



Application for Mobile Food Vendor Regulatory License

Application Fee is Non-Refundable

Annual Renewal Fee - Due January 31st of each year

All fees per Master Fee Schedule

Section 1: Applicant Information (OHMC 5.29.050)

Business Name: Applicant Name:

Physical Address:

Mailing Address (if
different from above):

Phone:

Email:

If applicant is a Corporation,
please state the managing or
directing agent's name*

** Include documentation from the Corporation verifying that the listed managing or directing agent has authority to enter into the Regulatory License.*

Description of the preparation methods and food product to be offered for sale, including the intended menu, display, and distribution containers.

Information on the food vehicle to include year, make, and model of the vehicle and dimensions

The preferred location of the food vehicle, consistent with OHMC 5.29.070

Attach a photo or drawing of the proposed food vehicle, showing the business name and proposed awnings, if applicable

Proposed hours of operation

Attach copy of Washington State Business License

Attach copies of all necessary licenses or permits issued by Island County Health Department

Attach copies of all additional licenses or permits that may be required by the Island County Health Department, the Washington State Department of Labor and Industries, and the City of Oak Harbor; This requirement shall be met within 30 days of approval of a mobile food vehicle regulatory license by the City of Oak Harbor. However, no mobile food vehicle shall locate or operate within the City until such City, County, and State licenses have been issued.

Provide evidence of general liability insurance in amounts acceptable to the city attorney's office and designating the property owner as additional insured.

Section 2: Business License Required (OHMC 5.29.030)

Applications for a regulatory license should be submitted after obtaining your city business license through Washington State Department of Revenue.

Business License Number _____.

Section 3: Locations (OHMC 5.29.070)

- (1) Private Property. Food vehicles may operate on private property in any zone in which restaurants are permitted (RO with conditional use permit, C-1, CBD, C-5, PBP, PIP and I), with the written consent from the property owner and subject to the city's site plan review requirements. Evidence of such written consent and approval shall be provided to the city prior to the on-site location of the food vehicle.
- (2) Public Property. Food vehicles may be located OS – Open space, recreation and agriculture and PF – Public facilities.
- (3) Special Event Permit Locations. Special event permits issued under Chapter 5.55 OHMC shall take precedence over mobile food vendor regulatory license locations.
- (4) Excise Tax on Public Property. Mobile food vehicles operating on public property are subject to leasehold excise taxes pursuant to Chapter 82.29A RCW and Chapter 3.60 OHMC. Regulatory license

holders operating on public property will be billed for excise taxes and finance department will remit the tax to the Washington State Department of Revenue.

Section 4: Annual Regulatory License Renewal (OHMC 5.29.060)

Regulatory License renewals must be made annually pursuant to OHMC 5.01.120. Submit the regulatory license renewal by January 31st of the renewal year.

Section 5: Regulatory License Display (OHMC 5.29.090)

A regulatory license issued under this chapter shall be posted conspicuously on the mobile food vehicle.

Section 6: Health Regulations (OHMC 5.29.100)

All food vendors shall 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 all laws, rules and regulations respecting such vehicles, equipment and devices as established by the Island County health department.

Section 7: Food vehicle standards (OHMC 5.29.110)

All mobile food vendors endorsed under this chapter shall conform to the following standards:

- (1) Food vehicles stationed on public rights-of-way using external signage, seating or any other equipment not contained within the vehicle shall not reduce or obstruct the sidewalk to less than five feet.
- (2) Exterior, freestanding signage used in relation to a mobile food vendor regulatory license shall comply with Chapter 19.36 OHMC.
- (3) Vendor shall obey any lawful order of a police officer to move to a different permitted location to avoid congestion or obstruction of a public way or to remove the vehicle entirely from the public way if necessary to avoid such congestion or obstruction.
- (4) Any auxiliary power required for the food vehicle shall be self-contained; provided, that such auxiliary power does not result in excessive noise. No use of public or private power sources are allowed without providing written consent from the owner. No power cable or equipment shall be extended at grade across any city street, alley, or sidewalk. The use of compressors or loudspeakers is prohibited.
- (5) Any exterior lighting used by the food vehicle shall be designed and placed in such a manner that it does not result in glare or light spillage onto other properties or interfere with vehicular traffic. Lighting shall be directed in a downward manner, so as to minimize light pollution.

(6) All identifying information, logos, advertising, or other displays on the exterior of a food vehicle shall conform to the purposes set forth in Chapter 19.36 OHMC regulating commercial signage.

Section 8: Design and Operation (OHMC 5.29.120)

Food vendors and food vehicles shall conform to the following:

- (1) No parking in such a manner as to create a traffic hazard.
- (2) Sales in curbside food zones shall be made on the curbside only, and the vehicle shall be parked within one foot of the curb.
- (3) No waste liquids, litter or solid waste shall be dumped on city sidewalks, streets, or lawn areas, or in city gutters or drains. When leaving a sales area, food vendors or employees shall pick up all waste, litter and solid waste resulting from the business’s sales. Regulatory license holders shall be responsible for all waste, litter and solid waste left by customers.
- (4) Supply garbage, recycling, and composting receptacles for the public use. Such receptacles shall be capable of accommodating all solid waste generated by the vending activity. The containers must be maintained and emptied regularly. The containers must not be left at any location after operation of the food vehicle ceases for the day.
- (5) Utilize an absorbent pad or cardboard under outside food preparation area to avoid grease and other ingredient spills.
- (6) Conform to all applicable city ordinances regarding noise control and vehicle identification.
- (7) Comply with all Island County public health requirements and fire department requirements if propane or a combustible fuel is used.
- (8) Only sell food and beverages that are capable of immediate consumption.
- (9) Maintain the food vehicle in good repair, and free of graffiti.

Section 9: Acknowledgement of OHMC 5.29

I acknowledge that I have read and understand Oak Harbor Municipal Code 5.29. The above information is true and correct and provided for the purpose of obtaining the Mobile Food Vendor License under Chapter 5.29 of the Oak Harbor Municipal Code.

Signature

Date

Section 10: Instructions to Mobile Food Vendor License

- **Step 1:** Complete application and pay application fee per Master Fee Schedule.
- **Step 2:** The Utilities Department will forward your application to the Development Services Director.
- **Step 3:** Development Services Director will then approve, conditionally approve, or deny the application.
- **Step 4:** You will be notified by the Utility Department of the decision.
- **Step 5:** Upon approval, the regulatory license will be issued.
- **Renewal:** Must renew the Regulatory License each year by Jan. 31st.

SECTIONS 11 - 12 -- INTERNAL USE ONLY

Section 11: Fire Department Investigation and Recommendations (OHMC 5.29.050 (3))

The Fire Chief or designee shall inspect the proposed food vehicle for fire safety and code compliance. All recommendations by the Fire Chief or designee must be implemented by the food vendor applicant before the application may be approved.

Fire Chief

Date

Section 12: Development Services Decision (OHMC 5.29.080)

Development Services Director

Date

Conditions set by Development Services Director (if any) using standards codified in OHMC 5.29.080:

Approval/Denial Date	Fees Paid	Business License No. Issued

Development Services Director

Date

Request for Appeal per OHMC 5.29.140

****After final decision, please deliver application to Finance Dept. Attn: Business Licenses ****

Contact the Utilities Department with questions at utilities@oakharbor.org or 360-279-4530.