



City of
SANTA CLARITA

**SIDEWALK VENDOR PERMIT
REGULATION ACKNOWLEDGEMENT**

Applicant (“PERMITEE”) Name: _____ Date: _____

Applicant Address: _____

Phone Number: _____ Email: _____

It is agreed as follows:

On _____ (date), I _____ (PERMITEE), have received and reviewed a copy of the Santa Clarita Municipal Code (SCMC), 11.37 regarding the City’s Sidewalk Vending Regulations. It is expressly understood and agreed that I will comply with the provisions of the SCMC 11.37, and this agreement will survive termination of this Permit.

Applicant (“PERMITEE”) Signature: _____

Chapter 11.37
PEDDLERS, SIDEWALK VENDORS, AND SOLICITORS

Sections:

- [11.37.010](#) Definitions.
- [11.37.020](#) Identification, License, and Permit(s) Required.
- [11.37.030](#) Exemptions.
- [11.37.040](#) Claims of Exemption.
- [11.37.050](#) General Soliciting Regulations.
- [11.37.060](#) General Sidewalk Vending Regulations.
- [11.37.070](#) General Peddling Regulations.
- [11.37.080](#) Peddlers of Prepared Food Products from Motor Vehicles Permitted.
- [11.37.090](#) Violation—Penalty.

* Prior ordinance history: Ords. 94-11 and 96-34.

11.37.010 Definitions.

For purposes of this chapter, the following definitions apply:

“Cart” means any pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, and includes a stationary cart or a mobile cart as defined in this section.

“Charitable purpose” means any tax exempt purpose or function as specified in Article I of Chapter 4 of the California Revenue and Taxation Code (Section [23701](#) and following).

“City Manager” means the City Manager or designee.

“Commercial peddling” means any peddling that is not for a charitable purpose or does not involve expressive merchandise.

“Enforcement Officer” means any sworn peace officer, City Code Enforcement Officer, or City employee or agent with the authority to enforce any provision of this code.

“Expressive merchandise” means merchandise bearing an express or obvious ideological, philosophical, political, or religious message that is inextricably intertwined with other forms of protected expression as recognized under the California Constitution or the United States Constitution.

“Fixed place of business” means the premises in the City occupied for a period of not less than sixty (60) days for the particular purpose of conducting business, and regularly kept open for at least twenty (20) hours every week.

“Food” means any type of edible substance or beverage.

“Goods” or “merchandise” means any item that is not food.

“Health permit” means a public health permit issued from the County of Los Angeles Department of Public Health for prepared food products defined in this section.

“License” means a peddler’s or solicitor’s license issued from the County of Los Angeles Treasurer and Tax Collector.

“Mobile cart” means a pushcart, pedal-driven cart, wagon, or other nonmotorized conveyance used by a roaming sidewalk vendor as defined in this section.

“Parkway(s)” means that portion of a public street which is not improved for actual street, curb, gutter, or sidewalk use, and which is available for planting, landscaping, and maintaining street trees.

“Peddle(s)” or “peddling” means to sell and make immediate delivery, or offer for sale and immediate delivery, any edible product, goods, merchandise, ware or thing, in possession of the seller, at any place within the City other than from a fixed place of business.

“Peddler(s)” means any person who peddles as defined in this section.

“Person” or “persons” means one (1) or more natural persons, individuals, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnership, entities, associations, clubs, or organizations composed of two (2) 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.

“Prepared food products” means any liquids or edibles for human consumption that are prepackaged or in sealed containers, or are prepared for consumption at the location of the sale. For the purposes of Section [11.37.080](#), the term “prepared food products” includes the incidental sale of fruits and vegetables that are not prepackaged or in sealed containers; provided, that such fruits and vegetables consist of no more than ten percent (10%) of the peddler’s total prepared food products offered for sale.

“Public right-of-way” means the area dedicated to public use for street or pedestrian purposes, including privately owned and maintained roads within the City that are generally held open to the public for purposes of vehicular and pedestrian traffic and includes alleys, driveways, highways, medians, parkways, planter strips, roads, sidewalks, and streets.

“Roaming sidewalk vendor(s)” has the same meaning as set forth in Government Code Section [51036\(b\)](#), and includes a sidewalk vendor who moves from place to place and stops only to complete a transaction.

“Sidewalk” means any surface in the public right-of-way provided for the use of pedestrians.

