

Sidewalk Vending Ordinance FAQs

What is the Sidewalk Vending Ordinance (SVO)?

The Sidewalk Vending Ordinance or SVO, adopted by the Board of Supervisors, will establish a Sidewalk Vending Program in the Unincorporated Areas (UIA) of LA County led by the LA County Department of Economic Opportunity (DEO). The Ordinance will codify State laws that decriminalize sidewalk vending – State Bill (SB) 946 and SB 972 - and accomplish the following:

- 1) Define a "Sidewalk Vendor",
- 2) Require a Sidewalk Vending Registration Certificate (SVRC) to any vendor in the UIA of LA County,
- 3) Set operational parameters for when and where someone can compliantly vend appropriately permitted food or merchandise, and
- 4) Give DEO authority to issue progressive fees and penalties for non-registration and non-compliance.

The Sidewalk Vending Ordinance and the new Sidewalk Vending Program will authorize DEO to conduct education and outreach for vendors, brick and mortar businesses, and communities on the new rules and regulations as well as inspect sidewalk vending activities for compliance and enforcement.

Why Does LA County Need a Registration Process for Sidewalk Vending?

While SB 946 did not create a State mandate requiring local governments to regulate sidewalk vending, it did allow local jurisdictions to regulate sidewalk vending for public health, safety, and wellness. The Board of Supervisors has the authority to direct County departments to prepare ordinances to regulate activities in the UIA of the County for the purposes of public health and safety. In September 2020, (9/15/20 - [Item 60](#), and 9/29/20 - [Item 57C](#)) the Board of Supervisors directed the LA County Department of Consumer and Business Affairs (DCBA), which formerly oversaw the Office of Small Business prior to the creation of DEO, to develop a Sidewalk Vending Ordinance to register vendors, in addition to the creation of a Street Ambassador program. This directive was transferred to DEO upon its creation in July of 2022.

A Sidewalk Vending Program created by this Sidewalk Vending Ordinance proposes and supports a clear pathway for vendors in a previously informal and criminalized economy to register with the LA County officially for the very first time. This allows the County to better support sidewalk vendors as entrepreneurs, microbusinesses, and small businesses of the County through technical assistance and resources, and coordinate with relevant County departments on inspection and enforcement for persistent, non-compliant vending activities that impact community health, safety, and well-being.



Who are Sidewalk Vendors?

Sidewalk vendors are part of LA County's "open-air economy". They are individuals who sell food or merchandise from a pedestrian path or sidewalk as either a Stationary Vendor or Roaming Vendor.

What is the Difference Between Stationary and Roaming Sidewalk Vendors?

A "Roaming Sidewalk Vendor" is a sidewalk vendor who moves from place to place on a sidewalk or pedestrian path and stops only to complete a customer transaction for no longer than a 15-minute period.

A "Stationary Sidewalk Vendor" is a sidewalk vendor who vends from a fixed location.

What Permits or Licenses will be Required for Sidewalk Vending?

The Sidewalk Vending Ordinance will regulate sidewalk vendors operating in the UIA of LA County. As part of the program, sidewalk vendors will need to apply for a Sidewalk Vending Registration Certificate or SVRC.

DEO will collect following information at minimum from vendors looking to secure a SVRC:

- General business information about the owner, products for sale, planned hours and locations of operation, and ownership information.
- Proof of a valid seller's permit issued by the CA Department of Tax & Fee Administration.
- If vending food, proof of all necessary Department of Public Health permits and certifications.
- Any other licenses or permits required by law for the food or merchandise being sold.
- A government issued identification.

No vendor can receive a registration certificate from DEO without successfully securing their seller's permit or other license, permit, or inspection required. DEO will offer support to interested vendors in securing those documents to they can come into compliance with the Ordinance.

How much is the Registration Fee for Sidewalk Vendors?

In the first year of the Sidewalk Vending Program, the registration fee amount will be \$0, and \$100 in Years two through four. The registration fee amount is being offset using American Rescue Plan Act funds.

DEO is committed to the affordability of the Sidewalk Vending Program and registration certificate to ensure as many vendors interested in complying face as few barriers as possible. This includes identifying sustaining funds for to offset the registration fee in total or part in Year 5 and beyond as well as working with Public Health on a subsidy for their Compact Mobile Food Operators (CMFO) permit.

