

CITY OF LAGUNA BEACH

SIDEWALK VENDOR PERMIT APPLICATION

SVP Number _____

I. PRINCIPAL VENDOR /APPLICANT INFORMATION:

DATE: _____

First Name _____ Last Name _____

ID Type _____ ID Number _____

Address _____

Email Address _____

II. BUSINESS APPLICANT INFORMATION (if applicable):

Business Name _____

Business Mailing Address _____

Business Mailing Address _____

III. ADDITIONAL EMPLOYEES: (use additional pages as needed)

First Name _____ Last Name _____

Employee Address _____

Identification Type and Number _____

First Name _____ Last Name _____

Employee Address _____

Identification Type and Number _____

First Name _____ Last Name _____

Employee Address _____

Identification Type and Number _____

IV. VENDING ACTIVITY:

Roaming sidewalk vendor: A vendor who moves from place to place and stops only to complete a transaction.

Stationary sidewalk vendor: A vendor who vends from a fixed location.

Proposed Number of Vending Receptacles _____ Vending Type Stationary &/or Roaming

Proposed days of operation: Monday Tuesday Wednesday Thursday Friday Saturday Sunday

Proposed hours of operation _____

Proposed Commodity: Food Merchandise Both

For merchandise: provide a description of the merchandise to be sold. For food: provide a description of the type of food to be sold, whether such foods are prepared on site, and whether the food requires a heating or cooling element. Note: Sidewalk vendors intending to sell food must also submit a health permit from the County of Orange.

IV. PROPOSED LOCATION FOR SIDEWALK VENDORS

Stationary sidewalk vendor permit applicants must identify the intended location for vending within the City. Use the space below to identify site for staff review or attach photographs of the proposed location to this application. Please review Exhibit A of this Application, which includes distance requirements and other restrictions for site locations. Roaming vendors are not required to identify specific site locations; however, are subject to distance requirements during operation. *Note: a limit of one (1) location may be submitted for review per application.*

V. VENDING CART DIMENSIONS

Application must include pictures of the proposed vending receptacle(s). The dimensions of sidewalk vending receptacles cannot exceed three (3) feet in length, three (3) feet in width and three (3) feet in height.

- I acknowledge that the dimensions of all carts intended to be used for the purposes of sidewalk vending within the City of Laguna Beach do not exceed the maximum size allowed. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

VI. PROOF OF SELLER'S PERMIT

Prospective sidewalk vendors must possess a valid California Department of Tax and Fee Administration seller's permit for the duration of the issued permit.

- I have attached proof of a valid California Department of Tax and Fee Administration Seller's Permit purposes of sidewalk vending within the City of Laguna Beach.

Applicant's Initial _____

VII. SIDEWALK VENDOR CONDUCT

- I understand that the conduct of the sidewalk vendor will not unduly interfere with traffic or pedestrian movement or tend to interfere with or endanger the public peace, or otherwise be detrimental to the public health, safety or general welfare. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

VIII. TRANSFER OF PERMIT PROHIBITED

- I understand that a Sidewalk Vendor Permit is non-transferable. Any change in ownership or operation of a sidewalk vendor or sidewalk vending receptacle requires a new permit. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

IX. STORAGE OF FOOD

I understand that all food and merchandise shall be stored either inside or affixed to the sidewalk vendor receptacle or carried by the sidewalk vendor. Food and merchandise shall not be stored, placed, or kept on any public property. If affixed to the sidewalk vendor receptacle, the overall space taken up by the sidewalk vendor receptacle shall not exceed the maximum size allowed for a sidewalk vending receptacle. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

X. DISPLAY OF SIDEWALK VENDOR PERMIT

I understand that the Sidewalk Vendor Permit shall be displayed conspicuously at all times on the sidewalk vending receptacle or the sidewalk vendor's person. If multiple sidewalk vendors are staffing a sidewalk vendor receptacle or working as roaming sidewalk vendors, each person shall wear his/her permit on his/her person in a conspicuous manner. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XI. INSPECTION OF SIDEWALK VENDING RECEPTACLE(S)

I understand that all sidewalk vendors shall allow a City police officer, firefighter, life safety services officer, or code enforcement officer, at any time, to inspect their sidewalk vending receptacle for compliance with the maximum size requirements and to ensure the safe operation of any heating elements used to prepare food. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XII. DISPOSAL OF TRASH

I understand that sidewalk vendors that sell food shall maintain a trash container in or on their sidewalk vending receptacle and shall not empty their trash into public trashcans. Additionally, the size of the trash container shall be taken into account when assessing the maximum size limit of a sidewalk vending receptacle. Sidewalk vendors shall not leave any location without first picking up, removing, and disposing of all trash or refuse from their operation. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XIII. COMPLIANCE WITH NOISE STANDARDS

I understand that sidewalk vendors shall comply with the noise standards provided in Chapter 7.25 of the Laguna Beach Municipal Code, and any successor chapters. I understand that failure to comply with this requirement may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XIV. HOURS OF OPERATION

I understand that all sidewalk vendors, regardless of whether a roaming sidewalk vendor or stationary sidewalk vendor, are prohibited from conducting sidewalk vending activities between the hours of 10:00 p.m. and 7:00 a.m. daily. In residential areas, all stationary sidewalk vending is prohibited. In residential areas, roaming sidewalk vending activity is prohibited between the hours of 6:00 p.m. or sunset, whichever is earlier, and 9:00 a.m. of the following day, Monday through Saturday, inclusive, and all day on Sundays and federal holidays. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XV. PROHIBITED ACTIVITIES

I understand that all sidewalk vendors shall not engage in: (1) renting merchandise to customers; (2) displaying merchandise or food that is not available for immediate sale; (3) selling adult-oriented material, cannabis, or alcohol; or (4) use an open flame on or within any sidewalk vending receptacle.

