

MOBILE VENDING

A mobile vendor is a person who sells food or merchandise by means of a motorized or nonmotorized vehicle, such as a catering truck, motorized cart, food truck, or other itinerant method, upon a public right of way or other public space. To ensure a seamless transition into full and compliant operations, the City of Lindsay has created this Mobile Vendor Packet.

Mobile Vendor Packet Contents

- Mobile Vending Permit Application
- City of Lindsay Business License Application
- Mobile Vending Regulations

Getting Started

The information below provides a general overview of the agencies that you may need to contact before you begin your mobile vending business.

Choose a business name. If you will be using a name other than your given name, name of your LLC or corporation, you must file a Fictitious Business Name with the Tulare County Clerk.



***Food Vendors Only* - Contact the County of Tulare Department of Environmental Health to apply for a Mobile Food Facility permit.**



Contact the City of Lindsay's Department of City Services to apply for a Mobile Vending Permit and Business License.



Ordinance No. 593

On 1/25/2022 the City Council of the City of Lindsay approved an ordinance allowing for the operation of mobile vendors.

Important Contact Information

Tulare County Clerk

Courthouse, Room 105
221 S. Mooney Blvd
Visalia, California 93291
<https://www.tularecounty.ca.gov>
(559) 636-5051

Tulare County Environmental Health Division

5957 S Mooney Blvd
Visalia, CA 93277
<http://tularecountyeh.org>
(559) 624-7400

City of Lindsay Department of City Services

151 N Mirage Ave
Lindsay, CA 93247
www.lindsay.ca.us
(559) 562-7102



CITY OF LINDSAY MOBILE VENDING PERMIT APPLICATION

For an application to be accepted, all supplemental information required by Municipal Code 5.37.030 Authority to Operate in the City must be included with this application and the application fee.

PLEASE PRINT OR TYPE

Name of Applicant _____ Business Telephone _____
Name of Business (if applicable) _____
Business Address _____
Name of Business Operator _____ Title _____
Identification: ☐ Driver's License ☐ State ID ☐ Passport ☐ Other: _____
Identification Number: _____ Issuer: _____
Applicant's Residence Address _____
Email _____ Applicant's Phone Number _____
Ownership Type ☐ Sole Proprietor ☐ LLC ☐ Corporation ☐ Partnership
Hours of Operation (Hours) _____ (Days) _____

Items Being Sold ☐ Merchandise ☐ Food/Drinks ☐ Both

Type(s) of merchandise sold _____

Type(s) of food/drinks sold _____

List all persons/employees that will be vending with you or in place of you:

I declare under penalty of perjury the information entered on this form is true and correct to the best of my knowledge and belief. As a condition for the issuance of the permit applied for, I agree to submit any additional information required and to conduct all phases of this business in conformance with applicable laws, ordinances, and regulations established for such business. **By signing below I certify that I will comply with all applicable local, state and federal laws and acknowledge that I have read Municipal Code Title 5 Section 37 Mobile Vending Regulation.**

Date _____ Signature _____

(Return to the City of Lindsay Department of City Services, 150 N. Mirage Ave., Lindsay, CA 93247 or email amejia@lindsay.ca.us. For more information, please call 559.562.7102 x 4)

FOR OFFICE USE ONLY

Date Received _____ Permit Type _____ Amount _____ How Paid _____ Initials _____



CITY OF LINDSAY MOBILE VENDING PERMIT APPLICATION

Location(s)/Address Requested¹:

Time of Operations:

¹ All requested locations including City streets, parking lots, etc., are not 100% guaranteed or reserved to be available before and/or after approval.

Note: Any change in ownership or address requires a new application

☐ 1-Day ☐ Semi-annual ☐ Quarterly

Change of ☐ Owner ☐ Name ☐ Location

City of Lindsay Business License Application



FOR CITY USE ONLY

Acct.# _____

Class _____

Cat. Code _____

Bus. Group _____

Business Name _____ Location of Business _____

Type of Business _____ Email _____

Mailing Address _____ City _____ State _____ ZIP _____

Email _____ Phone: () _____ Est. Monthly Gross Receipts _____

Type: ☐ Single Owner ☐ Partnership ☐ Corporation Name of Corporation (if applicable): _____

Owner Name _____

Owner Address _____ City _____ State _____ ZIP _____

State ID# _____ Fed. ID# (if applicable) _____ Board of Equalization # _____

State License# _____ Business Start Date or Date of Relocation _____

Business License Questionnaire

Fully describe/explain the nature of the business below in the space provided and then answer each question listed below

