# **SIDEWALK VENDING**

A sidewalk vendor is a person who sells food or merchandise from a pushcart, stand, display, pedal driven cart, wagon, showcase, rack or other nonmotorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path. To ensure a seamless transition into full and compliant operations, the City of Lindsay has created this Sidewalk Vendor Packet.

### Sidewalk Vendor Packet Contents

- Sidewalk Vending Rules
- Sidewalk Vending Permit Application
- Business License Application
- County Health Permit Application

### **Getting Started**

The information below provides a general overview of the agencies that you may need to contact before you begin your sidewalk 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 Public Health Permit.



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



### **SENATE BILL 946**

On September 17, 2018, Governor Jerry Brown signed Senate Bill (SB) 946. This legislation regulates sidewalk vending practices.

### **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 Ext.4



## City of Lindsay Sidewalk Vending Rules

All sidewalk vending in the City of Lindsay public right-of-way are governed by these rules, as of July 9, 2019.

### 1. Keep it clean. You must pick up trash and recycle.

All food vending carts or kiosks shall be equipped with refuse containers large enough to contain all refuse generated by the operation of such cart or kiosk, and the operator of the food vending cart or kiosk shall pick up all refuse generated by such operation within a 50-foot radius of the cart or kiosk before such cart is moved. All recyclable materials shall be separated from other refuse and disposed of in a manner consistent with the current City of Lindsay (City) recycling policy.

### 2. Keep the sidewalk open for pedestrians and other uses.

No person shall install, use, or maintain any vending cart or kiosk which projects onto, into, or over any sidewalk or parkway when such installation, use or maintenance endangers the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such cart or kiosk unreasonably interferes with or impedes the flow of pedestrian or vehicular traffic, the ingress into or the egress from any residence or place of business, or the use of poles, posts, driveways, traffic signs or signals, hydrants, mailboxes, or other objects permitted at or near said locations. No vending cart or kiosk shall be so placed that the clear space for the passage of pedestrians upon the sidewalk is reduced to a width of less than four feet. No mobile or street vendor shall obstruct or cause to be obstructed the passage of any sidewalk, street, avenue, alley or any other public place, by causing people to congregate at or near the place where goods, wares, food, or merchandise of any kind is being sold or offered for sale.

a) Distances from the following above ground facilities (AGF) shall be no less than three feet:

- (1) Streetlights
- (2) Edges of tree wells
- (3) Parking meters
- (4) Above ground utility structure

b) Distances from fire hydrants shall be no less than five feet.

c) Distances from any existing subsurface utility box, valve, or vault shall be no less than two feet.

d) Distance from face of curb and from edge of existing driveways shall be no less than 18 inches (see Diagram 1).

e) Distances between vendors shall be 10 feet.

f) No vending spaces will be permitted at bus stop locations, or at locations where there are existing above ground amenities such as street furniture (benches, bike racks), newsstands, and red curbs.

g) No vending spaces will be permitted in roadway, medians, pedestrian islands, and bikeways.

h) No stationary vending location shall be placed directly in front of any building. All stationary vending locations shall be placed 18 inches from the curb face.

i) Distance from permitted activities including but not limited to construction related street or lane closures, special events, swap meets, filming, and farmer's markets shall be no less than 500 feet from any boundary line of the permitted activity.

j) Distance from an entrance way to any building, store, theatre, movie house, house of worship or place of public assembly shall be a minimum of 50 feet.

www.lindsay.ca.us (559) 562-7102 Ext. 4



## City of Lindsay Sidewalk Vending Rules

### 3. Some areas are No Vending Areas

A) Vending is prohibited within 500 feet of:

1) Lindsay City Hall, police station or fire station;

2) Any public or private school, or a child day-care facility, between the hours of 6:00 a.m. and 6:00 p.m.;

3) Any place of assembly or worship, between one hour before and one hour after scheduled event or presentation times;

4) An area designated for a permitted certified farmers' market during the limited operating hours of that certified farmers' market;

5) Any sheriff or police officer, firefighter, or emergency medical personnel who are actively performing their duties or providing services to the public.