What is the Application Process for a Sidewalk Vending Registration Certificate (SVRC)?

Vendors applying for a registration certificate will engage in the following process:

- Application submission: DEO will create procedures for applications.
- Review: DEO will review applications for completeness and verification of required documents.
- Validation: DEO will validate if the application is complete and verify relevant permits and licenses required for vending.
- Approval/Denials: DEO will notify an applicant in writing of whether they are approved or denied for an SVRC. There will be an appeals process for reconsideration as well as technical assistance by DEO to support future approval, where possible.
- SVRC Issued: Upon approval, the new registrant will be required to display their SVRC during hours of operation, whether on a vending cart or on one's person.

Full details for the application and review process will be established prior to the effective date, which will be 180 days (6 months) after the Sidewalk Vending Ordinance is adopted by the Board. This is anticipated for August of 2024.

Who Oversees Sidewalk Vending in LA County, including the New Sidewalk Vending Program?

DEO is the economic and workforce development department of the County and supports workers and businesses as part of its mission and mandate. DEO serves sidewalk vendors as business customers in UIA and countywide through its Office of Small Business. This includes outreach and connection to education, technical assistance, and access to capital with partner organizations to ensure small businesses start, grow, and thrive.

DEO will oversee implementation of the Sidewalk Vending Program as created in the Sidewalk Vending Ordinance in the UIA. This includes targeted outreach to vendors and community stakeholders, registration of vendors, education, and technical assistance on compliant operations with the County Municipal Code and other laws and access to other small business resources, and direct and coordinated enforcement, where appropriate. While DEO will only oversee implementation for the Sidewalk Vending Program in the UIA, DEO will support countywide vendors in maintaining compliant operations with their relevant municipal or County agency partners like Public Health through the Office of Small Business Concierge and government navigation assistance.

As stated, DEO works with various County departments for full implementation of the Sidewalk Vending Program in UIA as well as in the Office of Small Business' support for vendors countywide. DEO will support sidewalk vendors in obtaining other necessary permits and/or licenses needed in advance of their registration with DEO as a vendor and provide guidance relative to the required registration, permits, and licenses. The following are examples of other relevant County department authority:



- **LA County Department of Public Health (DPH):** Regulates food operations, including unpermitted food vending. DPH oversees food safety and issue health permits for food carts. [DPH Complaint Form](#)
- **LA County Department of Public Works (DPW):** Maintains the County’s infrastructure including roads and sidewalk. DPW addresses complaints related to ADA noncompliance, illegal dumping, waste disposal, abandoned property, and interference with vehicle traffic. [DPW Complaint Form](#)
- **LA County Department of Regional Planning (DRP):** Enforces the Zoning code (Title 22) on private property within unincorporated LA County. DRP addresses unpermitted vending activity on private property. [DRP - Reporting Violations](#)
- **LA County Treasurer and Tax Collector (TTC):** Is responsible for the issuance of business licenses for specific business activities in the unincorporated areas of LA County, including food establishments and food trucks. [TTC Contact Information](#)
- **LA County Department Parks and Recreation** Is responsible for the issuance of special event permitting and concession agreements at all County parks and recreational facilities. [Parks & Recreation Information](#)
- **LA County Sheriff Department:** Enforces the State Penal Code, including the sale of stolen goods. [LASD Phone Directory](#)

DEO will be the lead department for sidewalk vendor engagement, education, and coordination among these County departments with the County’s Care First approach. DEO and partners will conduct outreach and education with the mission of compliance before enforcement.

What are the Planned Hours of Operation for a Sidewalk Vendor?

In residential areas, only roaming sidewalk vendors will be allowed to operate between 9:00 am. and 9:00 pm.

In nonresidential areas, a roaming or stationary vendor may operate between the hours of 6:00 am. and 12:00 am., or the hours of operation imposed on other businesses on the same street or block, whichever is least restrictive.

Any vendor operating within the allowed hours of the SVO still must respect the communities in which they operate and avoid loud, and unreasonable noises as specified in the California Penal code.

Where will Sidewalk Vendors be Allowed to Operate?

A registered sidewalk vendor must comply with all operating requirements, including the distancing and hours of operation requirements for the UIA as defined in the Sidewalk Vending Ordinance.

