



**City of Puyallup**  
**Office of the City Clerk**  
**333 S. Meridian, Puyallup, WA 98371**  
**253-841-4321**

TO PD _____
<b>FOR OFFICE USE ONLY</b>
CHECK # _____
LICENSE # _____
DATE RECEIVED: _____
AMOUNT: _____
Issued: _____

**APPLICATION FOR MOBILE FOOD VENDOR LICENSE (PMC 5.65)**

**APPLICANT NAME:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_  
FIRST NAME MIDDLE INITIAL LAST NAME

**ADDRESS:** \_\_\_\_\_

**LENGTH OF TIME AT THIS ADDRESS:** \_\_\_\_\_ **DATE OF BIRTH:** \_\_\_\_\_

**PREVIOUS NAME(S):** \_\_\_\_\_

**PREVIOUS ADDRESS(ES):** \_\_\_\_\_

**DRIVER'S LICENSE #** \_\_\_\_\_ **VEHICLE LICENSE PLATE#** \_\_\_\_\_

**MALE**    **FEMALE**   **E-Mail Address:** \_\_\_\_\_

**WA STATE REVENUE REGISTRATION #** \_\_\_\_\_

**NAME & ADDRESS OF ANY ASSOCIATED PERSONS, FIRMS OR CORPORATIONS:** \_\_\_\_\_

**DESCRIPTION OF ITEMS TO BE SOLD:** \_\_\_\_\_

**PERIOD OF TIME YOU WILL BE OPERATING IN PUYALLUP (DATES & HOURS):** \_\_\_\_\_

**PROPOSED METHOD OF SOLICITATION:** \_\_\_\_\_

**LIST ANY FELONY CONVICTIONS; PROVIDE DETAILS OF CONVICTION(S)** \_\_\_\_\_

**I certify that the above application information is true and correct.**

**Signature of Applicant** \_\_\_\_\_ **DATE** \_\_\_\_\_

**NOTE: LICENSE AND PHOTO IDENTIFICATION SHALL BE CARRIED BY THE MOBILE VENDOR AT ALL TIMES.**

PLEASE SUBMIT A PHOTOCOPY OF THE APPLICANT'S DRIVER'S LICENSE WITH THIS FORM

**AUTHORIZATION TO RELEASE INFORMATION**

Read carefully before signing.

To Whom It May Concern:

I, the undersigned, authorize the Puyallup Police Department and/or its agents to access information concerning my **criminal history** and **driving record**. I do hereby release you, your agents, your departments, your employees, and others from any liability of damage which may result from furnishing information or records pursuant to this authorization to release information.

This information will be used to assist the City Clerk's Office in determining my qualifications to obtain a Solicitor and/or Mobile Vendor license in the City of Puyallup.

\_\_\_\_\_  
(Please Print) First Name                      Middle Initial                      Last Name

\_\_\_\_\_  
Driver's License Number                      Date of Birth

\_\_\_\_\_  
Applicant's Signature                      Today's Date

**OFFICE USE ONLY  
CHIEF OF POLICE REPORT  
I recommend that the foregoing application shall be:**

**Approved**

**Denied**

By \_\_\_\_\_  
Chief of Police    Date

Additional Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE: LICENSE AND PHOTO IDENTIFICATION SHALL BE CARRIED BY THE MOBILE VENDOR AT ALL TIMES.**

## Chapter 5.65 MOBILE VENDORS

### Sections:

- [5.65.010](#) Definitions.
- [5.65.020](#) License – Required.
- [5.65.030](#) Exemptions.
- [5.65.040](#) Limitation on activities permitted by mobile vendor license.
- [5.65.050](#) Mobile vendor license – Application.
- [5.65.055](#) Investigation of applicants.
- [5.65.060](#) License fee.
- [5.65.070](#) Expiration of license.
- [5.65.080](#) Exhibition of license – Transfer.
- [5.65.090](#) Health regulations.
- [5.65.100](#) Mobile vendor standards.
- [5.65.110](#) Mobile vendor insurance requirement.
- [5.65.120](#) Revocation of license.
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- [5.65.140](#) Violation – Penalty.

