



ITINERANT VENDOR PERMIT

APPLICATION FEE

Initial Deposit \$189.00
Account No.: 2105

Applicant Name _____ Phone _____
Address _____ City _____ State _____ Zip _____
Vending Location _____
Vending Activity _____

PLEASE NOTE: Permit expires one (1) year after issuance date. The applicant is responsible for initiating renewal request at least ten (10) days prior to the expiration date.

I hereby affirm that I understand the regulations of the City of Yucaipa relating to itinerant vending. I further understand that peddling, hawking, or vending which does not conform to the applicable regulations may be subject to citation without notification by the City and the assessment of appropriate fines and/or other penalties.

As a condition of issuance, the vendor agrees to indemnify, hold harmless, and defend the City and its representatives against liability and/or loss arising from activities connected with and/or undertaken pursuant to the Permit. The City is not liable for any business loss, property loss, or other damage that may result from use of the Permit, or suspension or revocation of the Permit, and no vendor shall maintain any claim or action against the City, its officials, officers, employees, or agents on account of any suspension or revocation.

APPLICANT'S SIGNATURE: _____ DATE _____

CITY OF YUCAIPA ITINERANT VENDOR PERMIT

An Itinerant Vendor is defined as any person who engages in a temporary or transient business in the City, selling or offering for sale services, good, wares, merchandise or things or articles of value, with the intention of conducting such business in the City for a period of not more than ninety (90) days in a calendar year, and who, for the purpose of carrying on such business, hires, leases or occupies any room, doorway, vacant lot, parking lot, building or structure for the exhibition or sale of services, goods, wares or merchandise.

Each permit applicant shall provide the following:

- A. A completed application, including a written description of the proposed vending activity.
- B. Mailing address(es) and legal name(s) of vending business owner(s) and/or operator(s).
- C. Proof of valid City business license.
- D. Proof of valid health permit(s), if required by applicable law or regulation.
- E. Photocopy of valid form of identification for business owner and/or operator.
- F. Color photographs showing different views of the vending vehicle or device, and of the proposed location for vending. An applicant shall provide a site plan for all proposed stationary location(s) and a map of the proposed route/area of vending.
- G. Dimensioned sample or rendering of proposed signage.
- H. Non-refundable initial deposit for application processing fee.
- I. If an applicant proposes to vend from a single location for more than four (4) consecutive hours at a time, the applicant must identify the location of an available restroom on or adjacent to the vending location to be used by the vendor.
- J. Written property-owner approval.

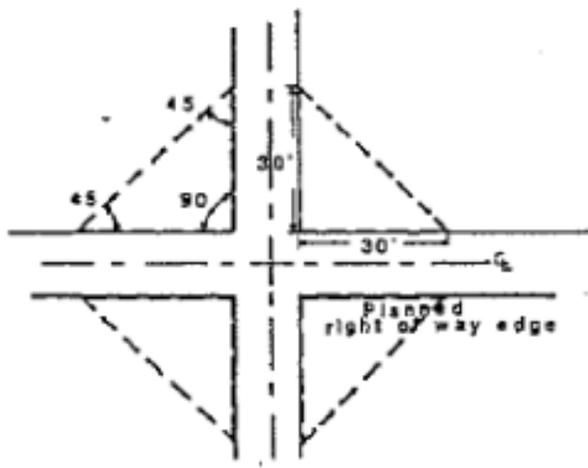
No person(s) may engage in peddling, hawking or vending in any location within the City of Yucaipa unless the conduct of that activity meets each of the following criteria listed below, and unless the person is operating under and by the authority of a valid Itinerant Vendor Permit.

- A. General. The City may impose conditions on the Permit, as it deems necessary for health and safety, and/or to mitigate the impact of vending on an area. This may include the imposition of additional conditions and/or stricter requirements than identified below.
- B. Shall Not Obstruct or Create Hazards. Vendors shall not obstruct vehicular traffic, bicycle traffic, sidewalk pedestrian traffic, or accessibility to vehicles parked adjacent to the curb, and shall not create public health or safety hazards.

