



# SIDEWALK VENDORS Community Workshop

## August 18, 2021





# TONIGHT'S WORKSHOP

## 1 – CITY OF EL MONTE

- Introductions;
- Street and Sidewalk Vending History;
- Executive Order No. 13767 and Senate Bill No. 946;
- Types of Sidewalk Vendors;
- City permits for a sidewalk vendor with FOOD;
- City permits for a sidewalk vendor with NON-FOOD items;
- Noncompliant and compliant examples; and
- City enforcement.



# TONIGHT'S WORKSHOP

## 2 – LOS ANGELES COUNTY HEALTH DEPARTMENT (LA COUNTY HEALTH)

- The differences between a permitted and a NON-permitted sidewalk food vendor;
- Permitting requirements for a sidewalk vendor with FOOD;
- Other options for a sidewalk vending with FOOD; and
- What can happen if a sidewalk vending with FOOD does not obtain a permit.

## 3 – AUDIENCE QUESTIONS & ANSWERS



# MAIN OBJECTIVES

- **Public Health** – Comply with State Health Code requirements, to ensure food is prepared and handled safely for public consumption.
- **Public Safety** – Make sure access is maintained for pedestrians and disabled persons, so people are not forced to walk in the street; make sure vehicles do not abruptly stop and cause accidents.
- **Public Peace** – To avoid any disorderly conduct between different vendors.
- **Other Laws and Regulations** – Other City, County, State and Federal laws and regulations must be followed at all times.

# SIDEWALK VENDING HISTORY



*New York City 1900*

- Street and sidewalk vending goes back to ancient times.
- Ancient Greeks, Romans, Egyptians and Aztecs all relied on vendors for basic nutrition.
- During Colonial America, vendors sold oysters, corn, fruit and sweets.
- Urban eastern cities like New York, Philadelphia and Chicago have always had street and sidewalk vendors.

# LOS ANGELES VENDING HISTORY

- Mexican and Chinese immigrants were the first to be vendors in the 1870s.
- Taco vendors became popular in the 1920s.
- By the 1940s, local laws forced vendors to close.
- By the 1980s, vending is allowed again in Los Angeles, but is limited to specific parks and other districts.
- In the 1990s, a grass roots movement began to push the legalization of sidewalk vending at a broader scale.
- In the 2010s, supporters began courting the Los Angeles City Council to legalize vending.