Yes No

- ☐ ☐ 1. WILL THE BUSINESS INSTALL, MODIFY, REHABILITATE A SIGN? IF YES, APPLY FOR BUILDING PERMIT AND COMPLETE "SIGN PERMIT ATTACHMENT F".
- ☐ ☐ 2. Will the building be used for education, instruction, daycare, worship, or dining? If yes, how many square feet will you be using? _____ What is the maximum number of people anticipated at any given time? _____
- ☐ ☐ 3. Will the business operation include selling or serving alcoholic beverages? If yes, what type of ABC license? _____ What is the size in square feet of the seating area? _____
- ☐ ☐ 4. Is this a home business? If Yes, you must apply for a Home Occupation Permit in addition to this application. Attached ___ Yes ___ No
- ☐ ☐ 5. Will the business operation include the sales or serving of tobacco products? If yes, what is the tobacco resale number? _____ What type of tobacco products will be sold? _____
- ☐ ☐ 6. Will the business operation include any work, use, or storage conducted outside of a wholly enclosed building? If yes, explain _____
- ☐ ☐ 7. Will the business change the occupancy? If yes, specify: _____
- ☐ ☐ 8. Will the business operation include discharging any waste, wastewater, or rinse water to the ground, street, or storm drain? _____
- ☐ ☐ 9. Will the business operation include washing of any equipment or vehicles? _____
- ☐ ☐ 10. Is the business a mobile car wash or car detailing business? **These businesses must be mobile, NEVER stationary.**
- ☐ ☐ 11. Will the business operation include the repair or maintenance of motor vehicles? _____
- ☐ ☐ 12. Will the business operation include motor vehicle fuel dispensing including gasoline, diesel, compressed natural gas, liquefied natural gas, liquefied petroleum gas (propane), or hydrogen gas? _____
- ☐ ☐ 13. Will the business operation include any use, processing, handling, storage, or discharge of chemicals, including hazardous chemicals and solvents? _____

- ☐ ☐ 14. Will the business generate any hazardous waste or e-waste at this site?
- ☐ ☐ 15. Will the business operation include sanding, cutting, or shaping of wood, metal, plastic, or other products producing combustible dust or fibers?
- ☐ ☐ 16. Will the business operation include manufacturing? If yes, specify _____
- ☐ ☐ 17. Will the business operation include the preparation of food or beverages? If food is prepared, must include organic recycling in refuse collection if the business generates 2 cubic yards/per week or more of solid waste. See below.
- ☐ ☐ **18. Commercial Utility Account:**

Before opening a commercial account, you will need the following.

- ☐ Copy of a lease agreement or proof of ownership.
- ☐ Have a signature on the business license by Planning ONLY (this will verify that your business is an allowed use at the location)
- ☐ Have paid the inspections fees
- ☐ Refuse assessment by Mid Valley Disposal. Contact Ricardo Torres at ricardot@midvalleydisposal.com or at 559-238-7998 (to obtain the type of services your business will need:

Recycle: _____ (____)/week **Green waste:** _____ (____)/week **Trash** _____ (____)/week

Organic: _____ (____)/week **Locking Bins:** ____ Yes ____ No

____ Are you requesting self-hauling of any of the refuse services above mention? If YES, customer must obtain approval and signature from Mid Valley Disposal Recycling Coordination as well as to submit the REFUSE SELF HAUL CERTIFICATION FORM. Attached ____ Yes ____ No

Self-Haul Certification Authorization:

Approved By: _____

Recycle

Green Waste

Cooking Oil

Mid Valley Recycling Coordinator

Approval Date: _____

Reference No: _____

Received Self-Haul Certification Form: ____ Yes ____ No

19. BUILDING OWNER/PROPERTY MANAGEMENT COMPANY INFORMATION

Select one: Building Owner Property Management Company

Name _____

Address _____ City and Zip _____

Telephone contact _____

Approval of the Business License Application does not alleviate the business owner/applicant from obtaining the required building permits for previously unpermitted construction or any proposed improvements.

