

What is a Sidewalk Vendor?

A sidewalk vendor is a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person upon a public sidewalk or other pedestrian path. "Sidewalk vendor" includes "roaming sidewalk vendor" and "stationary sidewalk vendor."

- **Permits Required:** All sidewalk vendors in the City of Santa Maria must have a City-issued Sidewalk Vendor Permit, Business License and a California-issued Seller's Permit. Additional permits are required to sell food or beverages. As of February 2021, there is no fee for the Sidewalk Vendor Permit.
- **Hours of Operation:** Sidewalk vending is permitted anytime in non-residential neighborhoods. Residential areas shall be limited to the hours of 9:00 a.m. through 4:00 p.m. Sidewalk vendors that operate before or after daylight must have adequate lighting to ensure the safety of the public and themselves.
- **Aggressive Vending:** No sidewalk vendor may persistently engage in vending with a person after that person has indicated that he or she is not interested in the things being vended.
- **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.

Sidewalk Vending Related Special Events, or Locations that Are Subject to Special Permits

- Sidewalk vendors may not vend within five hundred (500) feet of a permitted event for the duration or within operating hours of such an event. Permitted events include but are not limited to farmer's markets, parades, concerts, or other activities sponsored by the City like Downtown Fridays, Santa Maria Elks Rodeo or the Santa Maria Parade of Lights.



Vendors are required to contact these agencies to ensure they are in compliance.

Choose a business name:

County of Santa Barbara Clerk-Recorder Division

<https://www.countyofsb.org/care/recorder/fbn.sbc>



**County of Santa Barbara Public Health
Public Health Permit**

<https://www.countyofsb.org/phd/>

Telephone: (805) 346-7230



**State of California Department of
Tax and Fee Administration
Apply for Sellers Permit**

<https://www.ca.gov/service/?item=apply-for-sellers-permit>

Telephone: (800) 400-7115



City of Santa Maria Community Development Department

<https://www.cityofsantamaria.org/>

Telephone: (805) 925-0951 extension 2244

QUESTIONS? PLEASE CONTACT:

City of Santa Maria, Code Enforcement Division

(805) 925-0951 ext. 2420

www.cityofsantamaria.org



SAFE SIDEWALK VENDING GUIDE



Dear Sidewalk Vendor,
Welcome to the business community! The City has adopted an ordinance regulating Sidewalk Vending. This flyer is designed to help you through the process of obtaining your Sidewalk Vending Permit. This explains the steps to obtain the permit and some of the general regulations in place to help you operate safely and successfully.

www.cityofsantamaria.org

SAFE SIDEWALK VENDING REGULATIONS:

THE CITY OF SANTA MARIA ALLOWS SIDEWALK VENDING WITH A SIDEWALK VENDING PERMIT.

SIDEWALK VENDING PERMIT APPLICATION CHECKLIST:

For a sidewalk vendor permit for Prepared Food, an applicant will need to provide the following*:

- ☐ City Application
- ☐ California driver's license or identification card or an individual taxpayer identification number
- ☐ Passport size photo
- ☐ Copy of County of Santa Barbara Health Permit
- ☐ Copy of Food Safety Certificate/Food Handler's Card
- ☐ City of Santa Maria Business License
- ☐ The name and current mailing address of the applicant, if the applicant is with a company, the company name and address.
- ☐ Proof of Liability Insurance
- ☐ Proof of a State of California Seller's Permit
- ☐ Live Scan

For a sidewalk vendor permit for General Merchandise, an applicant will need to provide the following*:

- ☐ City Application
- ☐ California driver's license or identification card or an individual taxpayer identification number
- ☐ Passport size photo
- ☐ City of Santa Maria Business License
- ☐ The name and current mailing address of the applicant, if the applicant is with a company, the company name and address.
- ☐ Proof of Liability Insurance
- ☐ Proof of a State of California Seller's Permit
- ☐ Live Scan

**This is a summary of application requirements which may be subject to change.*

VIOLATIONS AND PENALTIES:

In accordance with the requirements of Government Code Section 51039 and the City of Santa Maria Municipal Code 4-20, penalties may result when:

Vending without a valid Sidewalk Vending Permit:

- An administrative fine of two hundred fifty dollars (\$250.00) for the first violation.
- An administrative fine of five hundred dollars (\$500.00) for a second violation within one (1) year of the first violation.
- 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.

All other violations of the general sidewalk vending regulations will be subject to an administrative citation as follows:

- An administrative fine of one hundred dollars (\$100.00) for the first violation.
- An administrative fine of two hundred dollars (\$200.00) for a second violation within one (1) year of the first violation.
- An administrative fine of five hundred dollars (\$500.00) for a third violation within one (1) year of the first violation.
- An administrative fine of five hundred dollars (\$500.00) for a fourth and each subsequent violation, and revocation of the sidewalk Vendor Permit. Revocation proceedings will be conducted in accordance with the rules and regulations established by the City.

OPERATIONAL REQUIREMENTS:

- Prominently display the valid Public Health Permit and Sidewalk Vending Permit on the cart.
- Maintain a clean and trash-free area.
- Provide a trash receptacle for customers and ensure proper disposal of customer trash. The trash receptacle must be large enough to accommodate customer trash. Trash may not be disposed of in public trash receptacles.
- Vending must take place on the sidewalk. No vending to customers located on City streets, crosswalks or to customers within vehicles.
- No amplified sound or loudspeakers are permitted and all activities must comply with the City's noise ordinance.

Vending in Residential Zoned Areas - Stationary carts shall be not be used to vend within a residential zoned area. A sidewalk vendor may use a mobile cart within a residential zone during the hours of 9:00 a.m. and 4:00 p.m. provided they maintain movement.

Vending Next to Schools or Freeway Entrance or Exit - Sidewalk vending is not permitted within five hundred (500) feet of any school property boundary during school hours or one hour before or after school hours. Sidewalk vending is also prohibited within 500 feet of a freeway entrance or exit.

Prohibitions on Placement of Stationary and Mobile Carts - Sidewalk vendors are prohibited from vending from within the street, including any street medians, crosswalks, parking areas or any of the following:

- 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.
- Where placement impedes the accessible route and flow of pedestrians by reducing the clear width space on a public sidewalk to less than three (3) 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 three (3) feet minimum, exclusive of the width of the curb.
- Cart or accessory equipment of a sidewalk vendor may not be chained or fastened to any pole, sign, tree, or other object in the public right-of-way or left unattended.



www.cityofsantamaria.org

