



# CITY OF NORWALK

## SIDEWALK VENDING PROGRAM CHECKLIST

Have questions or need assistance? Contact the Public Safety Department:

📞 562 929-5732    ✉ [publicsafety@norwalkca.gov](mailto:publicsafety@norwalkca.gov)    🌐 [www.norwalk.org](http://www.norwalk.org)



### UNDERSTANDING SIDEWALK VENDING

- No person, either for himself/herself or any other person, shall engage in any sidewalk vendor activities within the City without first applying for and receiving a permit from the City.
- The primary use of a sidewalk is for pedestrians. Vendors shall not unduly interfere with traffic or pedestrian movement.
- A sidewalk vendor permit is non-transferable.
- All permits issued shall expire 12 months from date of issuance.
- Hours Allowed:
  - Non-Residential areas: 7:00 a.m. – 10:00 p.m.
  - Residential areas: 8:00 a.m. – 9:00 p.m.No stationary vendors allowed in residential areas
- All vendors must ensure compliance with the requirements outlined in City Municipal Code Chapter 5.97 – Sidewalk Vending Program.



### GETTING STARTED!

#### IMPORTANT RESPONSIBILITIES CHECKLIST

#### PRIOR TO FILING AN APPLICATION FOR A SIDEWALK VENDING PERMIT, YOU MUST DO THE FOLLOWING:

- Review the City Municipal Code Chapter 5.64 – Sidewalk Vending Program to understand rules.
- Apply for and obtain a valid State seller's permit
- Obtain a City Encroachment Permit from Engineering Department
- Obtain general liability certificate of insurance (minimum \$1,000,000)
- Apply for and obtain a health permit from LA County if selling if selling food.

**ONCE YOU HAVE CHECKED ALL OF THE ABOVE, YOU MAY:**  
Apply for a City permit prior to engaging in any vending on public right-of-way and pay the appropriate fees.

Application may be filed by mail or in person at:  
City of Norwalk  
12700 Norwalk Blvd.  
Norwalk, CA 90650  
Finance Department room 5



# SIDEWALK VENDING PERMIT APPLICATION

**NOT A PERMIT**



City of Norwalk  
12700 Norwalk Blvd., Room 5  
Norwalk, CA 90650  
Phone # (562) 929-5713 • FAX # (562) 929-5056

NAME \_\_\_\_\_ Phone ( ) \_\_\_\_\_

ADDRESS \_\_\_\_\_  
Address City Zip

Federal/State Employer/Taxpayer ID/Social Security Number \_\_\_\_\_

Owner Driver License No. \_\_\_\_\_ California Seller's Permit No. \_\_\_\_\_ Business License No. \_\_\_\_\_

Comprehensive Liability Insurance: Company \_\_\_\_\_ Policy No. \_\_\_\_\_ Amount \_\_\_\_\_

Please Check One:  Corporation  LLC/LLP  Partnership  Sole Ownership

Partnership (List Names) – Corporation/LLC/LLP (List Officers and Titles)

Name Address City Zip Title

OWNER NAME \_\_\_\_\_ HOME PHONE ( ) \_\_\_\_\_  
First Middle Last

HOME ADDRESS \_\_\_\_\_  
Address City State Zip

EMAIL ADDRESS \_\_\_\_\_

TYPE OF BUSINESS (Please Give Full Description) \_\_\_\_\_

Description of food or merchandise to be offered for sale: \_\_\_\_\_

Proposed days and hours of operation: \_\_\_\_\_

STATIONARY – Description of proposed location: \_\_\_\_\_

ROAMING – Description of intended path of travel: \_\_\_\_\_

**Submitting an application and paying for a license does not entitle the applicant to begin vending operations. Only your possession of a valid sidewalk permit entitles you to begin business. A sidewalk vending permit will be issued only if upon investigation the applicant is in compliance with all City of Norwalk Ordinance. All sidewalk vending permits are subject to revocation for failure to maintain compliance with all statutes and City ordinances.**

I certify that the foregoing is, to the best of my knowledge and belief, true and correct.