20. Disability Access

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:

- DIVISION OF THE STATE ARCHITECT: <https://www.dgs.ca.gov/dsa>
- DEPARTMENT OF REHABILITATION: <https://www.dor.ca.gov/Home/DisabilityAccessServices>
- CALIFORNIA COMMISSION ON DISABILITY ACCESS: <https://www.dgs.ca.gov/CCDA>

21. Acknowledgements

I ACKNOWLEDGE AND UNDERSTAND THAT IT IS THE RESPONSIBILITY OF THE APPLICANT/LICENSEE TO ENSURE THEIR BUSINESS COMPLIES WITH ALL APPLICABLE CITY OF LINDSAY MUNICIPAL CODES, CITY ZONING ORDINANCES AND STATE AND FEDERAL LAWS. NON-COMPLIANCE MAY RESULT IN THE REVOCATION OF YOUR CITY OF LINDSAY BUSINESS LICENSE. *THE CITY OF LINDSAY RECOMMENDS BUSINESS OWNERS CONTACT THE CITY OF LINDSAY'S PLANNING DEPARTMENT AT (559) 562-7102 EXT 4 **PRIOR TO** RENTING, LEASING OR PURCHASING A PROPERTY TO VERIFY THEIR PROPOSED USE COMPLIES WITH THE CITY OF LINDSAY'S ZONING ORDINANCE.*

I FURTHER UNDERSTAND THAT THE FOLLOWING APPLIES TO BUSINESSES WHO ARE MAKING APPLICATION FOR A CITY OF LINDSAY BUSINESS LICENSE (*Please initial beside each item to acknowledge you have read and understand*):

_____ All signage must be reviewed and approved by the City of LINDSAY's City Services and Planning Department. Please contact (559) 562-7102 EXT 4 regarding sign permits **PRIOR TO** installation of **ANY** signage.

_____ All modifications, other than aesthetic changes (i.e. painting, flooring), to a structure located within the City of LINDSAY are subject to approval and issuance of a City of LINDSAY Building Permit. These include, but are not limited to, repairs and improvements to plumbing, electrical and mechanical systems. Please contact the City of LINDSAY's City Services Department at (559) 562-7102 EXT 4 **PRIOR TO** any alteration or modification of any building or structure to determine if a building permit is required.

_____ Trash and recycling services **ARE MANDATORY** in the City of LINDSAY.

_____ A business license will not be issued until the application has been reviewed by the Planning Department to determine if any land use approvals (i.e., discretionary permits) are necessary for compliance with zoning regulations. To confirm the zoning of your business, please contact the City of LINDSAY's Planning Department at (559) 562-7102 EXT 4.

_____ The business location will be required to maintain parking lots and existing landscaping if they are determined to need repair. The City of LINDSAY's Planning Department may require landscape for sites that do not have current landscaping. Lot frontage maintenance is the responsibility of the business at this location.

_____ Dependent on the type of tenant improvements which are proposed as part of your business, the site may be required to conform to all Americans with Disabilities Act (A.D.A.) improvements. It is advised that regardless, A.D.A. improvements be made to protect you, the business and/or property owner, from potential litigation. *Consultation with a Certified Access Specialist (CASP) is strongly advised.*

_____ Contractors shall provide verification of Workers' Compensation Insurance coverage, if required by California law.

_____ To determine if an interceptor (ex, grease traps) is required or if an existing interceptor needs to be serviced in relation to the type of business operation you will be conducting (i.e. restaurant, food preparation, car/truck wash, etc.), please contact the City Services Department at (559) 562-7102 EXT 4

_____ Food vendors, retailers, and/or restaurants must obtain a Tulare County Environmental Health Permit prior to obtaining a business license from the City of Lindsay.

PRIOR TO THE ISSUANCE OF A BUSINESS LICENSE, THE CITY WILL CONDUCT AN INSPECTION OF THE BUSINESS LOCATION, IF LOCATED WITHIN THE INCORPORATED CITY LIMITS OF LINDSAY. THE PREMISES WILL BE INSPECTED **PRIOR TO** THE BUSINESS OPENING FOR BUSINESS AND MUST BE SET UP AND/OR STOCKED. IF THE CITY CANNOT CONTACT THE APPLICANT WITHIN 60 DAYS OF THE APPLICATION DATE, THE APPLICATION WILL BE CONSIDERED WITHDRAWN, AND ALL FEES PAID WILL BE NONREFUNDABLE.

SUBMITTAL OF A BUSINESS LICENSE APPLICATION AND PAYMENT OF FEE(S) DOES NOT CONSTITUTE AN APPROVAL OF A LICENSE TO OPERATE A BUSINESS. **NO BUSINESS SHALL OPERATE UNTIL THE BUSINESS LICENSE HAS BEEN APPROVED AND ISSUED BY THE CITY OF LINDSAY.**

CAUTION!

