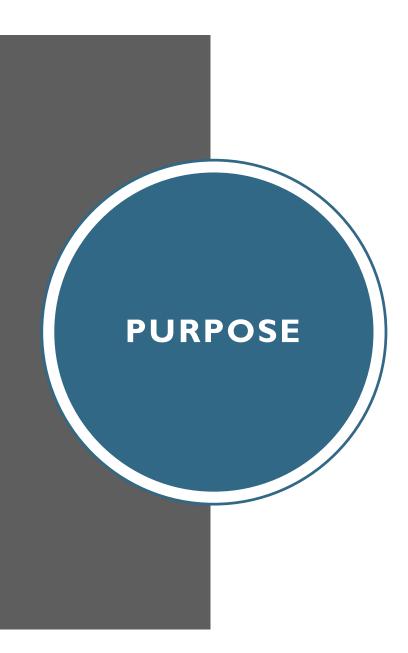
# STREET AND SIDEWALK VENDOR REGULATIONS

# APRIL 29, 2025 CITY COUNCIL MEETING AGENDA ITEM 16.1



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

Environmental Impact

**Regulatory Gaps** 

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:

VENDING

PUBLIC

PARKS

- 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.

SED FEES	Administrative Services Department Business Licensing Division
Public Property Use Fee	Pursuant to Stockton Municipal Code, Title 8, \$60.00 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.
related to damages within into account any additiona	s determined by an analysis of expenses paid to contracted 3 <sup>rd</sup> parties for maintenance costs g public park areas caused by vendors, or their clientele, in calendar year 2023. It does not take al Public Works employee manhours that may have been expended in relation to extraordinary (i.e., cleaning and dumping trash containers, cleaning bathrooms, removing graffiti, etc.)

#### PROPOSED FEES

# POLICE DEPARTMENT

#### **Neighborhood Services Section**

Description	Reason	<b>Proposed Amount</b>
S	TREET 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.