### **5.65.010 Definitions.**

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Use of Words and Phrases. As used in this chapter, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings.

- (1) “Concessionaire” means a person, firm or corporation engaged in the sale of food or other goods or services in a city park or city property, including without limitation those who operate or maintain a concession stand, in accordance with a written agreement or franchise therefor as lawfully approved in writing by the city manager.
- (2) “Food” has its usual and ordinary meaning, and includes all items designed for human consumption, including but not limited to ice cream, candy, gum, popcorn, hotdogs, sandwiches, peanuts, soft drinks, coffee and dairy products.
- (3) “Mobile vendor” shall mean any business operator or vendor who conducts business from a motor vehicle or pedal cab upon public streets.
- (4) “Motor vehicle” in this chapter shall mean a motorized vehicle that is registered with the Washington State Department of Motor Vehicles and licensed by the Washington State Licensing Department.
- (5) “Pedal cabs” shall mean anyone offering taxi or transportation services to the public on any three-wheeled conveyance that is powered exclusively by the driver and does not involve use of any motor-driven components or power sources of a similar nature, other than as allowed by state law. (Ord. 3164 § 1, 2018; Ord. 3016 § 6, 2012; Ord. 2792 § 3, 2004).

**5.65.020 License – Required.**

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It is unlawful for a mobile vendor to engage in business within the city of Puyallup except when licensed as a mobile vendor or concession in compliance with the provisions of this chapter, and which is in addition to a general business license that may be required under Chapter [5.04](#) PMC. A separate license shall be required for each concession location and for each vehicle or pedal cab. (Ord. 3164 § 1, 2018; Ord. 2792 § 3, 2004).

**5.65.030 Exemptions.**

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The following activities, businesses, and/or persons, as such are commonly known, shall be exempt from coverage of this chapter, but 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:

- (1) Newspaper couriers;
- (2) Lemonade stands;
- (3) Stands used to sell or distribute flowers, fruit, vegetables, produce or plants grown on the property where the stand is located;
- (4) Delivery or distribution of food, goods or products ordered or purchased by customers from a source or point of sale other than a mobile vehicle operated for the purpose of soliciting customers while traveling or while located on city streets or property;
- (5) Delivery or distribution of food by or for any not-for-profit organization, governmental agency, or other charitable organization, including without limitation Meals on Wheels and the Food Bank; and
- (6) Concessionaires as defined in this chapter, except that concession agreements with the city shall include health, sanitation and insurance requirements generally conforming to those established for similar businesses and vendors covered by this chapter. (Ord. 3164 § 1, 2018; Ord. 2792 § 3, 2004).

**5.65.040 Limitation on activities permitted by mobile vendor license.**

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Mobile vendors shall be limited to the business of selling food. They shall not:

- (1) Operate the motor vehicle in such a manner as to impede the normal usage of the arterial streets;
- (2) Stop on the traveled portion of the street or within 50 feet from a corner to dispense food products;
- (3) Stop in dangerous locations for dispensing food products, such as on streets with inadequate shoulders and restricted sight distance;
- (4) Be operated on any arterial street during the peak hours of traffic, generally between 4:00 p.m. and 6:30 p.m.;
- (5) The retail sale of any product from pedal cabs is prohibited. (Ord. 3164 § 1, 2018; Ord. 2792 § 3, 2004).