Distancing requirements require a minimum 5 ft clearance on the sidewalk or pedestrian paths. Below is chart of the minimum distancing requirements for a sidewalk vending operation on a pedestrian path or sidewalk:



5 ft.	10 ft.	20 ft.	100 ft.	500 ft
<ul style="list-style-type: none"> • Red Curb • Yellow curb • Blue curb • Street Light pole • From another vendor 	<ul style="list-style-type: none"> • Street corners (intersections, marked or unmarked crosswalks) • Driveways, alleyways, or approaches • ADA ramps on residential or commercial properties • Utility meters • Manholes • Fire hydrants or fire call boxes • Telecommunications poles or power poles • Call, utility, or telecommunication boxes 	<ul style="list-style-type: none"> • Building entrance or exits (including emergency exits) • Bus stops, shelters, and benches • Public trash receptacles • Public restrooms • Public bike racks • ATM • Park or beach benches 	<ul style="list-style-type: none"> • Emergency personnel in service • Emergency facilities/driveways (Fire, police, hospitals) • Regional Transit Center (i.e., Metro stop areas) • Educational Institutions or childcare facilities (schools, pre-k, etc.) • Freeway on & off ramps 	<ul style="list-style-type: none"> • Special events (permitted) • Farmers' Markets or Swap meets. • Educational Institutions or childcare facilities during opening/closing or children are arriving/leaving site of campus.

Roaming Vendors will be allowed to operate in residential zoned areas and only between the hours of 9 a.m. to 9 p.m. Stationary Vendors will be prohibited from operating in residential zoned areas.

In nonresidential areas, Stationary or Roaming Vendors, may operate between the hours of 6 a.m. to 12 a.m. Where there are businesses operating beyond 12 a.m. on the same block a sidewalk vendor may operate until the latest hours imposed on that business.

What are the Requirements a Sidewalk Vending Food Cart?

Food must conform to all County Public Health requirements as set forth in the California Retail Food Code and the County Municipal Code.

For more information about food carts and Compact Mobile Food Operations (CMFO), please visit the Department of Public Health's website at: <http://www.publichealth.lacounty.gov/EH/faq/compact-mobile-food-operation.htm>.

Can Sidewalk Vendors Provide Customer Seating?

No. Sidewalk vendors are prohibited from offering a restaurant-like dining experience on public sidewalks and pedestrian paths. Specifically, chairs, stools, and tables are prohibited on sidewalks and pedestrian paths for customer seating or food consumption.

Vendors are allowed one chair or stool and umbrella for their own employees.

Will Sidewalk Vendors be Allowed to have Power and Lights?

Stationary sidewalk vendors operating after daylight hours must ensure adequate lighting for safety. Lighting must be directed downwards and away from adjacent properties.

Sidewalk vendors must not display, place, or direct any lighted sign or device in a manner which causes the beams and illumination therefrom to reflect upon a roadway or adjacent premises that would cause glare or reflection that may constitute a traffic hazard or nuisance, or which otherwise violates Chapter 22.114 of the County Code. Sidewalk Vendors must not connect to any public utilities, including any source for water or power.

What types of Merchandise or Food is Allowed for Sidewalk Vending?

The Ordinance would allow for the sale of items not otherwise prohibited by law, and with the required County registration, permit(s), and license(s).

- These prohibited items include counterfeit items; animals; insects; controlled substances; medicine; chemicals; lottery tickets; firearms; ammunition; alcohol; fireworks; cannabis or cannabis products; industrial hemp products; tobacco or tobacco-related products; adult materials; and any other items that are illegal or unsafe for vending.

For food vending, a sidewalk vendor must adhere to County Public Health requirements pursuant to Title 11 of the County Code and applicable requirements of the California Health and Safety Code, Division 104, Part 7. Proof of all required approvals from the County Department of Public Health pursuant to Title 8 of the County Code and California Health and Safety Code section 114381 for food vending is required.

How will the County Enforce the Sidewalk Vending Ordinance, including if Illegal Items Are Being Sold?

DEO's Office of Small Business will manage the Sidewalk Vending Program, including administration of the registration certificate as well as support and compliance. DEO has a dedicated Sidewalk Vending Program team already on board.