## 4. Keep produce bagged or protected from bugs and vermin, and follow state laws on produce

All produce regulated by the California Department of Food and Agriculture (CDFA) shall be handled, transported, displayed or disposed of in accordance with all CDFA regulations as they now exist or as amended from time-to-time, but not limited to, the following:

a) All produce or commodities under quarantine by the CDFA will be protected or safeguarded in an approved manner by being bagged or screened to prevent infestation; any open display is prohibited.

b) All produce, commodities, or their husks, cores, rinds, or pits shall be sealed in plastic bags before disposing.

c) Every food vendor shall have a receipt, invoice, bill of lading or other acceptable proof of origin of all produce or commodities under quarantine.

d) All produce or commodities under quarantine that are sold, offered for sale, or transported within the quarantine area, must be of commercial origin.

e) Any violation of this section may result in the seizure of produce or commodities.

### 5. Keep all your permits up to date

All sidewalk vendors must possess all applicable business, tax, and health permits required by the State, County, and or City.

www.lindsay.ca.us (559) 562-7102 Ext. 4





### CITY of LINDSAY SIDEWALK VENDING PERMIT APPLICATION

For an application to be accepted, all supplemental information required by Municipal Code 5.36.040 Permit Required for purposes of clarification of the activity must be included with this application and the application fee.

### PLEASE PRINT OR TYPE

		Business		
Name of Applicant		Telephone		
Name of Business (if ap	plicable)			
Business Address				
Name of Business Operation	ator	Title		
Identification: Driver's	S License 🗌 State ID 🗌 Passport	Other:		
Identification Number:	I	ssuer:		
Applicant's Residence A	ddress			
Email	Applicant's Ph	one Number		
Ownership Type 🛛 S	ole Proprietor 🗌 LLC 🗌 Co	prporation 🗌 Partnership		
Hours of Operation (Ho	ırs)	(Days)		
	Roaming Vendor 🛛 Stationary			
Items Being Sold	Merchandise 🗌 Food/Drin	ks 🗌 Both		
Type(s) of merchandise sold				
Type(s) of food/drinks solo	1			
	s that will be vending with you or i			
I declare under penalty of per		form is true and correct to the best of my ermit applied for, I agree to submit any		

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 5.36 Sidewalk Vending Regulations.

Date <u>Signature</u> (Return to the City of Lindsay Department of City Services at 150 N Mirage Ave. Lindsay, CA 93247 or email <u>amejia@lindsay.ca.us</u> . For more information, call 559-562-7102 ext.4						
FOR OFFICE USE ONLY						
Date Received	_ Permit Type	Amount	How Paid	Initials		