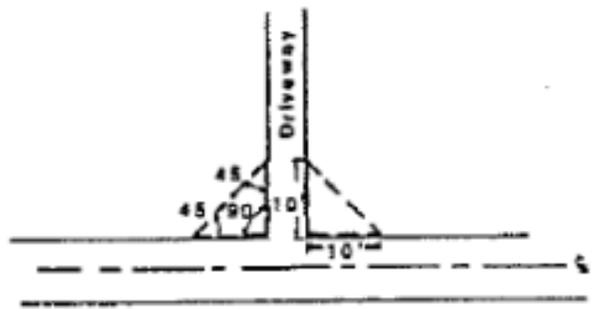
- C. Hours of Operation. Vending shall be conducted within the hours of operation established in the Permit. Notwithstanding approved hours of operation, all activities are subject to the restrictions of the City's Noise Ordinance requirements.
- D. Signage. No more than one sign is allowed associated with each Permit. The sign shall not exceed ten (10) square feet and shall be affixed to the vehicle or device from which the goods or merchandise are being vended.
- E. Number of Permits. Each point of vending shall require a separate Permit, even if multiple points of vending are under the same ownership or management.
- F. Business License. The vendor shall have a valid City business license.
- G. Health Permit. Vending of food, produce, or other edible items requires valid health or other permit(s) issued by the appropriate agency.
- H. Indemnification. As a condition of issuance, the vendor agrees to indemnify, hold harmless, and defend the City and its representatives against liability and/or loss arising from activities connected with and/or undertaken pursuant to the Permit. The City is not liable for any business loss, property loss, or other damage that may result from use of the Permit, or suspension or revocation of the Permit, and no vendor shall maintain any claim or action against the City, its officials, officers, employees, or agents on account of any suspension or revocation.
- I. Property Owners' Approval. Permit applications must include the written approval of any property owner whose property will be used for vending. Vending on private property must comply with any development conditions imposed on the private property, and all requirements of the appropriate Land Use District.
- J. Other Applicable Regulations. The vendor shall conform at all times with all applicable City and governmental requirements, including without limitation, the Americans with Disabilities Act, health and safety regulations, local zoning, and any applicable Redevelopment Agency regulations.
- K. Term of Permit; Renewal. The maximum term of a Permit shall be for a one-year period. The Permit may be renewed subject to compliance with all terms and conditions of the Permit, the standards established in this section of the Municipal Code, and payment of applicable fees. At the City's discretion, the term of the Permit may be less than one year.
- L. Transferability. A Permit is not transferable to any entity or person and is valid only as to the original applicant.
- M. Proximity to Other Items. No vending may occur within ten (10) feet of a fire hydrant, fire escape, building entrance, bus stop, loading zone, handicapped parking space or access ramp, fire station driveway, or police station driveway. A greater distance or separation from other uses may be required, under the Permit, in order to preserve line of-sight, or for other safety reasons. The vending shall not damage landscaped areas.

- N. Appearance and Storage. The vendor shall maintain the area within which vending activities occur in a clean, safe, sanitary, and dust-controlled condition. With the exception of approved stands, the vendor shall remove all evidence of vending and leave the site in a clean state at the close of each business day.
- O. Lighting. Vending may not occur after dark unless appropriate lighting is provided, or an exemption from this requirement is specifically granted as a part of the Permit due to the type of activity (e.g. one-time permit for itinerant vending at a special nighttime event).
- P. Parking. Prior to issuance of any Permit, the City shall confirm that an acceptable area for customer parking exists, or must specifically exempt the vendor from this requirement due to the nature and/or location of the use. Parking for the vendor shall be specified pursuant to the permit. The vendor may not indicate exclusive roadway parking or reserve any public parking area for the vendor's customer parking.
- Q. Location On Particular Roadways. Vending may be restricted or prohibited along specific roadways, or portions thereof, which, as a result of limited parking, limited line-of-sight, traffic control impacts, high traffic flow, or other reasons specified, are determined to be unsafe for vending. This may include restrictions against operating during peak traffic hours, as determined by the City.
- R. Number of Vendors and/or Operators. The City may limit the number of vendors at any one location or within an area, or limit the number of operators, sales persons, or others engaged in the act of vending for any one owner or permittee at the requested or approved location. No vending activity may occur within the triangular visibility area described in Section 87.0815 of the Municipal code, as shown below:

