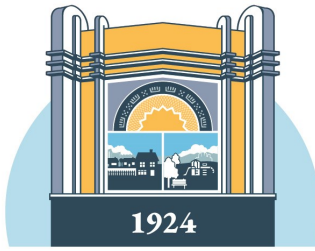


Sidewalk Vending Permit Application



MAYWOOD

SMALL CITY. WHERE OUR TRADITIONS MEET TOMORROW.

Sidewalk Vending Permit Application

Acknowledgment and Declaration

I acknowledge that I have read and understand the requirements of Maywood Municipal Code Title 4, Chapter 14, INCLUDING 4-14.06 Permit Rescission. To the fullest extent permitted by law, Applicant shall indemnify, hold harmless, release and defend the City of Maywood, its officers, elected officials, employees, agents and volunteers from and against any and all actions, claims, demands, damages, disability, losses, expenses including attorney's fees and other defense costs and liabilities of any nature that may be asserted by any person or entity including Applicant, in whole or in part, arising out of Applicant activities hereunder, including the activities of other persons employed or utilized by Applicant excepting liabilities due to the sole negligence or willful misconduct of City. For purposes of Indemnity and Additional Insured Endorsement requirements, work shall be deemed to be performed for the City if the work is performed for or by parties who have been issued a permit by the City.

I declare, under penalty of perjury, that I am authorized to complete this form, and to the best of my knowledge and belief, it is a true correct, and compete statement. I understand and agree that the granting of this Permit requires my compliances with all applicable laws and regulations of the City of Maywood, as well applicable County, State, and Federal laws.

Name: _____

Title: _____

Signature: _____

Date: _____



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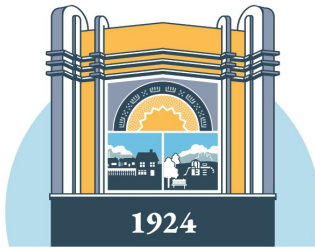
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ACKNOWLEDGMENT OF SIDEWALK VENDOR REGULATIONS

Initial each box acknowledging that you have read and understood each regulation.

Operating Requirements. Sidewalk vendors shall not setup or operate within these distances:

- _____ Within fifteen (15) feet of any street intersection;
- _____ Within ten (15) feet of any fire hydrant, fire call box, or other emergency facility;
- _____ Within ten (15) feet of any driveway or driveway apron;
- _____ Within twenty-five (25) feet of any limousine staging zone, bus stop, trolley stop, taxi stand, bus bench, bus shelter, or valet parking service;
- _____ Upon or within any roadway, median strip, or dividing section;
- _____ Within one hundred (100) feet of any Police Officer, fire fighter, or emergency medical personal who is actively performing his or her duties or providing services to the public;
- _____ Within twenty five (25) feet of any entrance or exit to a public building, parking lot or structure, or facility;
- _____ Within fifty (50) feet of any freeway entrance or freeway exit;
- _____ Within three hundred (300) feet of any of any public or private school;
- _____ Within twenty-five (25) feet of entrance or exit to a church or house of worship regardless of whether the church or house of worship is located adjacent to a private or public school;
- _____ Within fifty (50) feet of any public picnic area, playground area, playground equipment, public community center, athletic field, tennis court, soccer field, or baseball/softball field.
- _____ Within 200 feet of a permitted certified farmers' market, a swap meet, or an area designated for a temporary special permit, temporary special event or any City-approved temporarily permitted activities. This prohibition shall be limited to the operating hours of the farmers' market or swap meet, or the limited duration of the temporary special permit, temporary special event or City-approved temporary permitted activities.



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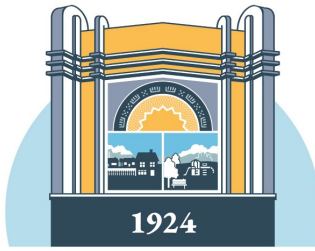
SMALL CITY. WHERE OUR TRADITIONS MEET TOMORROW.

ACKNOWLEDGMENT OF SIDEWALK VENDOR REGULATIONS

Initial each box acknowledging that you have read and understood each regulation.