Note: Any change in ownership or address requires a new application <b>Bu</b> 1-Day Semi-annual Quarterly Change of Owner Name Location	City of Lindsay siness License Application 251 E. Honolulu P.O. Box 369 Lindsay, CA 93247 559-562-7102 Ext. 4	Acct.# Class Cat. Code	r USE ONLY
Business Name	Location of Business		
Type of Business	Email		
Mailing Address	City	State	ZIP
Email F	Phone: ( ) Est	. Monthly Gross Receip	ots
Type: Single Owner Partnership	Corporation Name of Corporation	(if applicable):	
Owner Name			
Owner Address	City	State	ZIP
State ID# Fed. ID# (if app	blicable) Board c	of Equalization #	
State License# Busines	s 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		
$\square$		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?
			. Is the business a mobile car wash or car detailing business? <i>These businesses must be mobile, NEVER stationary.</i> .Will the business operation include the repair or maintenance of motor vehicles?
			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	e-waste at this site?
	or shaping of wood, metal, plastic, or other products producing
combustible dust or fibers?	
16. Will the business operation include manufacturing?	
	of food or beverages? If food is prepared, must include organic es 2 cubic yards/per week or more of solid waste. See below.
18.Commercial Utility Account:	es 2 cubic yards/per week of more of solid waste. See below.
Before opening a commercial account, you will need	I the following.
Copy of a lease agreement or proof of owners	-
Have a signature on the business license by Pla	nning ONLY (this will verify that your business is an allowed use at the location)
Have paid the inspections fees	
	ntact Ricardo Torres at ricardot@midvalleydisposal.com or at 559-
238-7998 (to obtain the type of services your busine	iss will need:
Recycle: ()/week Green waste:	()/week <b>Trash</b> ()/week
Organic: ()/week Locking Bins:	YesNo
	efuse services above mention? If YES, customer must obtain cycling Coordination as well as to submit the REFUSE SELF HAUL
Self-Haul Certification Authorization:	
Approved By:	Recycle Green Waste Cooking Oil
Mid Valley Recycling Coordinator	Recycle Green waste Cooking On
Approval Date:	Reference No:
	Received Self-Haul Certification Form: Yes No
19. BUILDING OWNER/PROPERTY MANAGEMENT COMP	
Select one: Building Owner Pro	perty Management Company
Name	
Address	City and Zip
Telephone contact	
Approval of the Business License Application does not building permits for previously unpermitted constructi	alleviate the business owner/applicant from obtaining the required on or any proposed improvements.
20. Disability Access	

UNDER FEDERAL AND STATE LAW, COMPLIANCE WITH DISABILITY ACCESS LAWS IS A SERIOUS AND SIGNIFICANT RESPONSBILITY 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 •

Γ

### 21. Acknowledgements

I ACKNOWLEDGE AND UNDERSTAND THAT IT IS THE REPONSIBILITY 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 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.

L

T

T

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

#### . . . . . . . . . . . . . . . FOR CITY USE

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

Zoning Classification	Fire Zone District
Address	Areas and Neighborhood
APN	
Class of Building	Occupancy Capacity