**5.65.050 Mobile vendor license – Application.**

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(1) A person, firm, or corporation desiring to secure a license as a mobile vendor shall make application to the city clerk. The applicant shall attest to the truthfulness of the information provided in the application and shall complete the entire application by providing, at the minimum, the following information:

- (a) Name, prior name(s) and aliases; address; present place of residence and the length of residence at such address; and business address if other than the present address;
- (b) Address or place of residence during the past two years if other than present address;
- (c) In the event the name or address of the applicant has changed within the last two years, each name and address used over the last two-year period;
- (d) Applicant's date of birth;
- (e) Name(s) and address(es) of any person, firm, or corporation whom the applicant is employed by or represents; and the length of time of such employment or representation;
- (f) A description of the item(s) or services being sold and/or a description sufficient for identification of the subject matter of the business in which the applicant will engage;
- (g) Period of time for which the license is applied;
- (h) Whether the applicant has ever been convicted of a violation of a felony under the laws of this state or any other state or federal law of the United States;
- (i) Signature of applicant;
- (j) Social Security number of applicant;
- (k) Physical description of the applicant; and
- (l) A letter from the Tacoma-Pierce County health department, certifying that the motor vehicle vending business has complied with health department regulations, as required.

(2) The applicant:

- (a) Shall complete an authorization to release information form allowing the police department to conduct necessary background checks;
- (b) May be required to submit to fingerprinting or palm scanning by the police department, in connection with the application for the license; and
- (c) Shall provide a copy of a valid driver's license or picture I.D. for identification purposes. (Ord. 3164 § 1, 2018; Ord. 3016 § 7, 2012; Ord. 2792 § 3, 2004).

#### **5.65.055 Investigation of applicants.**

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(1) It shall be the duty of the chief of police to investigate each application made under PMC [5.65.050](#). In his/her investigation, the chief of police shall determine:

(a) The genuineness of all credentials presented by the principal applicant and/or the individual applicant;

(b) If the principal applicant and/or the individual applicant has a criminal record; and

(c) The truth of the facts set forth in the application.

(2) The chief of police shall endeavor to complete such investigation within seven to 10 working days after receipt of the application.

(3) No license shall be issued to any person who has been convicted of a felony under the laws of any state within the United States or federal law of the United States, within five years from the termination of any court-ordered time served and including any probationary period ordered; nor to any person whose license issued under this chapter has previously been revoked.

(4) The chief of police has the authority to deny, suspend or revoke any license if an applicant for a mobile vendor license or a mobile vendor is convicted of any of the following categories of crimes under the laws of any state within the United States or federal law of the United States:

(a) Homicide;

(b) Assault;

(c) Domestic violence crimes;

(d) Crimes of dishonesty;

(e) Sex crimes;

(f) Drug-related crimes;

(g) Crimes against children and/or vulnerable adults;

(h) Burglary and/or trespass; or

(i) Kidnapping and/or unlawful imprisonment. (Ord. 3164 § 1, 2018; Ord. 3016 § 8, 2012).

#### **5.65.060 License fee.**

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The license fee for a mobile vendor, concession, or pedal cab shall be \$50.00 per year per vehicle, location, or pedal cab. (Ord. 3164 § 1, 2018; Ord. 3016 § 9, 2012; Ord. 2792 § 3, 2004).

#### **5.65.070 Expiration of license.**

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A license issued under this chapter shall expire December 31st each year. (Ord. 3164 § 1, 2018; Ord. 2792 § 3, 2004).

#### **5.65.080 Exhibition of license – Transfer.**

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A license issued under this chapter shall be posted conspicuously by the mobile vendor or concessionaire. Licenses issued under this chapter are not transferable. (Ord. 3164 § 1, 2018; Ord. 3016 § 10, 2012; Ord. 2792 § 3, 2004).

**5.65.090 Health regulations.**

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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 may be established by the Tacoma-Pierce County health department. (Ord. 3164 § 1, 2018; Ord. 3016 § 11, 2012; Ord. 2792 § 3, 2004).

