



# Discussion on Sidewalk Vendor Requirements

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# The Ask...

Discuss and provide direction to staff on the proposed recommendations to include in an ordinance for Sidewalk Vendors.



# Overview

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- ▷ Relevant State Law SB946
- ▷ Prior Council discussion on Street Vendor Ordinance.
- ▷ Proposed recommendations in comparison to other cities.
- ▷ Code Compliance resources
- ▷ Timeline

# What is a sidewalk vendor?

A person who sells food or merchandise upon a public sidewalk or pedestrian path from a:

- Pushcart
- Stand
- Display
- Pedal Driven Cart
- Wagon
- Showcase
- Rack
- Other Non-Motorized conveyance



# SB 946 (Sidewalk Vendors)

- Became effective in 2019.
- Adopted into the CA Gov't Code (Chapter 6.2. Sections 51036-51039)
- Established regulations for sidewalk vendors.
- Local agencies are to allow sidewalk vendors in accordance with the provisions of this law.
- Vendors in violation of the law would be only **punishable by an administrative fine.**





# Administrative Penalties

Administrative citations set by state law in the following amounts for violating the requirements of the ordinance.

<b>Violations Associated with a Vendor Permit</b>	
1 <sup>st</sup> Violation	\$100
2 <sup>nd</sup> Violation	\$200
3 <sup>rd</sup> + Violation	\$500

<b>Violations Associated without a Vendor Permit</b>	
1 <sup>st</sup> Violation	\$250
2 <sup>nd</sup> Violation	\$500
3 <sup>rd</sup> + Violation	\$1000

# Prior Discussions on a Sidewalk Vendor Ordinance



## **October 13, 2021: Committee of the Whole**

Direction from the Committee included:

- Review of additional sidewalk vendor ordinances from other cities (development standards, complaints, insurance requirement).
- Staff outreach to the sidewalk vendor community.
- Staff outreach to the Chamber of Commerce.

## **September 28, 2022: City Council Fall Policy Workshop**

Staff provided an update on the following:

- Overview of sidewalk vendor ordinances adopted by 25 jurisdictions.
- No organization or point of contact for sidewalk vendor community.
- Chamber of Commerce was nonresponsive to staff's request to meet.

Direction from the Council included:

- Come back with recommendations that balances protecting the public while encouraging entrepreneurship.
- Provide services to lower burden and bring vendors into compliance.
- Bring back options for the City Council to consider.

## Corona Municipal Code 5.34, Peddlers and Solicitors Ordinance



Current ordinance **non-compliant** with state law in the following areas:

- **City's peddler definition** does not match the state definition of a sidewalk vendor.
- **Social Security Number** required for a permit.
- **Hours of operation** limited to 8:00 a.m. to 8:00 p.m., and to 8:00 a.m. to 9:00 p.m. during daylight savings time.
- Vendor in **violation of the CMC is deemed a misdemeanor** unless the violation is reduced to an infraction.
- **No time, place and manner restrictions.**

Current ordinance **more restrictive** than state law in the following areas:

- **Criminal background check** is done by Police Department.
- Permit can be denied if background check confirms crimes listed in CMC Section 5.34.040.



# Typical Objective Development Standards Included in a Sidewalk Vendor Ordinance



Summary of  
Various  
Sidewalk  
Vendor  
Ordinances  
(25 Jurisdictions)

- ✓ Required vendor permit & business license.
- ✓ Required proof from County Environmental Health (food vendors)
- ✓ Required liability insurance.
- ✓ Required permit to be posted in the field.
- ✓ Time restriction in residential neighborhoods.
- ✓ Required distance to curbs, street intersections, other vendors, special events, etc.
- ✓ Restricted size of the display area.
- ✓ Required trash receptacles for food vendors.

## Recommended Option from City Council Fall Policy Workshop

### OPT. 3.5

Draft a new sidewalk vendor ordinance that **replaces the current ordinance that includes additional objective standards related to health, safety and welfare that are similar to the cities reviewed.** *Provide support to bring vendors into compliance and encourage entrepreneurship\**

#### Proposed New Requirements

- Vendor permit issued to vendor not company
- Vending permit must be displayed
- Business License
- County Health Permit for vendors selling non-prepackaged food items
- Liability insurance (council split on this requirement)
- Trash receptacles for vendors selling food
- Self-Sufficient (Electricity, Water)
- Operational hours in residential neighborhoods: 8 am to Sunset

#### Proposed Procedural Changes

- P&D issue permits not Police
- Remove background check requirement
- Remove Social Security Number per state law








#### Proposed Distances

- Between vendors to prevent clustering
- Building entrances
- Pedestrian clearance
- Fire hydrant
- Special Events


*\* Indicates the .5 option added by Council* 10

## Proposed Code Amendment Recommendations For Corona In Comparison to Other Cities

 Least Restrictive Compared to Others  
 Within Average Compared to Others  
 More Restrictive Compared to Others

Item	Corona	Comparison to Other Cities		
		Least Restrictive	Average	Most Restrictive
Vendor permit	<b>Yes</b> (\$190) 	\$12	\$150	\$471
Business license	<b>Yes</b> (\$110/Peddlers) (\$55/Solicitors) 	\$25	\$152	\$279
Permit holder	<b>Individual</b> 	Business	Individual	Individual
Display of permit	<b>Yes</b> 	No	Yes	Yes
Proof of County Environmental Health Permit (food only)	<b>Yes</b> 	No	Yes	Yes
Liability insurance	<b>\$0</b> (Council split on this requirement) 	None	Per the City's Risk Manager	\$1,000,000
Trash receptacle	<b>Yes</b> 	No	Yes	Yes