Design and Dimension Requirements for all sidewalk vending carts or pushcarts:

- _____ All sidewalk vending carts or pushcarts must not exceed a maximum length of six (6) feet and maximum width of four (4) feet.
- _____ Roaming vendors must maintain an obstructed view over four (4) feet in height from the ground to the table top structure of the cart.
- _____ All sidewalk vendors must provide locking wheels on all vending carts to prevent uncontrolled movement.
- _____ No vendor shall erect, place or maintain any tent, canopy or other temporary shelter (excluding umbrellas) in the public right- of-way.
- _____ A sidewalk vendor may have one (1) umbrella. The use of an umbrella shall not exceed ten (10) feet in height as measured from ground level to its highest point. The umbrella cannot be attached or anchored to any public or private sidewalk, bench, fence or trees. Umbrella must be made of a sturdy and safe material and must be attached or anchored to vending cart.
- _____ No external power, piping, or plumbing is allowed. Vending cart must be entirely self-contained.
- _____ Any type of gas powered generator is not allowed.
- _____ Food, merchandise and any equipment must be securely fastened to the vending cart.
- _____ Vending cart or vending apparatus shall not be chained or fastened to any pole, sign, tree, or any other object in the public right of way.



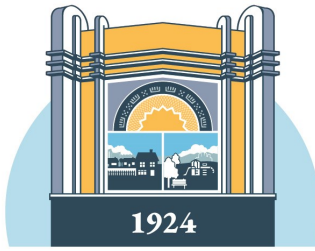
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ACKNOWLEDGMENT OF SIDEWALK VENDOR REGULATIONS

Initial each box acknowledging that you have read and understood each regulation.

- _____ No sidewalk vendor shall vend in a manner that blocks or obstructs the free movement of pedestrians or vehicles. Sidewalk vendors must at all times provide a clearance of not less than three (3) feet on all sidewalks or pedestrian areas so as to enable persons to freely pass while walking, running, or using mobility assistance devices;
- _____ No sidewalk vendor shall leave their vending cart, table, device or merchandise unattended at any time. Any cart, equipment or objects left unattended along any portion of the public right-of-way and any public space will be considered discarded and may be seized or disposed of by the City.
- _____ Roaming vendors shall not operate in any one (1) location for longer than fifteen (15) minutes, and shall be moved a minimum of three hundred (300) feet before vending again.
- _____ No vendor shall use any type of noise making devices, shout, or willfully make any loud noises.
- _____ Any boxes, excess merchandise, or accessory items shall be stored entirely beneath vending cart and shall not be stored, or piled alongside, behind, or in front of vending cart.
- _____ Use of any signage must be attached to vending cart.
- _____ Any person vending shall be limited to two (2) chairs that are not to be placed in front of vending cart.
- _____ Sidewalk vending is permitted daily between the following hours:
1. In residential areas, sidewalk vending shall be permitted between the hours of 10:00 a.m. and 8:00 p.m.
 2. In nonresidential areas, sidewalk vending shall be permitted between the hours of 9:00 a.m. and 9:00 p.m.
- _____ Stationary sidewalk vendors shall not vend in areas that are zoned exclusively residential.
- _____ Stationary sidewalk vendors shall not vend at any park where the City has signed an agreement for concessions that exclusively permits the sale of food or merchandise by a concessionaire.
- _____ **INSURANCE REQUIREMENTS:** The applicant shall provide and maintain general liability insurance with minimum limits of \$1,000,000 per occurrence for bodily injury, personal injury, and property damage. General liability shall be endorsed naming the City, its officers, agents, employees, and volunteers as additional insureds. The insurance provided to the City as an additional insured shall be primary to, and non-contributory with any insurance or self-insurance program maintained by the City. Applicant grants to the City waiver of any right to subrogation which any insurer of Applicant may acquire against the City. The City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other circumstances. The permit application may be denied if satisfactory proof of the required insurance is not timely received.



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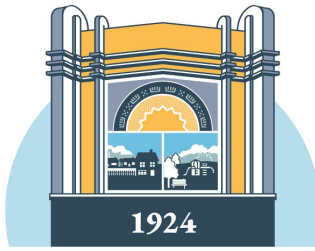
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SUBMITTAL REQUIREMENTS

The following information is required in order to submit a Sidewalk Vendor Permit application. Prior to submitting an application, it is recommended that scheduling an appointment with the Planning Division to discuss your application. Planning counter hours are from Monday through Friday 7:00 a.m. to 5:00 p.m. Maywood City Hall, 4319 Slauson Ave, Maywood, CA 90270.