# EXECUTIVE ORDER NO. 13767

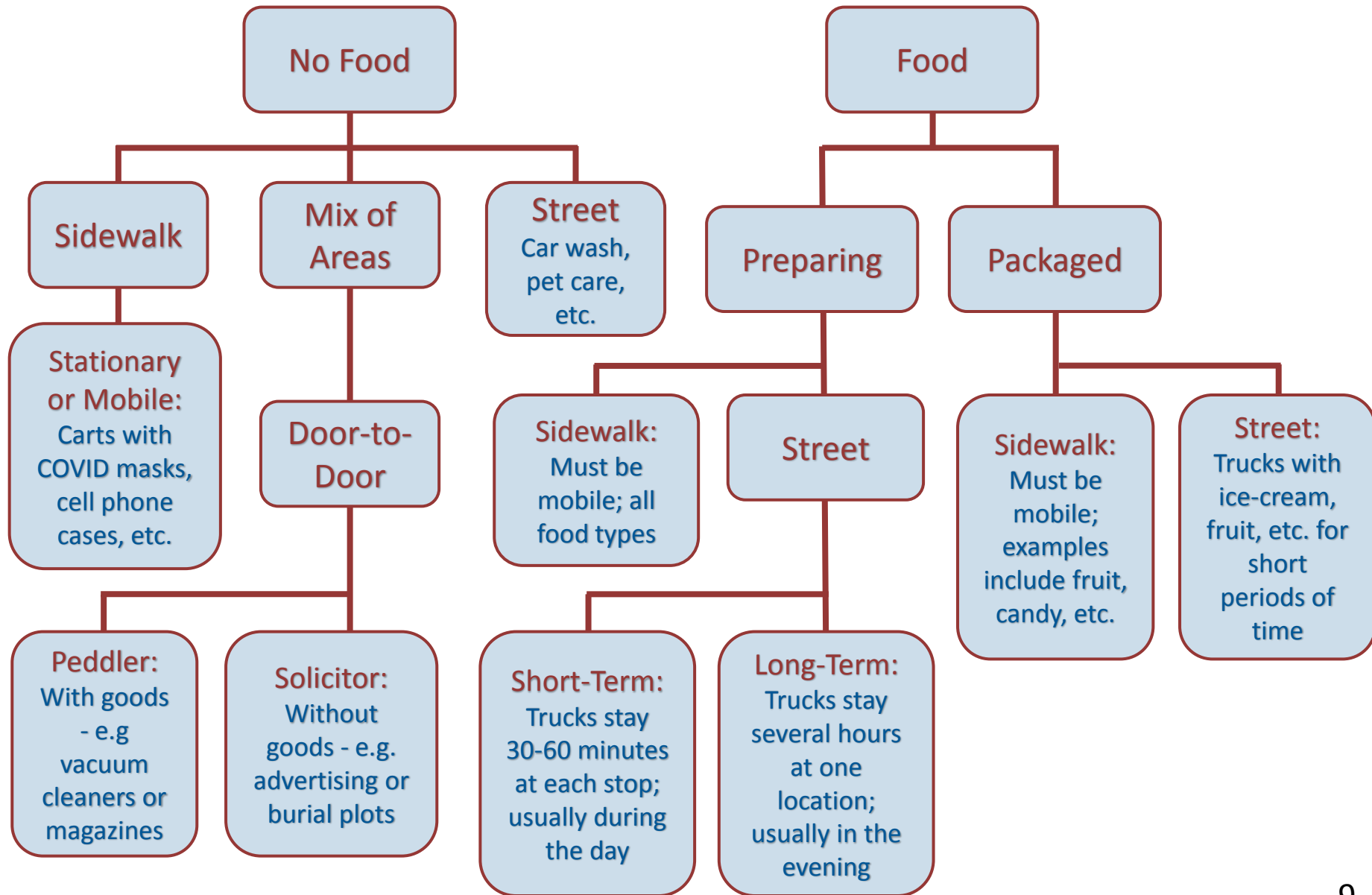
- January 25, 2017, a Presidential Executive Order was issued, **reversing the Immigration and Customs Enforcement (ICE's) "criminal alien policy."**
- Significantly broadened the number of **undocumented immigrants who would be considered a priority for deportation.**
- Prioritized deportation for individuals that have committed acts that could have been deemed criminal.
- Since most cities had sidewalk vending without a permit as a criminal offense, **sidewalk vendors became subject to deportation.**



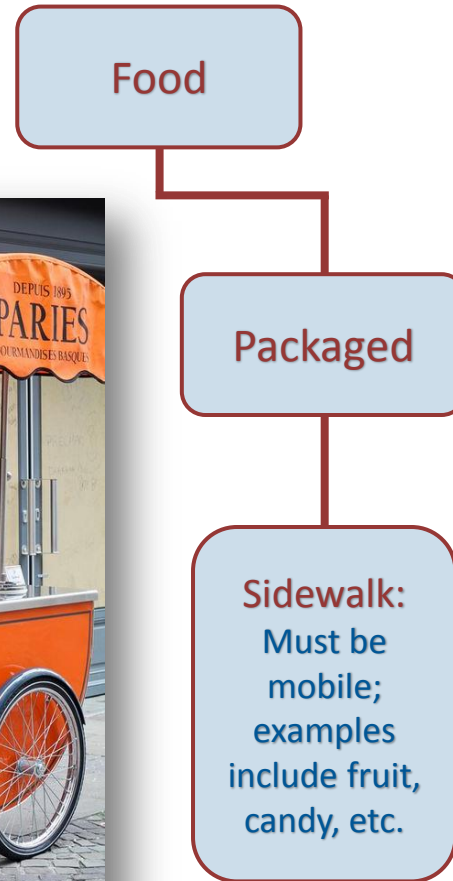
# SENATE BILL NO. 946

- January 1, 2018, California Senate Bill No. 946 became effective, known as the **“Safe Sidewalk Vending Act.”**
- **Specifies a schedule of fines and decriminalized street vending** by modifying the penalties that apply to current and past violators.
- Defines sidewalk vendors as a person who sells items from a stand, display, pushcart, pedal-driven cart, wagon or other **non-motorized means along a public sidewalk/pedestrian area.**
- Local regulations for sidewalk vendors must comply with the Bill – **cities can regulate when they can operate, hours of operation, setbacks from existing businesses, etc.**

# ALL POSSIBLE VENDORS



# VENDORS WITH PACKAGED FOOD



# VENDORS PREPARING FOOD



Food

Preparing

Sidewalk:  
Must be  
mobile; all  
food types



# VENDORS WITHOUT FOOD

No Food

Sidewalk

Stationary  
or Mobile:  
Carts with  
COVID masks,  
cell phone  
cases, etc.