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Item	Corona	Comparison to Other Cities		
		Least Restrictive	Average	Most Restrictive
Operational hours (residential only)	<b>8 a.m. to sunset</b> ↔	Sunrise to 10 p.m.	8 a.m. to sunset	10 a.m. to 5 p.m.
Distance between vendors	<b>1 vendor per block</b> ↑	3'	50'	250'
Distance to building entrances	<b>25'</b> ↔	3'	15'	50'
Pedestrian clearance in front of display	<b>4'</b> ↔	3'	4'	6'
Distance from fire hydrants	<b>15'</b> ↔	5'	15'	50'
Distance to curb	<b>1.5'</b> ↔	1'	1.5'	6'
Distance from special events	<b>200'</b> ↔	100'	200'	1000'
Size of Cart/Display Area	<b>50 sq. ft.</b> ↔	120 sq. ft.	68 sq. ft.	16 sq. ft.

# Proposed Procedural Changes for Issuing a Vendor Permit

- Remove the current background check required for individual vendors.
- Planning & Development Department to issue vendor permits instead of the Police Department.

# Code Compliance Resources

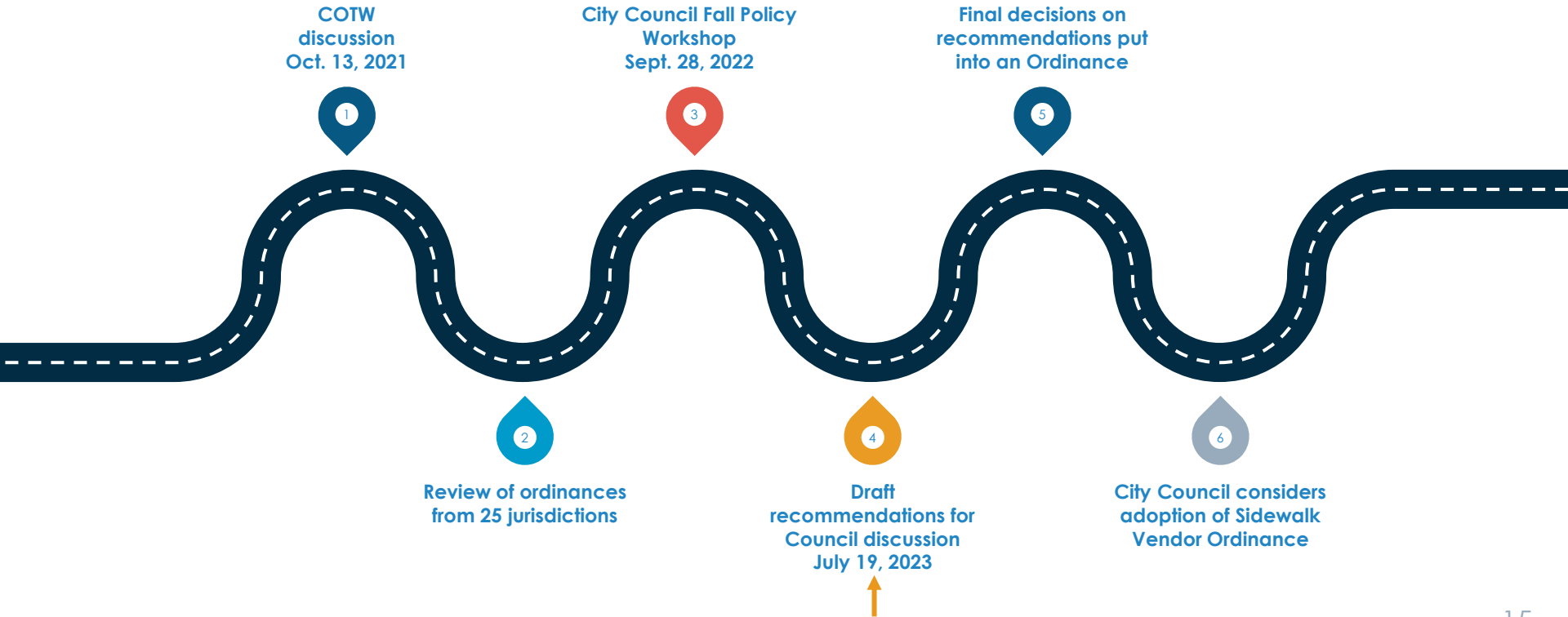
## Current Process

- Application materials in English
- Solicitor permit application packet is given to unpermitted vendors out in the field
- Applicants must return packet to the police department
- Application processing takes 4 to 6 weeks due to the background check and live scan

## Proposed Process

- Application materials in English & Spanish
- Application packet available online or at City Hall.
- Code Compliance provide vendor permit information in the field.
- Create sidewalk vendor packet with information on vendor permit, business licenses, Emprendedor@s and other programs from Economic Development
- Physical permit issued at City Hall in 1 day (if the city removes the background check and live scan requirement)

# Timeline



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# Discussion