“Sidewalk vendor(s)” or “sidewalk vend(s)” means a person who sells food or merchandise from a pushcart, stand, equipment, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path. “Sidewalk vendor” includes “roaming sidewalk vendor” and “stationary sidewalk vendor.”

“Sidewalk vendor permit” means a permit related to the use of a cart that is issued by the City in accordance with this chapter.

“Solicit” or “soliciting” means to:

1. Sell or take orders or offer to sell or take orders, for any edible product, goods, merchandise, ware or thing, for future delivery, or for services to be performed; or
2. Distribute advertising material or samples; or
3. Request contributions, either directly or indirectly, at any place within the City other than a fixed place of business.

“Solicitor(s)” means a person who solicits as defined in this section.

“Stationary cart” means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, that is intended to be operated from a fixed location by a stationary sidewalk vendor instead of being moved from place to place, where stops are limited to completing a transaction.

“Stationary sidewalk vendor” has the same meaning as set forth in Government Code Section [51036\(c\)](#), and includes a sidewalk vendor who vends from a fixed location.

“Vend(s)” or “vendor” or “vending” means any person who peddles or sidewalk vends as defined in this section.

To the extent any of the definitions in this section conflict with the definitions contained in Title [7](#) of the Los Angeles County Code, which the City has adopted by reference in Chapter [5.02](#) of this code, the definitions in this section will control. (Ord. 08-8 § 2, 7/8/08; Ord. 18-10 § 2 (Exh. A), 12/11/18)

11.37.020 Identification, License, and Permit(s) Required.

A. Peddler's and Solicitor's License. No person may peddle, sidewalk vend, or solicit unless such person has a valid peddler's or solicitor's license, as applicable, issued by the County of Los Angeles Treasurer and Tax Collector on behalf of the City under Title 5 of this code and Title 7 of the Los Angeles County Code prior to operation.

B. Sidewalk Vendor Permit. In addition to the required peddler's license, any person that sidewalk vends shall also obtain a valid sidewalk vendor permit issued by the City prior to operation. To obtain or to renew a sidewalk vendor permit, a sidewalk vendor must provide the following as part of their application:

1. Valid identification, such as a state of California identification;
2. The name, address, and telephone number of the sidewalk vendor;
3. Proposed hours of operation;
4. Proposed location of operation;
5. Whether the sidewalk vendor intends to operate a stationary cart or a mobile cart;
6. The type of merchandise offered for sale or exchange;
7. Proof of a valid peddler's license issued from the County of Los Angeles Treasurer and Tax Collector;
8. Proof of a valid public health permit issued from the County of Los Angeles Department of Public Health for prepared food products for peddling or sidewalk vending, if applicable;
9. Proof of liability insurance;
10. Payment of an application or renewal fee;
11. A valid California Department of Tax and Fee Administration seller's permit and additional licenses from state or local agencies to the extent required by law;
12. A declaration that the information provided is true, correct, and indemnifies the City from liability; and
13. Any other information, including operations-related information, as may be required by City rules and regulations in this chapter.

- C. Health Permit for Peddlers and Sidewalk Vendors of Prepared Food Products. In addition to the required peddler's license or sidewalk vendor permit, any person that peddles or sidewalk vends prepared food products shall also obtain the applicable public health permit issued by the County of Los Angeles Department of Public Health on behalf of the City prior to operation.
- D. Possession of Peddler's or Solicitor's License. Every peddler, sidewalk vendor, or solicitor must maintain an original copy of their valid peddler's or solicitor's license on their person at all times while peddling, sidewalk vending, or soliciting, and, upon request, must show such license to any Enforcement Officer, or any person to whom they are peddling, sidewalk vending, or soliciting in the City.
- E. Possession of Sidewalk Vendor Permit. Every sidewalk vendor must maintain an original copy of their valid sidewalk vendor permit on their person at all times while sidewalk vending, and, upon request, must show such permit to any Enforcement Officer, or any person to whom they are sidewalk vending in the City.
- F. Possession of Health Permit. Every peddler and sidewalk vendor of prepared of food products must maintain an original copy of their valid public health permit on their person at all times while peddling or sidewalk vending, and, upon request, must show such permit to any Enforcement Officer, or any person to whom they are peddling or sidewalk vending.
- G. Possession of Identification. Every peddler, sidewalk vendor, or solicitor must, upon request, show their valid California identification to any Enforcement Officer, or any person to whom they are peddling, sidewalk vending, or soliciting.
- H. License and Permit Expiration. Peddler's and solicitor's licenses, and public health and sidewalk vendor permits, will expire one (1) year after the date of issuance.
- I. Transfer of License or Permit. Peddler's and solicitor's licenses, and public health and sidewalk vendor permits, are not transferable.
- J. Renewal of License or Permit after Revocation. A person whose peddler's or solicitor's license, or public health or sidewalk vendor permit, is revoked may not renew their license or permit for one (1) year from the date it is revoked. (Ord. 08-8 § 2, 7/8/08; Ord. 18-10 § 2 (Exh. A), 12/11/18)