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

PLANNING APPROVED BY: _____	DISAPPROVED BY: _____	DATED: _____
HOP# _____	CUP# _____	REASONS: _____

<b>FOR OFFICE USE ONLY</b>			LICENSE NO. _____	LICENSE TAX _____
RECEIPT NUMBER _____	NEW _____	RENEWAL _____	ADJUSTMENT _____	
RECEIPT DATE _____	EXPIRATION DATE _____		PENALTY _____	
RECEIVED BY: _____			INTEREST _____	
TYPE OF PAYMENT: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CREDIT CARD			INSPECTION _____	
			<b>TOTAL \$</b> _____	

**Additional Information Regarding SB 1186:**

Under Federal and State law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

The Division of State Architect at [www.dgs.ca.gov/dsa/home.aspx](http://www.dgs.ca.gov/dsa/home.aspx).

The Department of Rehabilitation at [www.rehab.cahwnet.gov](http://www.rehab.cahwnet.gov).

The California Commission on Disability Access at [www.cdda.ca.gov](http://www.cdda.ca.gov).

## ORDINANCE NO. 18-1706

### **AN ORDINANCE OF THE CITY OF NORWALK ADDING A NEW CHAPTER TO THE NORWALK MUNICIPAL CODE TO CREATE A NEW SIDEWALK VENDING PROGRAM AND DELETING THE EXISTING BAN ON THE USE OF PUSHCARTS OR OTHER NONMOTORIZED VEHICLES IN CONNECTION WITH THE SALE OF FOOD OR MERCHANDISE**

**WHEREAS**, on September 17, 2018, Senate Bill 946 was signed into law, which regulates sidewalk vendors throughout the State;

**WHEREAS**, SB 946 takes effect January 1, 2018, and limits the authority of cities and counties to regulate sidewalk vendors, except in accordance with California Government Code Sections 51038 and 51039;

**WHEREAS**, Section 10.08.130 of the Norwalk Municipal Code currently prohibits the use of pushcarts, handcarts, or other nonmotorized vehicles for the sale or distribution of food and merchandize, in conflict with SB 946;

**WHEREAS**, the City Council finds that the establishment of a sidewalk vending program will benefit the City as a whole, by facilitating entrepreneurship and providing economic opportunity for people to support themselves and their families;

**WHEREAS**, the City Council finds that the act of vending on sidewalks and other areas of the public right-of-way also creates the potential for safety hazards, such as, but not limited to, inhibiting the ability of disabled individuals and other pedestrians to follow a safe path of travel; interfering with the performance of police, firefighter, and other emergency services; encouraging pedestrians to cross mid-block or stand in roadways to purchase food; and creating obstacles and contributing to congestion for pedestrian, vehicle, and bicycle traffic;

**WHEREAS**, the City Council finds that restrictions on the locations in which sidewalk vending may be conducted are needed to accommodate vending carts or other vending equipment, while also safe-guarding pedestrian movement on sidewalks and in the public right-of-way; ensuring pedestrian and vehicle access to buildings, driveways, parking lots, and other public facilities; and ensuring no interference with the performance of police, firefighter, and emergency services;

**WHEREAS**, the City Council finds that the regulation of vendors engaged in the sale of food and food products will help to ensure that sidewalk vendors obtain all necessary permits and comply with applicable sanitation, food preparation, and food handling laws, and thereby will protect the public health and safety against health problems such as food contamination, poor hygienic practices, and the threat of food poisoning;

**WHEREAS**, the City Council finds that regulations related to the collection and disposal of trash or other debris generated by sidewalk vending are necessary to ensure

that such trash or debris is not left, thrown, discarded, or deposited on City streets, sidewalks, pathways, gutters, or storm drains, or upon public or private lots, so that the same might be or become a pollutant;