CLEAR SIGHT TRIANGLES



ROADWAY INTERSECTIONS



**PRIVATE DRIVEWAY
OR ALLEYWAY**

- S. Design and Set-up of Vehicle or Device for Vending. The width, length, and height of all vendor vehicles and devices shall be subject to review as a part of consideration of the Permit. The City's review shall include but not be limited to color, materials, and appearance of the vending vehicle or device; shade umbrellas; accessories (including ice chests and trash receptacles); and maneuvering necessary for set-up and takedown. Vending vehicles or devices shall be designed such that they do not detract from the aesthetic value of the vicinity. A site plan of areas at which stationary vending will occur must be provided and is subject to the City's discretionary review. The area of vending activity (excluding parking) shall be specified under the Permit and shall not generally exceed 200 square feet.
- T. Tables. Tables for use by customers shall generally be prohibited unless the vending is occurring in an area that is specifically designed for such purpose such as a plaza, park, or other public open space area with adequate restroom facilities, or if specifically required as a part of the Health Department conditions.
- U. Permit Display. Vendor permits and business licenses must be prominently displayed on the vehicle or device for vending, or if stationary, at the location of vending.

An Itinerant Vendor Permit is not required for the following activities or individuals:

- A. City-Sponsored Events. Farmers markets, crafts fairs, street fairs, and other special events approved and designated by the City as City sponsored events. However, a vendor at a City sponsored event must have a valid City business license.
- B. Deliveries. Delivery activities of any establishment with a fixed place of business, which only delivers its products, services, or goods to a specified address in response to a customer request, order, or invoice previously placed through that fixed place of business.
- C. Public Park Events. Organizations selling goods or merchandise on park property with prior written authorization from the City.
- D. Garage Sales. Garage sales are separately regulated by the Municipal Code, and they are not subject to these regulations.
- E. Agricultural Products Grown On-site. The sale of agricultural products on the site where the product is grown.
- F. Mall Sales. The sale or offering for sale or distribution from interior private pedestrian circulation areas of shopping centers or malls of products to pedestrians which is traversing such areas or patrons of retail stores.
- G. Veterans. Veterans who are physically unable to obtain a livelihood by manual labor and that are entitled to the exemption of Municipal Code Section 5.04.100 (C).
- H. Bona fide nonprofit and charitable organizations engaging in lawful and authorized nonprofit and charitable activities and that are entitled to the exemption of Municipal Code Section 5.04.100 (D).

- I. Christmas Tree Sales Lots. Christmas Tree Sales Lots are separately regulated by the Municipal Code, and they are not subject to these regulations.
- J. The driver of any commercial vehicle engaged in vending upon a street who vends products on a street in a residential district only after bringing the vehicle to a complete stop and lawfully parked adjacent to the curb, consistent with state law and local ordinances adopted pursuant thereto.
 - 1) Such vehicle shall not stand or park within five hundred (500) feet from the boundary of any public or private school property.
 - 2) Such vehicle shall stand or park only at request of a bona fide customer or purchaser and for a period of time not exceeding ten (10) minutes at any one place.
 - 3) Such vehicle shall not broadcast any noise greater than seventy (70) decibels in intensity or exceeding a duration of five seconds while standing or parked in any one place.

APPLICATION SUBMITTAL CHECKLIST:

1. Fully completed Itinerant Vendor Permit application form.
2. Pay Initial Deposit.
3. Map or drawing indicating exact vending location or route.
4. Proof of valid City Business License.
5. Proof of valid County Health Permit (if required).
6. Photocopy of valid form of identification.
7. Color photographs of vending vehicle or device.
8. Dimensioned sample or rendering of proposed signage.
9. Identification of an available restroom (if required).
10. Written approval from the property owner.