Upon effective date, DEO will have a public hotline and email to log complaints of noncompliant sidewalk vending activity. This information will be hosted on the DEO website and shared widely with the community during the marketing and education campaign on the Ordinance this spring and summer. DEO will both identify during proactive outreach with partner organizations and investigate for registered instances of non-compliance of the SVO, either directly with DEO or through partner agencies interacting with sidewalk vendors. DEO will develop an action plan to offer education and support for coming into compliance and execute on that action plan with County departments with relevant authority. Where an issue cannot be resolved reasonably through the action plan, County departments with the relevant authority will enforce.



DEO has authority to issue progressive fines and suspend or revoke a Sidewalk Vending Registration Certificate with notice and appropriate appeals processes. Other departments have other authorities related to ADA compliance and public right of way, private property, health safety, or the sale of unsafe or illegal items that may further enforce compliance, where appropriate.

For example, the sale of animals is prohibited and may be criminal pursuant to State and/or federal laws. In the event animals are found to be associated with sidewalk vending activity, County Animal Control will exercise its authority to seize the live animals.

Further, the SVO prohibits the sale of illegal items and stolen items, in addition to prohibiting extortion, intimidation, and human trafficking.

How will the SVO Address “Pop-Up” Vendors on Sidewalks?

All vending activity on sidewalks and pedestrian paths must comply with the SVO, County Municipal Code, and State laws. If vending food, all necessary County Public Health permits must be secured prior to applying for a SVRC.

What happens if a Sidewalk Vendor is Non-Compliant?

Enforcement of the SVO by DEO may include issuance of penalties for non-compliance.

What are the Penalties for Noncompliance?

Sidewalk vending is legal in LA County and in California and is fully decriminalized as a business activity. In instances of non-compliance, the SVO will authorize DEO to issue an administrative fine for instances of noncompliance with a progressive fee structure. When assessing fines and penalties DEO will consider the person's ability to pay pursuant to California Government Code section 51039(f).

Sidewalk Vendors <u>with an SVRC</u>	Sidewalk Vendors <u>without an SVRC</u>
<ul style="list-style-type: none"> • 1st Violation - \$100.00 • 2nd Violation- \$200.00 (within 1 year of the first violation) • 3rd Violation - \$500.00 (each subsequent violation within 1 year of the first violation) <p>Upon a 4th or subsequent violation, the County may rescind the registration issued to the sidewalk vendor for the remaining term of that registration.</p>	<ul style="list-style-type: none"> • 1st Violation - \$250 • 2nd Violation - \$500 (within 1 year from the date of the 1st violation) • 3rd Violation -\$1000 (each subsequent violation within 1 year of the first violation) <p>Upon proof of a valid SVRC the fine may be reduced to the costs of the fees associated with sidewalk vendors with an SVRC.</p>



DEO will provide the person with notice of their right to appeal, in addition to rights to request an ability-to-pay determination. If the person requests such a determination, and they meet the criteria set forth in California Government Code sections 68632(a) or (b), the DEO will accept 20 percent of the fine imposed. DEO may allow the person to complete community service in lieu of paying the total fine imposed. Other requests to waive or reduce fines will be considered by the DEO on a case-by-case basis.

When will the Sidewalk Vending Ordinance Become Law?

The ordinance becomes effective 180-days after Board approval. This is anticipated for August 2024.

Where Can I File a Concern or Complaint Today Regarding Sidewalk Vending?

For immediate or urgent assistance, new or operating sidewalk vendors or community members can contact DEO at (844)-432-4900 or email osb@opportunity.lacounty.gov.

To report a problem with illegal food dumping, sewage blockage and overnight items on the sidewalk, contact Public Works and visit <https://pw.lacounty.gov/contact/>.

For any complaints regarding unpermitted food preparation and vending or unpermitted commissaries contact Department of Public Health: Mobile Food Program - ehvip@ph.lacounty.gov, call (626) 430-5500; or the DPH Customer Call Center (888) 700-9995.

How Can I Apply for Assistance for A Food Cart?

DEO will be supporting up to 200 no-cost carts for first time DEO registered and Public Health permitted food vendors in the coming year through use of American Rescue Plan funds.

Interested parties should monitor DEO's website at opportunity.lacounty.gov and social channels @econoppla (Facebook, Twitter, Instagram & LinkedIn) as well as sign up for updates via newsletter by visiting here: bit.ly/SubscribeDEO.

Where Can I Learn More about the Sidewalk Vending Program and Keep Up to Date on the Adoption?

Real-time updates on community meetings and the survey can be found www.opportunity.lacounty.gov or by following @econoppla on all social channels.