**5.65.100 Mobile vendor standards.**

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

- (1) Geographical Restrictions. No mobile vendor shall sell or vend from his or her vehicle or conveyance:
  - (a) Within 400 feet of public or private school grounds during the hours of regular school session, classes, or school-related events in said public or private school, except when authorized by said school; or
  - (b) Within 300 feet of the entrance to a business establishment which is open for business and is offering for sale the same or similar product as an item offered for sale by the mobile vendor; or
  - (c) Within 300 feet of a restaurant, cafe, or eating establishment which is open for business; or
  - (d) Within 300 feet of a public park of the city where a city-authorized concession stand is located during times other than during the course of a public celebration except as approved by the city manager or designate; or
  - (e) Within 300 feet of city property where a city-authorized concession stand is located during the course of a public celebration when nonprofit organizations are permitted to engage in the sale of merchandise and food in such park; or
  - (f) Within any one block for more than one hour in any four-hour period; except this shall not apply in those situations where the mobile vendor is serving organized and sanctioned community-sponsored ball games at public parks and schools provided there is no city-approved concession in the park or at the school.
- (2) No mobile vendor shall 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.
- (3) No mobile vendor shall 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 food is being sold or offered for sale.
- (4) No customer shall be served on the street side of the mobile unit. All service must be on the curb side when the mobile unit is on or abutting a public street.
- (5) All mobile vendors shall provide garbage receptacles for customer use.

(6) No mobile vendor shall locate his or her vehicle or other conveyance in such a manner as to cause a traffic hazard.

(7) At the conclusion of business activities at a given location the mobile vendor shall clean all the public way surrounding his or her vehicle of all debris, trash and litter generated by the vendor's business activities.

(8) All mobile vendors preparing food by cooking, frying or other means shall be equipped with at least one 2A-40-BC fire extinguisher.

(9) All mobile vendors shall conclude daily business activities at sunset. (Ord. 3164 § 1, 2018; Ord. 2792 § 3, 2004).

#### **5.65.110 Mobile vendor insurance requirement.**

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No license shall be issued to a mobile vendor selling from a truck or other motor vehicle unless a certificate is furnished to the city showing that the vendor is carrying the following minimum amounts of insurance: (1) public liability insurance in an amount of not less than \$500,000 for injuries, including those resulting in death, resulting from any one occurrence, and on account of any one accident; and (2) property damage insurance in an amount of not less than \$25,000 for damages on account of any one accident or occurrence. (Ord. 3164 § 1, 2018; Ord. 2792 § 3, 2004).

#### **5.65.120 Revocation of license.**

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(1) A license issued pursuant to this chapter may be revoked, in writing, by the city manager for any of the following reasons:

- (a) Any fraud, misrepresentation or false statement contained in the application for license;
- (b) Any fraud, misrepresentation or false statement made in connection with the selling of products;
- (c) Any violation of this chapter;
- (d) Conviction of the licensee of a felony or of a misdemeanor involving moral turpitude; or
- (e) Conducting the business licensed under this chapter in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

(2) A concessionaire or mobile vendor whose license is revoked pursuant to this section must immediately cease all business operations within the city upon issuance of the notice of revocation. (Ord. 3164 § 1, 2018; Ord. 3016 § 12, 2012; Ord. 2792 § 3, 2004).

#### **5.65.130 Appeal.**

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A person aggrieved by the denial of an application for a license, a license renewal, or by the revocation of a license as provided for in this chapter shall have the right to appeal such administrative decision to the hearing examiner as provided in Chapter [2.54](#) PMC. (Ord. 3164 § 1, 2018; Ord. 2792 § 3, 2004).



**5.65.140 Violation – Penalty.**

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Violation of any provision of this chapter by a person, firm, party, corporation, or other legal entity shall constitute a Class I civil infraction subject to the provisions of Chapter [1.02](#) PMC. A second violation of any provision of this chapter shall constitute a misdemeanor subject to the penalties in PMC [9A.05.010](#)(2). (Ord. 3164 § 1, 2018; Ord. 3016 § 13, 2012).

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**The Puyallup Municipal Code is current through Ordinance 3185, passed January 29, 2019.**

Disclaimer: The City Clerk's Office has the official version of the Puyallup Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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