Payment of Business Tax does not authorize payer to engage in a business or profession contrary to city ordinances (including zoning ordinances) or state and federal regulations

Sales and Use Tax may apply to your business activities. You may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization Office

**I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS
TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

Authorized Signature _____ Date _____

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FOR CITY USE

APPROVAL DATES	REMARKS	INSPECTION FEE	FEES	
Planning		Building \$	Regular	\$
Building		Fire \$	Application	\$
Fire		Total Insp Fee \$	CASP	\$
Tulare County Health		PAID DATE:	TOTAL AMOUNT DUE	\$
		RECEIPT #:		
APPROVAL SIGNATURES				
PLANNING DEPT.	BUILDING DEPT.	FIRE DEPT.	OTHER	

Zoning Classification _____
Address _____
APN _____
Class of Building _____

Fire Zone District _____
Areas and Neighborhood _____
Occupancy Capacity _____



MOBILE VENDING REGULATIONS

5.37.050 Operational requirements

Mobile food vendors shall comply with the following standards:

General Provisions

1. Noise and amplified music shall comply with all applicable noise standards.
2. Exterior lighting must be hooded or shielded so as to not negatively impact vehicles and other uses in the vicinity of the mobile food truck.
3. The mobile food vendor must comply with all city, state, and federal laws. While operating in the public right-of-way, mobile vendors shall follow all applicable traffic laws and parking regulations, including time limits, and no-parking zones.
4. The sale of alcohol and tobacco products is prohibited.
5. Vendors shall not use or permit use of parking spaces on the site (e.g., customer queuing, tables, chairs, portable restrooms, signs, and any other ancillary equipment) if doing so will adversely affect the required off-street parking available for the primary use(s) of the site during peak periods as determined by the Director of City Services and Planning, or their designee.
6. The mobile vendor shall at all times ensure that the operation of the mobile food truck does not unreasonably interfere with the flow of pedestrian traffic and restricts access for persons with disabilities.
7. The mobile food vendor shall provide waste removal and shall be responsible for the collection and separation of trash/debris, organic waste, and recycling after each stop. "Trash" includes material dispensed by the vendor as well as items that may be left by customers. Prior to leaving a location, the mobile food vendor shall ensure all trash within a 25-foot radius is picked up, regardless if the trash originated from the food truck.
8. Display of Permit and Information. No mobile food vendor shall operate in the city without conspicuously displaying on their person or vehicle the city-issued mobile food vendor permit and Tulare County Department of Environmental Health permit.
9. No vending shall occur between the hours of 12:00 a.m. and 7:00 a.m. and no overnight parking shall be permitted. On a case-by-case basis, the Director of City Services and Planning, or their designee, may require shorter hours of operation or allow longer hours of operation depending on the type of vending and location.

Restaurant and School Spacing for Mobile Food Vendors

- a. Vendors shall not operate within twenty (20) feet of an existing brick and mortar restaurant during the restaurant's normal business hours, with the following exceptions:
 - i. The mobile food vendor is operating as part of a City approved special event.

- ii. The mobile food vendor has prior written permission of a restaurant owner to operate on the property of that existing business.
- b. Mobile food vendors shall not operate within three hundred (300) feet of a school, except with written approval from the Lindsay Unified School District, between the hours of 7:30 a.m. and 3:30 p.m.

A mobile food vendor may not operate within exclusively residential districts except as follows:

- a. On properties for nonresidential uses, such as schools and religious assembly facilities, with prior written authorization from the property owner.
- b. On properties where the mobile food vendor has been hired to cater at a private residence at no cost to the guests.

Mobile Vending on Public Property

City Parks

- a. Lindsay City Park

Mobile food vendors may only park and sell along the South side of Ono City Parkway for a maximum of 4 hours during the hours of 7:00 a.m. and 8:00 p.m., except when a City approved special event is taking place.

- b. Olive Bowl Park

Mobile food vendors may park along South Olive Avenue and West Apia Street for a maximum of 4 hours during the hours of 7:00 a.m. and 8:00 p.m., except when a City approved special event is taking place.

City Hall

- Mobile food vendors may park along Honolulu directly in front of City Hall only with written permission from the Director of City Services and Planning, or their designee.

Downtown

- Mobile Food Vendors may utilize public parking lots in the Central Business District (CBD) of the Central Commercial zone so long as the operation does not unreasonably interfere with the flow of pedestrian and vehicle traffic and restricts access for persons with disabilities, except when a City approved special event is taking place.