# CITY REQUIREMENTS

## STANDARDS FOR ALL SIDEWALK VENDORS –

- Vendors must obtain a City-issued sidewalk vending permit and business license (with both displayed);
- Vendors must maintain a \$1 million in liability insurance;
- Vendors shall not directly vend to a person in a vehicle;
- Vendors shall only be located on sidewalks with a minimum width of nine (9) feet;
- Vendors must maintain a minimum of (4) feet of access for pedestrians and disabled persons access; and
- Vendors shall provide trash collection receptacles for patrons and shall not dispose of trash on public property except in designated public trash cans.



# CITY REQUIREMENTS

## STANDARDS FOR ALL SIDEWALK VENDORS (CONTINUED) –

- Stationary vendors are prohibited in residential zones;
- Roaming vendors in residential zones are limited to 9 AM to 7 PM;
- Vendors in other zones are limited to 7 AM to 11 PM;
- Vendors must be set back a minimum 500 feet from the Main Street Farmers Market and any other event with a City issued Temporary Special Permit;
- Vendors must be set back a minimum 300 feet from any school in session; and
- Vendors must be set back a minimum 15 feet from any street intersection, crosswalk, bus stop, driveway or outdoor dining/patio area.



# CITY REQUIREMENTS

## **SPECIFIC STANDARDS FOR SIDEWALK FOOD VENDORS –**

- Vendor must obtain a Mobile Food Facility Permit from LA County Health;
- Vendor must meet all LA County Health requirements;
- Vendor must wear a hair net and food service gloves; and
- Vendor shall not discharge any liquid (water, grease, oil, etc.) into any City street, storm drain or sewer facility.

## **SPECIFIC STANDARDS FOR SIDEWALK NON-FOOD VENDORS –**

- Vendor's stand, display, pushcart, pedal-driven wagon or other non-motorized means shall have maximum dimensions of 6 feet long, 4.5 feet wide or deep and 6.5 feet high.



# SIDEWALK VENDING PERMIT

## **CITY-ISSUED SIDEWALK VENDING PERMIT –**

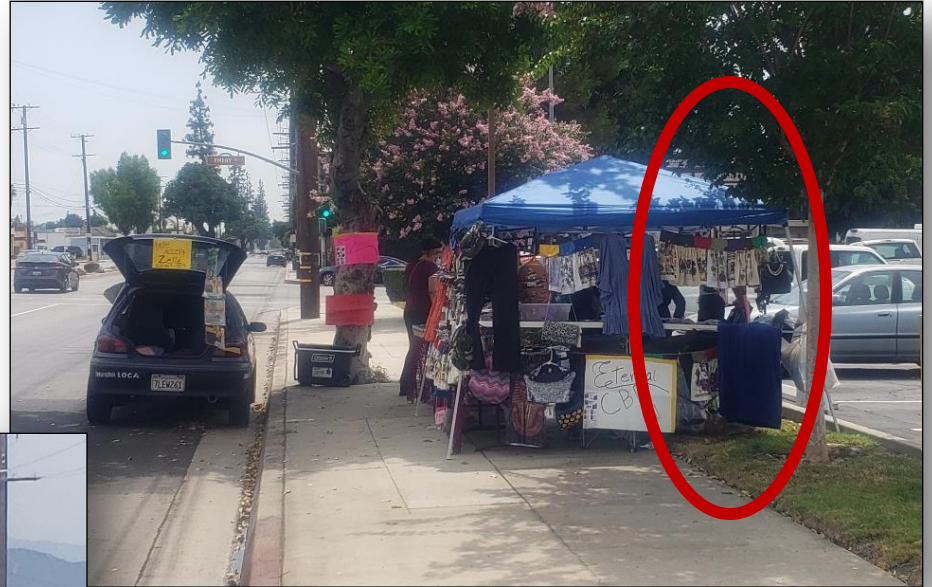
- Pay annual permit fee of \$158.
- Provide name, address and signature of owner or owners.
- Note whether the vendor will be stationary or roaming:
  - If stationary and non-food on private property, must provide written authorization from the property owner.
  - If roaming, provide a map or drawing of the areas/routes.
- Note whether vendor will sell food or other items:
  - Provide a complete description of the food or other items that will be sold.
  - If food, provide proof that a Mobile Food Facility Permit from LA County Health has been obtained.
- Obtain a City-issued business license.



