

A photograph of a street scene. In the foreground, a fruit stand is visible, displaying various fruits like apples, oranges, and kiwis. Above the stand is a large, colorful umbrella with a floral pattern. In the background, a building with a sign that says "VIDEO HUT" is visible. A white car is parked on the left side of the street.

STREET AND SIDEWALK VENDOR REGULATIONS

**APRIL 29, 2025
CITY COUNCIL MEETING
AGENDA ITEM 16.1**



PURPOSE

To present proposed updates to the Stockton Municipal Code (SMC) concerning street and sidewalk vending, aligning local regulations with recent state legislation (SB 946 and SB 972).

BACKGROUND

- **The Legislation/Environmental Council Committee Meeting held on March 24, 2025**
- **State laws SB 946 & SB 972 were signed into law in 2018 and 2022.**
- **New laws establish regulations, enforcement guidelines, and a new category of vendors (Compact Mobile Food Operations or CMFOs).**
- **Requires an update to the SMC to ensure compliance and clarity.**
- **The Legislation/Environmental Council Committee recommended bringing the Ordinance to City Council for Approval**

KEY CHANGES

Licensing and Permitting

Operational Standards

CMFOs

Permitted Locations

Penalties

STATE LAW & LOCAL CONTROL

Preemption: State laws like SB 946 and SB 972 can preempt, or override, local ordinances.

SB 946 and SB 972 Impacts:

- **Limitations on Local Government Authority**
- **Enforcement Restrictions**
- **Sets Requirements for Licensing and Permitting Procedures**

Balancing Act: Local governments retain some flexibility to regulate time, place, and manner of vending to address local concerns such as traffic congestion, noise, and public safety.

BENEFITS OF STREET VENDING

Economic Opportunities:

- **Provides entrepreneurship opportunities**
- **Expands consumer access to a diverse range of goods and services**

Community Enhancement:

- **Enhances the vibrancy and cultural richness of public spaces**
- **Offers unique culinary experiences and handcrafted items**

CHALLENGES OF INCREASED VENDING

**Traffic and
Parking**

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**Environmental
Impact**

Regulatory Gaps



VENDING IN PUBLIC PARKS

SB 946 prohibits cities from completely banning vending in public parks, recognizing their importance as public spaces for community gathering and economic activity.

- **Local Considerations:**

- **Protecting park resources and visitor experiences**
- **Managing potential conflicts with other park uses**
- **Ensuring accessibility for all park users**

- **Potential Solutions:**

- **Designating specific vending zones within parks**
- **Implementing time-based restrictions**
- **Creating specific rules for waste disposal**

PROPOSED ORDINANCE: KEY FEATURES

Compliance with State Law:

- Ensures consistency with **SB 946** and **SB 972**

Comprehensive Guidelines:

- Clear rules for vending locations, hours of operation, and spatial restrictions
- Addresses waste management, noise control, and protection of public infrastructure.

CMFO Regulations:

- Establishes specific regulations for **Compact Mobile Food Operations**

ADDRESS PUBLIC CONCERNS

Balancing Interests:

Carefully balance the needs of vendors with the preservation of public spaces

Public Health and Safety:

Incorporates provisions related to food preparation, handling, and storage

Enforcement:

Provides clear and consistent enforcement procedures

NEW FEE SCHEDULE

- **Introduces fees for violations and public property use, generating revenue to support enforcement and maintenance efforts, ensuring that vendors contribute to the costs associated with their operations.**
- **Fees are structured to deter repeat violations and ensure that vendors contribute to the costs associated with their operations, promoting responsible vending practices.**



PROPOSED FEES

Administrative Services Department Business Licensing Division

Public Property Use Fee	Pursuant to Stockton Municipal Code, Title 8, Chapter 8.70, Section 8.70.050, a fee to mitigate maintenance and repairs of Public Parks landscaping areas and features, irrigation systems, and other ancillary park facilities that may be damaged, disfigured, or destroyed, by street vendors and their clients' activities due to Public Parks not being originally intended, or designed, for such locations.	\$60.00
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The amount of this fee was determined by an analysis of expenses paid to contracted 3rd parties for maintenance costs related to damages within public park areas caused by vendors, or their clientele, in calendar year 2023. It does not take into account any additional Public Works employee manhours that may have been expended in relation to extraordinary servicing of park facilities (i.e., cleaning and dumping trash containers, cleaning bathrooms, removing graffiti, etc.) associated with vendor activities.

PROPOSED FEES

POLICE DEPARTMENT Neighborhood Services Section

<i>Description</i>	<i>Reason</i>	<i>Proposed Amount</i>
STREET VENDORS		
First Offense of Violation SMC 8.70.110 (A)	Violations of SMC 8.70.060 through SMC 8.70.090	\$100.00
Second Offense of Violation SMC 8.70.110 (A)	Violations of SMC 8.70.060 through SMC 8.70.090	\$200.00
Repeated failure to comply with SMC 8.70.110 (A) within a single calendar year	Violations of SMC 8.70.060 through SMC 8.70.090	\$500.00
First Offense of Violation SMC 8.70.110 (B)	Violations of SMC 8.70.040 through SMC 8.70.050	\$250.00
Second Offense of Violation SMC 8.70.110 (B)	Violations of SMC 8.70.040 through SMC 8.70.050	\$500.00
Repeated failure to comply with SMC 8.70.110 (B) within a single calendar	Violations of SMC 8.70.040 through SMC 8.70.050	\$1,000.00

RECOMMENDATION

- **It is recommended that the City Council:**
 - **Adopt an Ordinance Amending SMC Titles 5, 8, and 12 (specifically Chapters/Sections 5.08, 5.106, 8.56, 8.70, and 12.56)**
 - **Repeal SMC Title 12, Chapter 12.76**
 - **Adopt a Resolution approving amendments to Fiscal Year 2024-25 Fee Schedule relating to street and sidewalk vendor fines.**
 - **Authorize the City Manager, or designee to take all appropriate and necessary actions to carry out the purpose and intent of the ordinances and resolution.**