11.37.030 Exemptions.

The provisions of this chapter do not apply to:

- A. Soliciting conducted solely by means of facsimile machines, the Internet, newspapers, magazines, radio, television broadcasts, telephone, or through the United States mail.

- B. Charitable soliciting that is conducted among the members of the soliciting group by other members, whether at regular assemblies, service, or otherwise.
- C. Soliciting, on premises owned or controlled by the solicitor.
- D. Soliciting that is subject to disclosure under state or federal political disclosure laws.
- E. Soliciting by commercial sales agents or representatives selling goods wholesale to dealers for resale, or to manufacturers for manufacturing purposes, or to bidders for public works or supplies.
- F. Farmers selling farm products produced by them. (Ord. 08-8 § 2, 7/8/08; Ord. 18-10 § 2 (Exh. A), 12/11/18)

11.37.040 Claims of Exemption.

Any person claiming to be exempt from any of the provisions of this chapter, including the identification, licensing, and permitting requirements, must cite to the City Manager or designee the statute or other legal authority under which such exemption is claimed and present proof of qualification for such exemption. (Ord. 08-8 § 2, 7/8/08; Ord. 18-10 § 2 (Exh. A), 12/11/18)

11.37.050 General Soliciting Regulations.

Solicitors must comply with the following regulations when soliciting:

- A. Hours. Except as otherwise authorized under this code, soliciting may only take place between the hours of eight a.m. and sunset.
- B. Minors. Any solicitor under the age of eighteen (18) years must be accompanied by an adult who holds a valid solicitor's license in accordance with Section [11.37.020](#).
- C. Premises Posted for No Soliciting. No soliciting is permitted at any house, apartment, or other dwelling unit, or at any commercial premises where a sign is displayed in public view indicating "no solicitors or peddlers," or where there is a similar indication that no soliciting is desired by the owners or occupants of the premises, except with the prior consent or at the invitation of the owners or occupants.
- D. Aggressive Solicitation. No solicitor may persistently and importunately engage in soliciting with a person after that person has indicated that he or she is not interested in the solicitation.
- E. Refusal to Leave Premises. No solicitor may refuse to leave any residential or commercial premises when requested to leave by an owner, occupant, or responsible person for such premises.

F. Obstruction of Movement. No solicitor may intentionally and deliberately obstruct the free movement of any person on any public right-of-way or other public place, or any place open to the public generally. (Ord. 08-8 § 2, 7/8/08; Ord. 18-10 § 2 (Exh. A), 12/11/18)

11.37.060 General Sidewalk Vending Regulations.

Sidewalk vendors must comply with the following regulations when vending:

A. Except as otherwise authorized under this code, including the issuance of any applicable temporary use, special event, or conditional use or event permit, no person may engage in sidewalk vending on any public right-of-way in the City without first obtaining and having in possession a valid peddler's license, public health permit, and sidewalk vending permit.

B. Hours. Except as otherwise authorized under this code, sidewalk vending shall only take place between the hours of eight a.m. and sunset on sidewalks, and between the hours of sunrise and ten p.m. in City parks, or when posted closed or within specific hours, except as authorized by the City Manager or designee. For sidewalk vending in nonresidential areas, the City Manager or designee may limit the hours of operation in a manner consistent with other businesses or uses on the same street(s) in those nonresidential areas.

C. Minors. Any sidewalk vendor under the age of eighteen (18) years must be accompanied by an adult who possesses a valid sidewalk vendor permit in accordance with Section [11.37.020](#).

D. Aggressive Vending. No sidewalk vendor may persistently and importunately engage in vending with a person after that person has indicated that he or she is not interested in the things being vended.

E. Refusal to Leave Premises. The City may request the sidewalk vendor remove any cart if the cart is creating an imminent safety hazard or is placed within a prohibited area as set forth in this chapter. If the sidewalk vendor refuses to remove the cart, or if the cart has been abandoned, the City may remove the cart and dispose of the cart after providing at least a ninety (90) day notice of redemption to the address associated with the public health permit or peddler's license identified on the cart, if any, or if left unclaimed for ninety (90) days from the date of removal.