# NONCOMPLIANT EXAMPLES

Below –

- Tent and activity encroaching onto the street (Peck Road).
- Nothing portable.



Above –

- Activity encroaching onto private property (Peck Road).
- Signs on parked vehicle.
- Nothing portable.



# NONCOMPLIANT EXAMPLES



## Above & Left –

- Vendor stretches across property (Valley Blvd.).
- Food being grilled (open flame) under the canopy.



# NONCOMPLIANT EXAMPLES



## Above –

- Some food served on sidewalk, other food is served from back of vehicle.

## Left –

- No use of gloves, mask or hairnet.
- Food is not shielded from public.



# NONCOMPLIANT EXAMPLES



- Entire sidewalk is used.
- Nothing is portable.
- Trash and debris in street.
- Food being grilled (open flame) under the canopy.
- People blocking walkway.



# COMPLIANT EXAMPLES

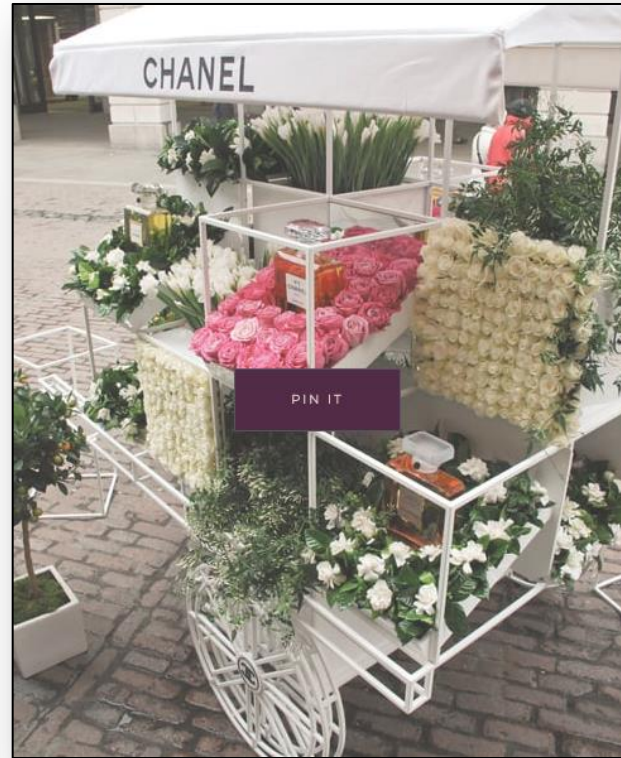


## Left & Above –

- May meet LA County Health requirements.
- May allow necessary passage for pedestrians and disabled access.



# COMPLIANT EXAMPLES



## Left & Above –

- May meet width and height maximums.
- Easy set-up and take-down.



# CITY ENFORCEMENT

## ADMINISTRATIVE CITATIONS –

- Without a sidewalk vending permit:
  - \$250 for the first & \$500 for the second violation.
  - \$1,000 for each additional violation over a one (1) year period.
- In violation of City's sidewalk vending permit requirements:
  - \$100 for the first & \$250 for the second violation.
  - \$500 for each additional violation over a one (1) year period.



# CITY ENFORCEMENT

## **OUTREACH –**

- Additional outreach and education through September 2021.

## **ENFORCEMENT –**

- Proactive enforcement of all City and LA County rules and regulations.
- Commencing in October 2021.

## **OTHER ENFORCEMENT ITEMS –**

- Trespassing on private property; vehicle towing.
- Parking and traffic safety violations for customers.
- NPDES violations (dumping fluids into storm drains).



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