Sidewalk Vendor Permit Application which shall include:

1. The legal name and current address and telephone number of the applicant.
2. If the applicant is an agent of an individual, company, partnership, corporation, or other entity, the name and business address of the principal.
3. A description of the food or merchandise offered for sale.
4. Whether the applicant intends to operate as a stationary sidewalk vendor or a roaming sidewalk vendor.
5. A copy of a valid business license issued pursuant to Chapter 1 of Title 3 of the Maywood Municipal Code.
6. A California seller's permit number pursuant to Section 6067 of the Revenue and Taxation Code.
7. Proof of liability insurance in the amounts required by this application.
8. Certification by the applicant that the information contained in the application is true to his or her knowledge and belief.
9. If a vendor of food or food products, certification to completion of a food handler course and proof of all required approvals from the Los Angeles County Department of Public Health.
10. Any other reasonable information regarding the time, place, and manner of the proposed vending.



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Title 4 — Chapter 14. Sidewalk Vending Ordinance

14.010 Definitions. The following words and phrases, whenever used in this chapter, shall mean as follows:

"Certified farmers' market" means a location operated in accordance with Chapter 10.5 of Division 17 of the Food and Agricultural Code and any regulations adopted pursuant to that chapter.

"Director" means the Director of Building and Planning of the City of Maywood.

"Person" shall mean one or more natural persons, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnership, entities, associations, clubs, or organizations composed of two 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.

"Roaming sidewalk vendor" means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

"Sidewalk vendor" means a person who vends from a vending cart or from one's person, upon a public sidewalk, parkway, pedestrian path, or other public right-of-way available to pedestrians.

"Stationary sidewalk vendor" means a sidewalk vendor who vends from a fixed location.

"Swap meet" means a location operated in accordance with Article 6 of Chapter 9 of Division 8 of the Business and Professions Code, and any regulations adopted pursuant to that article.

"Temporary special permit" means a permit issued by the City for the temporary use of, or encroachment on, the sidewalk or any other public area, including, but not limited to, an encroachment permit, special event permit, or temporary event permit, for purposes including, but not limited to, filming, parades, or outdoor concerns.

"Vend" or "vending" means to sell, offer for sale, display for sale, or solicit offers to purchase, food, food products, beverages, goods, or merchandise.

"Vending cart" means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance

14.020 Permit Required. No person, either for themselves or any other person, shall conduct or engage in sidewalk vending within the City without first obtaining a sidewalk vending permit pursuant to this chapter.



MAYWOOD

SMALL CITY. WHERE OUR TRADITIONS MEET TOMORROW.

Chapter 14. Sidewalk Vending Ordinance *Continued*

14.030 Permit Application. To apply for a sidewalk vending permit, a person must present a valid identification such as a State of California identification, Matricula Consular, or any other government issued card. Application is to be filed with the Director, accompanied by a nonrefundable processing fee in an amount established by resolution of the City Council. The application shall be in a form prescribed by the Director and shall contain, at a minimum, the following:

- A. The legal name and current address and telephone number of the applicant;
- B. If the applicant is an agent of an individual, company, partnership, corporation, or other entity, the name and business address of the principal;
- C. A description of the food or merchandise offered for sale;
- D. Whether the applicant intends to operate as a stationary sidewalk vendor or a roaming sidewalk vendor;
- E. A copy of a valid business license issued pursuant to Chapter 1 of Title 3 of the Maywood Municipal Code;
- F. A California seller's permit number pursuant to Section 6067 of the Revenue and Taxation Code;
- G. Proof of liability insurance in the amount required by the City's Risk Manager/City Manager and name the City as an additional insured.
- H. Certification by the applicant that the information contained in the application is true to his or her knowledge and belief;
- I. If a vendor of food or food products, certification to completion of a food handler course and proof of all required approvals from the Los Angeles County Department of Public Health; and
- J. Any other reasonable information regarding the time, place, and manner of the proposed vending.

14.040 Criteria for Approval or Denial of Permit. The Director, or his or her designee, shall approve the issuance of a permit unless he or she determines that:

- A. Information contained in the application, or supplemental information requested from the applicant, is false in any material detail;
- B. The applicant has failed to provide a complete application, after having been notified of the requirement to produce additional information or documents; or
- C. The applicant has failed to demonstrate an ability to conform to the operating standards set forth in section 14.090.

If the permit is denied, written notice of such denial and the reasons therefor shall be provided to the applicant.

14.050 Permit Expiration and Renewal. A sidewalk vending permit shall be valid for twelve (12) months from the date of issuance, and shall expire and become null and void on the anniversary of its issuance. A person may apply for a permit renewal on a form provided by the City prior to the expiration of his or her active sidewalk vending permit.



MAYWOOD

SMALL CITY. WHERE OUR TRADITIONS MEET TOMORROW.