**WHEREAS**, the City Council finds that restrictions on sidewalk vending in public parks are necessary to ensure the public's use and enjoyment of natural resources and recreational opportunities, and to prevent an undue concentration of commercial activity that would unreasonably interfere with the scenic and natural character of these parks;

**WHEREAS**, the City Council adopts this Ordinance under the authority provided in SB 946, and finds that the time, place, and manner regulations and requirements provided herein are directly related to the City's purpose of protecting of the health, safety, and welfare of its residents, businesses, and visitors.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORWALK DOES ORDAIN AS FOLLOWS:**

**Section 1.** Section 10.08.130 of Chapter 10.08 of Title 10 of the Norwalk Municipal Code is hereby deleted.

**Section 2.** A new Chapter 5.64 is hereby added to Title 5 of the Norwalk Municipal Code, and shall read as follows:

#### **"Chapter 5.64 Sidewalk Vending**

##### **5.64.010 Definitions.**

For the purpose of this chapter, the following terms shall have the following meanings:

"Certified farmers' market" means a location operated in accordance with Chapter 10.5 of Division 17 of the Food and Agricultural Code and any regulations adopted pursuant to that chapter.

"Director" means the Director of Public Safety of the City of Norwalk.

"Food" means any item described by Section 113781 of the Health and Safety Code.

"Merchandise" means any item(s) that is not food and can be sold and immediately obtained from a sidewalk vendor. Items for rent shall not be considered merchandise.

"Park" means every public park or other recreational facility in the City of Norwalk which is owned, controlled, operated, or managed by the City and under the jurisdiction of the Director of Recreation Services.

"Person" shall mean one or more natural persons, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnership, entities, associations, clubs or organizations composed of two or more individuals (or the

manager, lessee, agent, servant, officer or employee of any of them), whether engaged in business, nonprofit or any other activity.

“Roaming sidewalk vendor” means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

“Sidewalk vendor” means a person who vends from a vending cart or from one’s person, upon a public sidewalk, parkway, pedestrian path, or other public right-of-way available to pedestrians. “Sidewalk vendor” includes roaming sidewalk vendors and stationary sidewalk vendors.

“Stationary sidewalk vendor” means a sidewalk vendor who vends from a fixed location.

“Swap meet” means a location operated in accordance with Article 6 of Chapter 9 of Division 8 of the Business and Professions Code, and any regulations adopted pursuant to that article.

“Temporary special permit” means a permit issued by the City for the temporary use of, or encroachment on, the sidewalk or any other public area, including but not limited to, an encroachment permit, special event permit, or temporary event permit, for purposes including, but not limited to, filming, parades, or outdoor concerns.

“Vend” or “vending” means to sell, offer for sale, display for sale, or solicit offers to purchase food or merchandise.

“Vending cart” means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance used for vending, that is not a vehicle as defined in the California Vehicle Code. A vending cart does not include a temporary fireworks stand, which is subject to Chapter 5.36.060 of this Code.

#### **5.64.020 Permit Required.**

Except as authorized for a limited period by an event permit issued in accordance with Chapter 5.28 or Chapter 12.36 of the Norwalk Municipal Code, no person, either for themselves or any other person, shall conduct or engage in sidewalk vending within the City without first obtaining a sidewalk vending permit pursuant to this chapter.

#### **5.64.030 Permit Application.**

To apply for a sidewalk vending permit, a person must file an application with the Director, accompanied by a nonrefundable processing fee in an amount established by resolution of the City Council. The application shall be in a form prescribed by the Director and shall contain, at a minimum, the following:

- A. The legal name and current address and telephone number of the applicant.
- B. The applicant’s California driver’s license or identification number, individual taxpayer identification number, social security number, federal or state employer’s

identification number, or municipal identification number. Such information shall not be a public record and shall remain confidential as required by California Government Code Section 51038(c)(4).