F. Obstruction of Movement. No sidewalk vendor may intentionally and deliberately obstruct the free movement of any person on any public right-of-way or other public place, or any place open to the public generally.

G. Operational Requirements. A cart used for sidewalk vending shall be placed and used at all times in compliance with the terms and conditions of their public health permit, peddler's license, and sidewalk vendor permit, and all other applicable laws and regulations, including, but not limited to, the following:

1. Prominently display their valid public health permit and peddler's license on the cart used for sidewalk vending.
2. Maintain a clean and trash-free ten (10) foot radius from a stationary cart during hours of operation, and must leave the area clean at all times.
3. Provide a trash receptacle for customers and ensure proper disposal of customer trash. The trash receptacle must be large enough to accommodate customer trash.
4. Shall not sidewalk vend to customers in moving vehicles.

H. Vending in Residential Zoned Areas. No stationary cart shall be used to vend within a residential zoned area. However, a sidewalk vendor may use a mobile cart within a residential zone, and shall move continuously except when necessary to complete a sale.

I. Vending next to School. No sidewalk vending is permitted within one thousand (1,000) feet from any school property boundary while children are going to or leaving such school during opening or closing hours, or during the noon or lunchtime recess period.

J. Prohibitions on Placement of Stationary and Mobile Carts. No sidewalk vendor shall place or leave any cart in a manner that obstructs vehicular or pedestrian traffic, or creates visibility, sight line, or accessibility issues, and includes the following:

1. Within fifty (50) feet of any other sidewalk vendor.
2. Within twenty-five (25) feet of a street corner, controlled intersection, traffic signal, or crosswalk.
3. Within fifteen (15) feet of any fire hydrant, fire-call box, or other emergency facility.
4. Within ten (10) feet of any bus stop.
5. Within ten (10) feet of a driveway or driveway apron.
6. Within eighteen (18) inches from the edge of the curb.
7. Where placement impedes the flow of vehicular traffic or parking, such as on public streets or public highways, or would cause vehicles to stop in traffic lanes.
8. Where placement impedes the accessible route and flow of pedestrians by reducing the clear width space on a public sidewalk to less than four (4) feet, or impedes access to or the use of abutting property, including, but not limited to,

residences and places of business, in accordance with the Americans with Disabilities Act (ADA). The clear width of the sidewalk shall be four (4) feet minimum, exclusive of the width of the curb.

9. No cart or accessory equipment of a sidewalk vendor may be chained or fastened to any pole, sign, tree, or other object in the public right-of-way or left unattended, unless as permitted by the City.

10. Notwithstanding any specific prohibitions in this section, no sidewalk vendor may install, use, or maintain a cart where placement endangers the safety of persons or property, such as on parkways or other landscape-maintained areas.

K. Sidewalk Vending Related to Parks, Special Events, or Locations That Are Subject to Special Permits. Sidewalk vendors shall operate in a manner consistent with the following:

1. No sidewalk vendors may vend within three hundred (300) feet of a permitted event for the duration or within operating hours of such an event. Permitted events include certified farmer's markets, swap meets, and any event that requires the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit, special event permit, film permit, or temporary use permits.

2. No stationary sidewalk vendors may vend in any park subject to a signed, exclusive concessionaire's agreement.

3. The City may, by resolution, adopt additional requirements consistent with Government Code Section [51038\(b\)\(2\)\(B\)](#) for City-owned or operated parks, effective after signs are posted giving notice of such additional requirements.

L. Violation—Penalty. Sidewalk vending in violation of this section will not be punishable as a criminal infraction or misdemeanor, but will be subject to an administrative citation as follows:

1. For vending without a valid peddler's license, public health permit, or sidewalk vendor permit:

a. An administrative fine of two hundred fifty dollars (\$250.00) for a first violation.

b. An administrative fine of five hundred dollars (\$500.00) for a second violation within one (1) year of the first violation.

c. An administrative fine of one thousand dollars (\$1,000) for a third violation and each subsequent violation within one (1) year of the first violation.

d. Upon proof of a valid peddler's license, public health permit, or sidewalk vendor permit issued by the County of Los Angeles or City before such fines are due, the City will reduce the amount of the fines to one hundred dollars

(\$100.00) for the first violation, two hundred dollars (\$200.00) for the second violation, and five hundred dollars (\$500.00) for each violation thereafter.