Chapter 14. Sidewalk Vending Ordinance *Continued*

14.060 Permit Rescission. The Director may rescind a permit issued to a sidewalk vendor for a fourth violation or subsequent violation of this Chapter. A sidewalk vendor whose permit is rescinded may apply for a new sidewalk vending permit upon the expiration of the term of the rescinded permit.

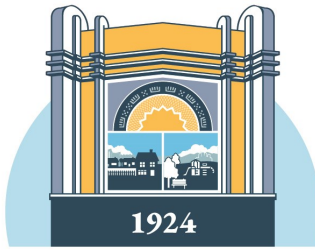
14.070 Appeals. Any person aggrieved by the decision of the Director to issue, deny issuance, or rescind a sidewalk vending permit may appeal the decision to the City Council. The appeal shall be filed with the City Clerk within fifteen (15) days following the date of the Director's decision.

14.080 Permits Nontransferable. No permit granted pursuant to this chapter shall be transferable.

14.090 - Operating requirements. Sidewalk vendors shall comply with the following:

A. No sidewalk vendor shall vend in the following locations:

1. Within fifteen (15) feet of any street intersection;
2. Within ten (10) feet of any fire hydrant, fire call box, or other emergency facility;
3. Within ten (10) feet of any driveway or driveway apron;
4. Within twenty-five (25) feet of any limousine staging zone, bus stop, trolley stop, taxi stand, bus bench, bus shelter, or valet parking service;
5. Upon or within any roadway, median strip, or dividing section;
6. Within one hundred (100) feet of any Police Officer, fire fighter, or emergency medical personal who is actively performing his or her duties or providing services to the public;
7. Within twenty five (25) feet of any entrance or exit to a public building, parking lot or structure, or facility;
8. Within fifty (50) feet of any freeway entrance or freeway exit;
9. Within three hundred (300) feet of any of any public or private school;
10. Within twenty-five (25) feet of entrance or exit to a church or house of worship regardless of whether the church or house of worship is located adjacent to a private or public school;
11. Within fifty (50) feet of any public picnic area, playground area, playground equipment, public community center, athletic field, tennis court, soccer field, or baseball/softball field.
12. Within two hundred (200) feet of a permitted certified farmers' market, a swap meet, or an area designated for a temporary special permit, temporary special event or any City-approved temporarily permitted activities. This prohibition shall be limited to the operating hours of the farmers' market or swap meet, or the limited duration of the temporary special permit, temporary special event or City-approved temporary permitted activities.



MAYWOOD

SMALL CITY. WHERE OUR TRADITIONS MEET TOMORROW.

Chapter 14. Sidewalk Vending Ordinance *Continued*

B. Design and dimension requirements for all sidewalk vending carts or pushcarts:

1. All sidewalk vending carts or pushcarts must not exceed a maximum length of six (6) feet and maximum width of four (4) feet.
2. Roaming vendors must maintain an obstructed view over four (4) feet in height from the ground to the table top structure of the cart.
3. All sidewalk vendors must provide locking wheels on all vending carts to prevent uncontrolled movement.
4. No vendor shall erect, place or maintain any tent, canopy or other temporary shelter (excluding umbrellas) in the public right - of - way.
5. A sidewalk vendor may have one (1) umbrella. The use of an umbrella shall not exceed ten (10) feet in height as measured from ground level to its highest point. The umbrella cannot be attached or anchored to any public or private sidewalk, bench, fence or trees. Umbrella must be made of a sturdy and safe material and must be attached or anchored to vending cart.
6. No external power, piping, or plumbing is allowed. Vending cart must be entirely self-contained.
7. Any type of gas powered generator is not allowed.
8. Food, merchandise and any equipment must be securely fastened to the vending cart.
9. Vending cart or vending apparatus shall not be chained or fastened to any pole, sign, tree, or any other object in the public right of way.

C. No sidewalk vendor shall vend in a manner that blocks or obstructs the free movement of pedestrians or vehicles. Sidewalk vendors must at all times provide a clearance of not less than three (3) feet on all sidewalks or pedestrian areas so as to enable persons to freely pass while walking, running, or using mobility assistance devices;

D. No sidewalk vendor shall leave their vending cart, table, device or merchandise unattended at any time. Any cart, equipment or objects left unattended along any portion of the public right-of-way and any public space will be considered discarded and may be seized or disposed of by the City.

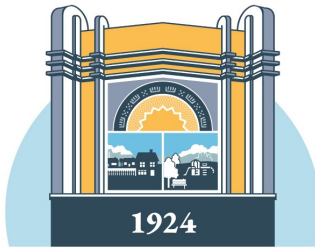
E. Roaming vendors shall not operate in any one (1) location for longer than fifteen (15) minutes, and shall be moved a minimum of three hundred (300) feet before vending again.