### TULARE COUNTY ENVIRONMENTAL HEALTH HEALTH PERMIT APPLICATION - FOOD



HEALTH TERMIT ATTEICATION - FOOD								
APPLICATION TYPE/ <u>Tipo de Aplicación</u>								
Ownership Change/ <i>Cambio</i>	De Dueño 🛛 Business I	Location Change/Cambio D	e Sitio 🔲 Nev	w Business/ <u>Nue</u> r	vo Negocio			
*Attach Veteran's Fee E Business Menu: (write in or attach) Menu de Negocio: (escribir o adjuntar)	xemption Form with DD214 if hor	norably discharged. Cannot com	oine with beer, wine,	, and liquor sales.				
	PERMIT 1	<b>TYPE</b> / <u>Tipo de Permiso</u>						
e.g. retail markets immediate	<b>Risk</b> - Limited menu. Most foods are pro y, 1-2 foods processed through the dang od, walkups, restaurants, bakeries	ger zones. more comp	lex foods, raw foods, fo	ods with time and ten	foods through the danger zone, nperature, smoking, juicing, cessing facilities, hospitals			
<b>Restaurant</b> / <i>Restaurante</i>	Low Risk/Bajo Riesg	go 🛛 Moderate Risk	/Medio Riesgo	🛛 High Ris	sk/Alto Riesgo			
<b>Retail Facility</b> / <i>Tienda</i>								
□ Bar	Low Risk/Bajo Riesg	go 🛛 Moderate Risk	/Medio Riesgo	□ High Ris	sk/Alto Reisgo			
□ School	□ Dispensing Only	□ w/ Food Prepa	ration	□ w/o Foo	d Preparation			
<b>*Mobile Facility</b> <i>Negocio Móvil</i>	Prepackaged Empaquetado	Limited Prepa preparación limitada	ration	<b>Full Pre</b>	paration completa			
*Include forms: operational procedures, *Incluir formularios: procedimientos operativos, comisaria,	commissary, restroom ver	ification, route sheet, mer	u, DMV reg., fo					
Commissary Comisaria □ 2,001 5,000 sq.ft. □2,001-0,000 sq.ft. □>10.000 sq.ft. □5,001-10,000 sq.ft. □>10.000 sq.ft. □5,001-10,000 sq.ft.	D Dalzami	Walkup Negocio sin Asiento	<b>Other</b>	:				
	POTABLE WATER &	: SEWER/ <u>Agua Potable y</u>	Alcantaria					
<b>Potable Water Source:</b> (check one) Fuenta de Agua Potable: (elige uno)	<b>Water District:</b>			*Private     Pozo Privade	Well			
*Private Wells require initial and ongoi. *Los pozos privados requieren pruebas iniciales y continuas	ng testing, and water boar	<b>d approval before use wi</b> Ible del estado de California de Califo	th a food facility ornia antes de uso con u	V.				
Sewer System: (check one) Tipo de Sistema Alcantarillado: (elige uno)	<b>Sewer District:</b> <i>Distrito de Alcantarillado:</i>			Onsite S	eptic System			
	<b>OWNER INFORMA</b>	<b>FION</b> /Información del Pro	pietario:					
Owner Name:		DBA (Corp, LLC):						
Nombre del Propietario: Home Address:		Tipo de Negocio (Corporación, LL City:	<u>()</u> :	State:	Zip:			
Dirección de Casa: Home Phone:		Ciudad: Business Phone:		Estado:	Código Postal:			
Teléfono de Casa: Billing Contact:		<i>Teléfono de Negocio:</i> Email:						
Contacto de Factura:		Correo Electrónico:						
Billing/Mailing Address: Dirección Postal/Factura:		City: <i>Ciudad:</i>		State: Estado:	Zip: Código Postal:			
	FACILITY INFORM	IATION/Información del	Negocio					
Business Name: Nombre del Negocio:		Website: Sitio Web:						
Business Address: Dirección del Negocio:		City: Ciudad:		State:	Zip:			
Business Phone: Alt Phone:					Codigo Postal:			
Teléfono del Negocio:	SIGNATURE AN	Teléfono Alt: ND TERMS/firma y térm	inos					
The undersigned hereby certifies all of the infor				unty Environmer	ntal Health Services			
(TCEHS) and obtain approval for any changes	**	-	•	-				
equipment, billing address, ownership, and/or closure. Failure to notify and obtain approval from TCEHS may invalidate the health permit and place the business								
owner in violation of the California Retail Food Code (CRFC). Verified complaints and violations of the CRFC may result in administrative enforcement fees, and/								
or legal action being charged to the owner. Signature must be an owner, partner or corporate office (corporation and LLCs). A manually signed copy of this								
application delivered by facsimile, email, or other electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this application. Permit to operate is granted after application approval, payment, and any other required approvals. <i>El abajo firmante certifica: la información en</i>								
esta aplicación es verdadera y precisa, (para notificar a este departamento de cualquier cambio comercial como: nombre, ubicación, menú, equipo, venta de								
negocios), y para seguir el código de alimentos al por menor de California. Las quejas verificadas y las violaciones de este código pueden dar lugar a acciones								
legales y/o tasas de cumplimiento. La transmisió					al firmada de esta			
solicitud. El permiso para operar se otorga después de la aprobación de la solicitud, el pago y cualquier otra aprobación requerida. Owner Name: Owner Signature:								
Owner Name:     Owner Signature:       Nombre del Propietario:     Firma del Propietario:								
For Office Use Only								
Payment - Cash/Check#:	Amount:	Receipt:	Date:	Received By:				
Permit Expiration Date:	PE:	Comments:						
EHS Name:	EHS Signature:	·	Date:	□ Vet Exem	pt Approved-No Fee			