- C. If the applicant is an agent of an individual, company, partnership, corporation, or other entity, the name and business address of the principal.
- D. A description of the food or merchandise to be offered for sale.
- E. The days and hours the sidewalk vendor intends to operate.
- F. If stationary, the sidewalk vendor shall provide:
  - a. A description of the proposed vending location, including identification of major cross streets and the side of the street on which vending will occur (if applicable), along with a photo or depiction of said location.
  - b. A maintenance plan that includes litter pickup and cleaning in the vicinity of the vending location.
- G. If roaming, the sidewalk vendor shall provide a sketch of the intended path of travel.
- H. If the sidewalk vendor will sell food, a certification to completion of a food handler course and proof of all required approvals from the Los Angeles County Department of Public Health, including a current Mobile Food Facility permit.
- I. A valid business license issued pursuant to Chapter 5.08 of the Norwalk Municipal Code.
- J. A California seller's permit number pursuant to Section 6067 of the Revenue and Taxation Code.
- K. Proof of comprehensive liability insurance in an amount not less than one million dollars (\$1,000,000.00).
- L. Certification by the applicant that the information contained in the application is true to his or her knowledge and belief.
- M. Any other reasonable information regarding the time, place, and manner of the proposed sidewalk vending activities.

#### **5.64.040 Criteria for Approval or Denial of Permit.**

The Director, or his or her designee, shall approve the issuance of a permit unless he or she determines that:

- A. Information contained in the application, or supplemental information requested from the applicant, is false in any material detail;



- B. The applicant has failed to provide a complete application, after having been notified of the requirement to produce additional information or documents;
- C. The applicant has failed to demonstrate an ability to conform to the operating standards set forth in section 5.64.090; or
- D. The applicant has failed to pay any previous administrative fines and/or complete any other alternative disposition associated with a previous violation of this chapter.

If the permit is denied, written notice of such denial and the reasons therefor shall be provided to the applicant.

#### **5.64.050 Permit Expiration and Renewal.**

A sidewalk vending permit shall be valid for twelve (12) months from the date of issuance, and shall expire and become null and void on the anniversary of its issuance. A person may apply for a permit renewal on a form provided by the City prior to the expiration of his or her active sidewalk vending permit.

#### **5.64.060 Permit Rescission.**

In addition to the fines set forth in Section 5.64.090, the Director may rescind a permit issued to a sidewalk vendor for a fourth violation or subsequent violation of this chapter. A sidewalk vendor whose permit is rescinded may apply for a new sidewalk vending permit upon the expiration of the term of the rescinded permit.

#### **5.64.070 Permits Nontransferable.**

No permit granted pursuant to this chapter shall be transferable.

#### **5.64.080 Operating Requirements and Restrictions.**

All sidewalk vendors shall comply with the following:

- A. Sidewalk vendors must obtain an encroachment permit issued by the Department of Public Works pursuant to Chapter 12.20 of the Norwalk Municipal Code.
- B. No sidewalk vendor shall vend in any of the following locations:
  - 1. Upon or within any roadway, median strip, or dividing section.
  - 2. Along sidewalks, pathways, courtyards, and grounds adjacent to the buildings, facilities, and parking structures that make up the Norwalk Civic Center, including City Hall, the Norwalk Courthouse, the Norwalk Library, the Norwalk Sheriff Station, and the adjacent blocks of Imperial Highway, Norwalk Boulevard, Avenida Manuel Salinas, Civic Center Drive, and Volunteer Avenue.