F. No vendor shall use any type of noise making devices, shout, or willfully make any loud noises.

G. Any boxes, excess merchandise, or accessory items shall be stored entirely beneath vending cart and shall not be stored, or piled alongside, behind, or in front of vending cart.

H. Use of any signage must be attached to vending cart.

I. Any person vending shall be limited to two (2) chairs that are not to be placed in front of vending cart.



MAYWOOD

SMALL CITY. WHERE OUR TRADITIONS MEET TOMORROW.

Chapter 14. Sidewalk Vending Ordinance *Continued*

J. Sidewalk vending is permitted daily between the following hours:

1. In residential areas, sidewalk vending shall be permitted between the hours of 10:00 a.m. and 8:00 p.m.
2. In nonresidential areas, sidewalk vending shall be permitted between the hours of 9:00 a.m. and 9:00 p.m.

K. Stationary sidewalk vendors shall not vend in areas that are zoned exclusively residential.

L. Stationary sidewalk vendors shall not vend at any park where the City has signed an agreement for concessions that exclusively permits the sale of food or merchandise by a concessionaire.

M. Sidewalk vendors shall provide a trash receptacle for customers and ensure proper disposal of customer trash. Prior to leaving any vending location, the sidewalk vendor shall pick up, remove, and dispose of all trash generated by the vending operations or the vendor's customers within a twenty five (25) foot radius of the vending location.

N. Vendors of food or food products shall possess and display in plain view on the vending cart a valid Health Permit Decal from Los Angeles County Department of Public Health.

O. Sidewalk vendors shall possess at all times while vending a valid permit issued pursuant to this chapter, as well as any other permit or license required by the City and any other appropriate governmental agency.

P. Sidewalk vendors shall comply with all applicable state and local laws, including without limitation state food preparation, handling, and labeling requirements; fire codes and regulations; noise standards; and the Americans with Disabilities Act of 1990 and other disability access standards (both state and federal).

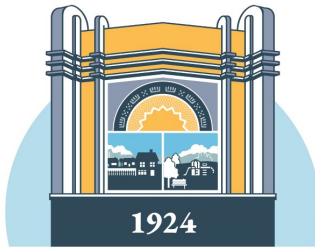
Q. No vending cart shall become a permanent fixture on the vending site or be considered an improvement to real property.

14.100 Administrative Citations.

A. A violation of this chapter by a sidewalk vendor who has a valid sidewalk vending permit from the City is punishable only by an administrative citation pursuant to Chapter 6-4.30, in amounts not to exceed the following:

1. One hundred dollars (\$100) for a first violation.
2. Two hundred dollars (\$200) for a second violation within one year of the first violation.
3. Five hundred dollars (\$500) for each additional violation within one year of the first violation.

, or may offer an alternative disposition."



MAYWOOD
SMALL CITY. WHERE OUR TRADITIONS MEET TOMORROW.

Chapter 14. Sidewalk Vending Ordinance *Continued*

B. A person engaged in sidewalk vending without a valid City sidewalk vending permit is punishable by an administrative citation pursuant to Chapter 6-4.30 in amounts not to exceed the following, in lieu of the amounts set forth in paragraph A:

1. Two hundred fifty dollars (\$250) for a first violation.
2. Five hundred dollars (\$500) for a second violation within one year of the first violation.
3. One thousand dollars (\$1,000) for each additional violation within one year of the first violation.
4. Upon proof of a valid sidewalk vending permit issued by the City, the administrative citations set forth in this paragraph shall be reduced to amounts set forth in paragraph A.

C. A violation of this chapter shall not be punishable as an infraction or misdemeanor. No person alleged to have violated the provisions herein shall be subject to arrest except when otherwise permitted by law.

D. Failure to pay an administrative citation issued pursuant to this section shall not be punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized herein shall not be assessed.

E. When assessing administrative citations pursuant to this section, the hearing officer shall take into consideration the person's ability to pay the fine. The City shall provide the person with notice of his or her right to request an ability-to-pay determination and shall make available instructions or other materials for requesting an ability-to-pay determination. The person may request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program.

F. If the person meets the criteria described in subdivision (a) or (b) of Government Code Section 68632, the City shall accept, in full satisfaction, twenty (20) percent of an administrative citation imposed pursuant to this chapter.

G. The hearing officer may allow a person to complete community service in lieu of paying the total administrative citation, may waive the administrative citation, or may offer an alternative disposition."