2. For all violations of this chapter other than vending without a valid peddler's license, public health permit, or sidewalk vendor permit as outlined in subsection (L)(1) of this section:

a. An administrative fine of one hundred dollars (\$100.00) for a first violation.

b. An administrative fine of two hundred dollars (\$200.00) for a second violation within one (1) year of the first violation.

c. An administrative fine of five hundred dollars (\$500.00) for a third violation within one (1) year of the first violation.

d. An administration fine of five hundred dollars (\$500.00) for a fourth and each subsequent violation, and revocation of a peddler's license, public health permit, or sidewalk vendor permit. Revocation proceedings will be conducted in accordance with the rules and regulations established by the City.

3. The City will provide the person subject to the administrative fine notice of his or her right to request an ability-to-pay determination, and will make available instructions or other materials for requesting an ability-to-pay determination.

4. Administrative fines assessed pursuant to this section may be reduced to twenty percent (20%) of the original fine amount, or may be fulfilled through performing community service in lieu of paying the administrative fine, upon submission of proof of inability to pay at an adjudication hearing if requested by the person, pursuant to Government Code Section [51038\(f\)](#). (Ord. 08-8 § 2, 7/8/08; Ord. 18-10 § 2 (Exh. A), 12/11/18)

11.37.070 General Peddling Regulations.

Peddlers must comply with the following regulations when peddling:

A. Hours. Except as otherwise authorized under this code, peddling may only take place between the hours of eight a.m. and sunset.

B. Premises Posted for No Peddling. No peddling is permitted at any house, apartment, or other dwelling unit, or at any commercial premises where a sign is displayed in public view indicating "no solicitors or peddlers," or where there is a similar indication that no peddling is desired by the owner or occupant of the premises, except with the prior consent or at the invitation of the owner or occupant.

C. Aggressive Peddling. No peddler may persistently and importunately engage in peddling with a person after that person has indicated that he or she is not interested in the things being peddled.

D. Refusal to Leave Premises. No peddler may refuse to leave any residential or commercial premises when requested to leave by an owner, occupant, or responsible person for such premises.

E. Obstruction of Movement. No peddler may intentionally and deliberately obstruct the free movement of any person on any public right-of-way or other public place, or any place open to the public generally. (Ord. 08-8 § 2, 7/8/08; Ord. 18-10 § 2 (Exh. A), 12/11/18)

11.37.080 Peddlers of Prepared Food Products from Motor Vehicles Permitted.

A. Peddling of prepared food products is permitted from motor vehicles used for the transportation or preparation of such prepared food products when conducted on public streets, but not including public sidewalks or parkways.

B. The parked location of a motor vehicle used for the peddling of prepared food products must be at least one hundred (100) feet from an intersection to minimize impacts on traffic flow and the potential obstruction of sight lines and observation. The opening of the motor vehicle from which sales are made must face the sidewalk or such other direction so that customers are not required to stand in the vehicular right-of-way.

C. A person peddling prepared food products from motor vehicles may not remain in any one (1) location for the purposes of peddling, or any other location less than one-half (1/2) mile from the same location, for more than thirty (30) minutes during any six (6) hour period.

D. During the period of such peddling, the peddler must maintain the location in a neat, sanitary, and hazard-free condition, and pick up and dispose of in a sanitary manner all debris, garbage, or litter that is left by any customer of the peddler.

E. No peddling of prepared food products from motor vehicles is permitted within one thousand (1,000) feet from any school property boundary while children are going to or leaving such school during opening or closing hours, or during the noon or lunchtime recess period. (Ord. 08-8 § 2, 7/8/08; Ord. 18-10 § 2 (Exh. A), 12/11/18)

11.37.090 Violation—Penalty.

A violation of sidewalk vending will be subject to the applicable penalties under Section [51039](#) of the Government Code and Section [11.37.060\(L\)](#) of the Santa Clarita Municipal Code. All other violations of this chapter shall be prosecuted civilly or criminally, pursuant to Title [23](#), as either an infraction, misdemeanor, civil nuisance, or administrative citation, and will be subject to the applicable penalties under Chapter [23.10](#), in addition to any other applicable penalties or remedies prescribed by law. (Ord. 08-8 § 3, 7/8/08; Ord. 18-10 § 2 (Exh. A), 12/11/18)