3. Within two hundred (200) feet of a permitted certified farmers' market, a swap meet, or an area designated for a temporary special permit. This prohibition shall be limited to the operating hours of the market or swap meet, or the limited duration of the temporary special permit.
  4. Within five hundred (500) feet of the property line of any public or private school grounds, between the hours of 8:00 a.m. and 5:00 p.m. each day that school is in session.
  5. Within one hundred (100) feet from any place of worship or child care center.
  6. Within one hundred (100) feet of a public picnic area, playground area, playground equipment, public community center, or athletic field or court.
  7. Within one hundred (100) feet of a police officer, fire fighter, Public Safety Officer, or emergency medical personnel who is actively performing their duties or providing services to the public.
- C. No sidewalk vendor shall vend within one hundred (100) feet of another sidewalk vendor. Notwithstanding the above, within City parks no sidewalk vendor shall vend within three hundred (300) feet of another sidewalk vendor.
- D. No sidewalk vendor shall vend in a manner that blocks or obstructs the free movement of pedestrians, bicycles, or vehicles. Sidewalk vendors must at all times provide a clearance of not less than three (3) feet on all sidewalks or pedestrian areas so as to enable persons to freely pass while walking, running, or using mobility assistance devices;
- E. Sidewalk vendors shall not approach for the purpose of vending persons engaged in or spectating a sporting activity in a park.
- F. Sidewalk vending is permitted between the hours of 8:00 a.m. and 9:00 p.m., daily, except as follows:
1. In nonresidential areas, the hours of operation shall not be more restrictive than the hours of operation imposed on other businesses or uses located on the same block.
  2. In residential areas, sidewalk vending shall be permitted between the hours of 9:00 a.m. and 8:00 p.m, daily.
- G. Stationary sidewalk vendors shall only vend within areas zoned for commercial or industrial use. Stationary sidewalk vendors shall not vend in, or within three hundred (300) feet, of any residentially zoned area, or in any of the following other locations:
1. Within one hundred (100) feet of any street intersection;

2. Within twenty-five (25) feet of a fire hydrant or other emergency facility.
  3. Within twenty-five (25) feet of a curb that has been designated as a white, yellow, green, blue, or red zone, or a bus zone.
  4. Within twenty-five (25) feet of any driveway, alley, or entrance to a parking lot or parking garage.
  5. Within twenty-five (25) feet of an entrance or exit of any building or structure.
  6. Within ten (10) feet of any public trash receptacle, bike rack, bench, bus stop, or similar public use item.
- H. Sidewalk vendors shall provide a trash receptacle for customers and ensure proper disposal of customer trash. The trash receptacle must be large enough to accommodate customer trash without resort to existing trash receptacles located on any block for use by the general public.
- I. Prior to leaving any vending location, the sidewalk vendor shall pick up, remove, and dispose of all trash generated by the vending operations or the vendor's customers within a fifteen (15) foot radius of the vending location. Sidewalk vendors shall not throw, deposit, or leave, or permit to be thrown, deposited, or left, any trash, food, or other discarded or abandoned objects, in or upon any street, sidewalk, path, gutter, storm drain, inlet, catch basin, or other drainage structure, or upon any public or private lot of land in the City, so that the same might be or become a pollutant.
- J. Sidewalk vendors selling food shall possess and display in plain view on the vending cart a valid Mobile Food Facility permit from Los Angeles County Department of Public Health and a valid sidewalk vending permit issued pursuant to this chapter. Sidewalk vendors shall possess at all times while vending any other permit required by any governmental agency.
- K. Sidewalk vendors shall ensure that all required insurance is in effect prior to conducting any sidewalk vending, and is maintained for the duration of the permit.
- L. Vending carts shall not be chained, fastened, or affixed at any time to any building or structure, including but not limited to lampposts, parking meters, traffic signals, fire hydrants, benches, bus shelters, trashcans, street signs, trees, or other objects within the public-right of way. No vending cart shall become a permanent fixture on the vending site or be considered an improvement to real property.
- M. Vending carts shall not be left unattended or stored on public property or within the public right-of-way.
- N. Sidewalk vendors shall comply with all applicable state and local laws, including without limitation state food handling, labeling, and preparation requirements; fire

codes and regulations; and the Americans with Disabilities Act of 1990 and other disability access standards (both state and federal).