Applicant's Initial _____

XVI. PROHIBITED LOCATIONS

I understand that all sidewalk vendors are prohibited from sidewalk vending activities in the locations described in Laguna Beach Municipal Code Section 5.27.060 as well as outlined in Exhibit A of this Application.

Applicant's Initial _____

XVII. COMPLIANCE WITH LOCAL, STATE AND FEDERAL LAW

As a condition of receiving a Sidewalk Vending Permit, I agree to follow all local, state and federal laws while vending in the City of Laguna Beach. Additionally, any individual(s) operating under the authority of the issued Sidewalk Vending Permit in the capacity of my company will also abide by all local, state and federal laws while sidewalk vending in Laguna Beach. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

APPLICANT'S NAME

APPLICANT'S SIGNATURE

XVIII. USE OF PUBLIC PROPERTY AND WAIVER AND RELEASE OF CLAIMS

I acknowledge that the sidewalk vendor's use of public property is at my own risk, the City does not take any steps to ensure public property is safe or conducive to the sidewalk vending activities, and the sidewalk vendor uses public property at his or her own risk. I hereby waive and release the City of Laguna Beach (and its elected officials, officers, employees, agents, and representatives) as to any claims for damages or injuries relating to or arising from the conditions of public property.

APPLICANT'S NAME

APPLICANT'S SIGNATURE

XIX. INDEMNIFICATION OF CITY FOR THIRD PARTY CLAIMS

That licensee and permittee does hereby, understand that a standard condition of approval will be imposed requiring me to defend, hold harmless and indemnify, at my expense, the City, the City Council and other City bodies and members thereof, officials, officers, employees, agents and representatives from and against any and all third-party claims, actions or proceedings to attack, set aside, void or annul the approval, or any associated determination made pursuant to the California Environmental Quality Act, including the City's defense costs and expenses as well as costs, expenses or damages a court may require the City to pay as a result of such claim, action or proceeding.

APPLICANT'S NAME

APPLICANT'S SIGNATURE

XX. AFFIDAVIT:

I hereby certify that all of the above information contained in this Application is, to the best of my knowledge and belief, true and correctly represented and that I have read and understand Chapter 5.27 of the Laguna Beach Municipal Code pertaining to sidewalk vending. I understand that omission of material or false information may be grounds for denial of a sidewalk vending permit.

APPLICANT'S NAME

APPLICANT'S SIGNATURE

DATE

XXI. FILING INSTRUCTIONS:

Submit a complete Sidewalk Vendor Permit application and pay a fee of \$912.00. An incomplete Application or insufficient information could delay the processing of the Application.

Submit a copy of liability insurance in the amount of \$1,000,000, plus any insurance required by the City's Risk Manager in consultation with advice from the City's insurance carries.

Stationary sidewalk vendors should refer to Exhibit A for proximity requirements during site selection.

**CITY OF LAGUNA BEACH
SIDEWALK VENDOR PERMIT
APPLICATION
EXHIBIT A – STATIONARY SIDEWALK VENDING**

II. PROXIMITY REQUIREMENTS FOR STATIONARY SIDEWALK VENDING SITE LOCATION

- The proposed site maintains a minimum four (4) foot clear accessible path free from obstructions, including sidewalk vending receptacles and customer queuing area.
- The proposed site is not within twelve (12) inches of any curb face on all roads.
- The proposed site is not within fifteen (15) feet of any entrance or exit to a building, structure or facility.
- The proposed site is not on any designated emergency vehicle accessway. Such accessways include, but are not limited to, Treasure Island Park, Heisler Park, and the Main Beach cobblestone area.
- The proposed site is not on any public property that does not meet the definition of a sidewalk or pathway including without limitation any alley, park, beach, street, roadway or parking lot;
- The proposed site is not within the immediate vicinity of an area designated for a temporary special permit issued by the City, during the limited duration of the temporary special permit.
- The proposed site is not on any private property without the express written consent of the owner or lessee of the property.
- The proposed site is not within fifty (50) feet of another sidewalk vendor.
- The proposed site is not within one hundred (100) feet of a school, a place of worship, or a child day-care facility.
- The proposed site is not within two hundred (200) feet of a permitted certified farmers' market or swap meet during the limited operating hours of that certified farmers' market or swap meet.
- The sidewalks or pathways at the proposed site has a minimum width of eight (8) feet or larger.
- The proposed site is not within twenty-five (25) feet of a:
 - a. Fire hydrant;
 - b. Curb which has been designated as yellow or red zone, or a bus zone;
 - c. Automated teller machine;
 - d. Driveway, alley, or street corner;
 - e. Trash or recycling receptacles, bike racks, benches, bus stops or similar public use items; and
 - f. Public art objects, items, and displays.

- The proposed site does not violate provisions of this code relating to visibility requirements for streets, alleys, driveways, and intersections.
- The proposed site is not in a location where the City has signed a concessionary agreement.
- The sidewalk or pathway at the proposed site does not have a gradient in excess of ten percent (10%).
- The proposed site is not within two hundred (200) feet of any public safety facility, including without limitation police stations, fire stations, marine safety headquarters, and lifeguard towers.
- The proposed site is not within twenty-four (24) inches of a parallel parking space.
- The sidewalk at the proposed site is not adjacent to a state highway AND the presence of vending equipment, vendor and queuing patrons maintains clearance greater than four (4) feet.

OR

- The sidewalk at the proposed site is adjacent to a state highway AND the presence of vending equipment, vendor and queuing patrons maintains a clearance greater than five (5) feet, with temporary restrictions of no less than three (3) feet.