

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1931

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON ADDING NEW SECTIONS 19.06.498 AND 19.68.076 AND SUBSECTION 10.32.040(N) TO THE FIFE MUNICIPAL CODE REGARDING TEMPORARY FOOD TRUCKS

WHEREAS, from time to time, it is appropriate to review development regulations as deemed necessary, and improve the efficiency of the regulations and the development review process; and

WHEREAS, the public health, safety and welfare is advanced by allowing temporary food trucks in the City; and

WHEREAS, in accordance with RCW 36.70A.106 the proposed temporary food truck amendments were sent to and received by State agencies on January 26, 2016 for review and comment; and

WHEREAS, in accordance with RCW 36.70A.106 (3)(b), the City of Fife requested 14-day expedited review from State agencies with said expedited review having been granted on February 18, 2016 with no comments from State agencies received; and

WHEREAS, the City of Fife has received requests for temporary food trucks to accompany special events permitted by the City; and

WHEREAS, there is a great deal of interest at the national and local level in food truck uses; and

WHEREAS, the Fife Municipal Code does not currently allow food trucks in any residential zones where temporary food trucks would be mostly requested with a special event permit; and

WHEREAS, the City of Fife Planning Commission held a Public Hearing on the proposed amendments on February 1, 2016, and recommended approval of the amendments; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued on January 26, 2016 with no comments having been received and no appeal filed; and

WHEREAS, on February 23, 2016, the Fife City Council held a Public hearing on the proposed amendments; and

WHEREAS, the City of Fife has fulfilled all procedural requirements for the adoption of the development regulations; now therefore

THE CITY COUNCIL OF THE CITY OF FIFE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Fife Municipal Code Chapter 19.06 is hereby amended to add a new section 19.06.498 entitled “Food Truck, Temporary” to read as follows:

19.06.498 Food Truck, Temporary

“Temporary Food Truck” means a self-contained food service operation, located in a readily movable motorized wheeled or towed vehicle, cart or tent used to store, prepare, display or serve food that is specifically related to a special event permit issued by City Staff for the purpose of providing food to guests of the event for a specifically determined time as set by the special event permit.

Section 2. Section 10.32.040 of the Fife Municipal Code is hereby amended to add a new subsection 10.32.040(N) to read as follows:

N. Temporary Food Trucks. Temporary mobile food trucks are permitted as a Special Event provided that all requirements are met per FMC 19.68.076.

Section 3. Fife Municipal Code Chapter 19.68 is hereby amended to add a new section 19.68.076 entitled “Temporary Food Trucks,” to read as follows:

19.68.076 Temporary Food Trucks

The provisions below only apply to temporary food trucks.

- A. Temporary food trucks shall be allowed in any zoning district for private events on private property without a Special Use Permit or as accessory to a special event permit for public events (see FMC 10.32.040 Application-Timing and Contents) with a site plan showing exact placement of the temporary food truck is required.
1. Temporary food trucks shall not block fire hydrant, circulation or fire access.
 2. Temporary food trucks may not occupy open City Right of Way, occupy landscaped areas, obstruct required loading, or cause pedestrians to stand in the public right-of-way unless expressly approved by the Director in the Special Use Permit.

3. Hours of operation shall be limited to the hours specified on the special event permit application.
4. Temporary food trucks shall not block fire hydrant, circulation or fire access.
5. Temporary food trucks may not occupy open City Right of Way, occupy landscaped areas, obstruct required loading, or cause pedestrians to stand in the public right-of-way unless expressly approved by the Director in the Special Use Permit.
6. Hours of operation shall be limited to the hours specified on the special event permit application.

B. The temporary food truck vendor shall have written approval from the property owner.

C. The temporary food truck operator shall comply with all applicable Tacoma-Pierce County health department rules. Nothing in these regulations is intended to supersede requirements of the Tacoma-Pierce County health department or any other agency with oversight over the operation of temporary mobile food units.

Section 4. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof, provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 5. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced on the 22nd day of March, 2016.

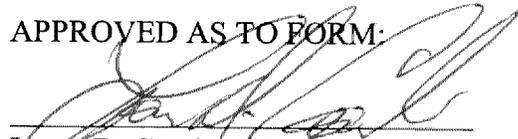
Passed by the City Council on the 12th day of April, 2016.


Subir Mukerjee, City Manager

ATTEST:


Carol Etgen, City Clerk

APPROVED AS TO FORM:



Loren D. Combs, City Attorney

Published: 4 / 13 /2016

Effective Date: 4 / 18 /2016