**5.64.090 Administrative Citations.**

- A. Except as provided in subsection B below, any violation of this chapter is punishable by an administrative citation in the following amounts:
  - 1. One hundred dollars (\$100) for a first violation.
  - 2. Two hundred dollars (\$200) for a second violation within one (1) year of the first violation.
  - 3. Five hundred dollars (\$500) for each additional violation within one (1) year of the first violation.
- B. Vending without a valid sidewalk vending permit is subject to an administrative citation in the following amounts:
  - 1. Two hundred fifty dollars (\$250) for a first violation.
  - 2. Five hundred dollars (\$500) for a second violation within one (1) year of the first violation.
  - 3. One thousand dollars (\$1,000) for each additional violation within one (1) year of the first violation.
  - 4. An administrative citation issued under this subsection shall be reduced to the amounts set forth in subsection A upon submission of proof of a valid sidewalk vending permit issued by the City.
- C. A violation of this chapter shall not be punishable as an infraction or misdemeanor. No person alleged to have violated the provisions herein shall be subject to arrest except when otherwise permitted by law.
- D. Failure to pay an administrative citation issued pursuant to this section shall not be punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized herein shall not be assessed.
- E. If the person meets the criteria described in subdivision (a) or (b) of Government Code Section 68632, the City shall accept, in full satisfaction, twenty (20) percent of an administrative citation imposed pursuant to this chapter.

**5.64.100 Appeals.**

- A. Administrative citations may be appealed in the following manner:

1. Except as otherwise specified herein, all appeals of administrative citations shall be conducted in accordance with the procedures and requirements Chapter 1.13 of the Norwalk Municipal Code.
  2. Any person to whom an administrative citation is issued pursuant to this chapter may contest the citation by completing a request for hearing form and returning it to the Director within fifteen (15) days from the date of service of the administrative citation. The request for a hearing form shall be accompanied by an advanced deposit of the fine or a request for an advance deposit hardship waiver.
  3. When issuing an administrative citation pursuant to this section, the hearing officer shall take into consideration the person's ability to pay the fine. The Director or his or her designee shall provide the person with notice of his or her right to request an ability-to-pay determination and shall make available instructions or other materials for requesting an ability-to-pay determination. The person may request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program.
  4. The hearing officer may allow a person to complete community service in lieu of paying the total administrative citation, may waive the administrative citation, or may offer an alternative disposition.
- B. Any person aggrieved by the decision of the Director to issue, deny issuance, or rescind a sidewalk vending permit may appeal the decision to the City Council.
1. The written request for an appeal shall be filed with the Director within fifteen (15) days following the date of the Director's decision.
  2. Decisions that are appealed shall not become effective until the appeal is resolved.
  3. Any person aggrieved by any decision of the Director shall, upon request made within fifteen (15) days after such decision, be entitled to an informal hearing before the Director. Within five days after such informal hearing, any such aggrieved person may appeal to the City Council by filing a written notice of appeal with the Director, and a time and place for hearing such appeal shall thereupon be scheduled within thirty (30) days. The Director or his or her designee shall give notice to such person of the time and place of hearing by personally serving it or by depositing it in the United States mail, postage prepaid, addressed to such person at his or her last known address. The City Council shall have the authority to determine all questions raised on such appeal; provided that, no such determination shall conflict with any substantive provision of this title. The decision of the City Council shall be final."

**Section 3.** CEQA. The City Council finds and determines that there is no possibility that the adoption of this Ordinance will have a significant effect on the environment. Accordingly, this Ordinance is not subject to the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15378 of Division 6 of Title 14 of the California Code of Regulations.

**Section 4.** Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**Section 5.** Effective Date. This Ordinance shall take effect thirty (30) days after its adoption. The City Clerk is directed to certify to the enactment of this Ordinance and to cause this ordinance to be published and/or posted as required by law.

**PASSED, APPROVED, AND ADOPTED THIS 15<sup>TH</sup> day of January 2019.**

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**JENNIFER PEREZ  
MAYOR**

**ATTEST:**

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**THERESA DEVOY, CMC  
CITY CLERK**