

## Santa Rosa City Code

[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No  
Frames](#)[Title 6 BUSINESS TAXES, LICENSES AND REGULATIONS](#)

### Chapter 6-48 STREET VENDORS

#### Note:

\*Prior history: prior code §§ 16.30—16.33 and 16.35—16.40 as amended by Ordinance 2601.

#### 6-48.010 Purpose.

The purpose of this chapter is to set forth specific regulations to govern the vending of various goods from locations which are not permanent. It is recognized that such transient operations may have negative land use, public safety, and traffic impacts which the City desires to regulate. (Ord. 3099 § 2 (part), 1994)

#### 6-48.020 Definitions.

Whenever used in this chapter, these terms are defined as follows:

(A) “Vending” means the sale or offering and exposing for sale or solicitation of offers to purchase or causing to be sold for cash or consideration or soliciting, exposing, or offering for sale for delivery at a later time any property or service by any person from public property within the City at any location other than a building or structure constructed on a permanent foundation which is rented, leased, or owned by the person selling, offering to sell, or soliciting the sale of the property, except as provided for in Chapter 6-44 of this code. Vending also means the offering of foodstuffs, goods, wares or merchandise for sale or future delivery from a fixed place of business if the place of business is open seasonally or for a period of less than six months. Vendors include “itinerant merchants” and “street merchants.”

(B) “Mobile vending” is the traveling by foot or vehicle from street to street, or from place to place for the purpose of vending.

(C) “Mobile vending vehicles” shall include, but not be limited to, any motor vehicle, truck, car, trailer, cart, wagon, conveyance, or structure not permanently fixed to a permanent foundation and which may be moved under its own power, pushed or pulled by hand, towed by a motor vehicle, wheelchair, motorcycle, bicycle, or other mobile device, or carried upon or in a motor vehicle or trailer. (Ord. 3099 § 2 (part), 1994)

#### 6-48.030 Business license—Required.

It is unlawful for any person to vend any product, or to allow other persons under that person’s employ to vend any product, within the corporate limits of the City, without first obtaining a business license from the Department of Administrative Services. (Ord. 3099 § 2 (part), 1994)

#### 6-48.040 Property allowed to be sold.

(A) Only the following products shall be sold by vendors:

- (1) Art or crafts made pursuant to the provisions of this chapter;
- (2) Cut flowers;
- (3) Food and beverages, excluding alcoholic beverages.

(B) Applicants shall be prepared to submit a declaration, under penalty of perjury, that the property for which the applicant seeks a permit to sell is of the applicant's own creation or was created or produced in the applicant's presence and under the applicant's direct and personal supervision. The declaration shall further state that the applicant agrees to personally create, upon one week's notice and in the presence of the City Manager or Chief of Police or their designated representatives, any property offered for sale. An applicant proposing to engage solely in the sale of cut flowers or food shall not be required to make such declaration. (Ord. 3099 § 2 (part), 1994)

### **6-48.050 Regulations.**

(A) No person shall vend in any of the following places within the City:

- (1) Within 500 feet of the closest point on the property line of a school serving students 18 years of age or younger;
- (2) On any sidewalk or street adjacent to a curb which has been designated as a white, yellow, blue, or red zone;
- (3) Within 15 feet of any crosswalk, fire hydrant, or driveway;
- (4) Within 300 feet of the closest point on the property line of a public park or public playground;
- (5) Within 300 feet of the closest point on the property line of a municipal recreational center;
- (6) Within 100 feet of any street intersection;
- (7) At a location where space for pedestrian passage will be reduced to less than six feet;
- (8) Within 100 feet of any public transit "bus stop" sign;
- (9) Within 300 feet of a like vendor, except where separated by a public street with four or more moving lanes.

(B) No person shall vend at any location for more than 30 minutes without moving to a new location at least 300 feet removed there from and may not return to a location where the vendor has stopped to vend within the previous two hours.

(C) Within downtown, as defined by Figure 2-3 in the 2020 general plan, which may be amended from time to time, no person shall vend in any location listed in subsections (A)(1), (A)(2), (A)(3) of this section and the following:

(1) Within 20 feet of any street intersection;

(2) At a location where space for pedestrian passage will be reduced to less than eight feet;

(3) Within the Transit Mall;

(4) Within Old Courthouse Square, Fremont Park, The 4th Street Pass Through, or Comstock Mall, except when a permit has been obtained from the Director of the Department of Recreation and Parks;

(a) Unless the vendor is in a park as defined by subsection (C)(4) of this section, all downtown vendors must be an extension of an existing downtown business and further be located on the sidewalk directly in front of the business with which they are connected.

(b) Downtown vendors are not to be mobile vendors as defined in Section 6-48.020(B). Specifically, the vending cart must remain in one location, consistent with subsection (C)(4)(a) of this section, throughout the day and be removed from the sidewalk every night.

(c) Downtown vendors allowed by this section shall be responsible for picking up all trash within 25 feet of the vending cart, whether originating from their vending cart or not. Trash picked up should not be placed in City trash receptacles.

(d) Vending Cart Design.

(i) The size of the vending cart shall not exceed the dimensions of 35 inches (width) by 73 inches (length) by 38 inches (height), excluding umbrella.

(ii) If the vending cart includes an umbrella, no signing shall be allowed except for the name of the business on the fringe. No other shade cover is allowed.

(iii) Signage on the cart shall be limited to the display area on the cart's front or side surface and may not exceed 24 inches by 24 inches.

(e) Unless the downtown vendor is in a park as defined by subsection (C)(4) of this section, a zoning clearance shall be obtained from the Community Development

Department to ensure conformance with this City Code. (Ord. 3780 § 1, 2006; Ord. 3099 § 2 (part), 1994)

### **6-48.060 Private property vending.**

No vendor shall stop, stand, or park, for the purpose of vending or exhibiting merchandise, at or on any privately owned property without first securing a use permit in accordance with the applicable zoning regulations. (Ord. 3099 § 2 (part), 1994)

### **6-48.070 Exemptions.**

The following activities shall be exempt from the provisions of this chapter:

(A) Vending prepared foodstuffs from vehicles or trucks used for catering and located upon private property at the invitation of the property owner, solely for the use of the owner or the owner's tenants or employees, provided that the vehicle may stop at such site or business for no more than 30 minutes without moving to a new location at least 300 feet removed therefrom and may not return to a location where the vehicle stopped to vend within the previous two hours;

(B) Vendors on public property which is not owned by the City if permission to vend has been granted in writing by the property owner;

(C) Public agencies;

(D) Growers or producers of any agricultural commodity sold or offered for sale on the premises where grown or produced;

(E) Vending in connection with any special event as is permitted by the City Council. (Ord. 3780 § 2, 2006; Ord. 3238 § 12, 1996; Ord. 3099 § 2 (part), 1994)

### **6-48.080 Enforcement.**

(A) Violations and Penalties.

(1) No person shall vend, except as permitted by the provisions of this chapter or Chapter 6-44;

(2) Every person who violates any provision of this chapter is guilty of a misdemeanor. (Ord. 3238 § 9(b), 1996; Ord. 3099 § 2 (part), 1994)

### **6-48.090 Sidewalk cafés.**

The provisions of this chapter shall apply to any sidewalk area authorized for use as a sidewalk café by a current conditional use permit, approved by the Planning Commission or City Council, during any time period when the sidewalk café is in operation. (Ord. 2433 § 2, 1985)