy agreement between the landowner and tenant (person allowed to possess property belonging to the landowner for rights and privileges detailed in the tenancy agreement) of adequate size to carry on the agreed upon use consistent with city code.
- (o) Outdoor mobile vendors shall submit a written and notarized consent form from the property owner authorizing the property to be used for the proposed use and approving the accuracy of the site plan.
- (p) All outdoor mobile vendors shall provide a minimum of two off-street parking spaces plus sufficient stacking for six vehicles for stands with a drive-through component.

Please use this page to provide a site plan with all criteria required in section 4 [m].

The application will be routed to all other departments. Corrective actions may be required before approval of this application. Any application denied a business registration shall have the right of appeal to the City. Applicant shall give notice of appeal to the City Clerk within (10) days of receipt of the denial of a business registration.

I CERTIFY THAT THE INFORMATION INCLUDED IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF:

NAME _____ DATE _____

SIGNATURE _____ TITLE _____

TELEPHONE # _____ EMAIL ADDRESS _____

MAILING
ADDRESS _____

CITY USE ONLY

FIRE DEPARTMENT	APPROVAL	DISAPPROVAL
POLICE DEPARTMENT	APPROVAL	DISAPPROVAL
BUILDING DEPARTMENT	APPROVAL	DISAPPROVAL
CITY CLERK	APPROVAL	DISAPPROVAL
PUBLIC WORKS	APPROVAL	DISAPPROVAL
COMMENTS: _____		
