

# SIDEWALK STREET VENDOR APPLICATION

**CLEAR FORM** 

# **APPLICATION PROCESS**

The application process is used to review the proposed street vending sale of food and food products to help ensure that vendors obtain all necessary permits and comply with applicable sanitation, food preparation and food handling laws. The goal of the application process is to inform the applicant of the rules and regulations that the City of Dixon has established. Fee is \$137.

### Staff will ask for the following items of all applicants:

- Original copy of California Drivers License or Identification Number, individual taxpayer identification number (ITIN) or social security number (This information will be kept confidential).
- Copy of a valid California Department of Tax and Fee Administration seller's permit.
- Description, map or drawing of the locations in which the applicant proposes to operate for stationary vendors.
- A statement by a reputable physician in the County, dated not more than (10) days prior to the submission of the application certifying the applicant to be free of any contagious, infectious, or communicable disease.
- Results of a fingerprinting background check using a form furnished by the City of Dixon Police Department.
- Copy of General Liability Insurance 1M per occurrence/2M aggregate; certificate holder should list City as follows:

City of Dixon

Its officers, officials, employees, agents and volunteers

600 E A St

Dixon, CA 95620

## **Approval or Denial of Permit**

The Collector or designee shall approve the issuance of the permit unless it is determined that:

- Been convicted of any felony offense involving the sale of a controlled substance specified in California Health and Safety Code sections 11054, 11055, 11056, 11057, or 11058 within five (5) years of the date of the application, or is otherwise on probation or parole for any offenses set forth in this section;
- Been convicted of any felony offense involving a person under eighteen (18) years of age;
- Made any false statements on the application form; or
- Failed to demonstrate ability to conform to the operating standards sets forth in Section 6.13.090

## **Permit Expiration and Renewal**

The permit may be issued for such period as the applicant requests, but in no event longer than the end of the calendar year of 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. An application to renew a permit issued pursuant to this Chapter may be denied by the Collector upon the grounds set forth in section 6.13.040.

## **Permit Rescission and Appeals**

## **Rescission**

A sidewalk vending license may be revoked after the licensee's fourth violation or subsequent violation of the requirements set forth in this Chapter. A sidewalk vendor whose permit is rescinded may apply for a new sidewalk vending temporary use permit upon the expiration of the term of the rescinded permit.

#### **Appeals**

Any person whose application for such a permit has been denied or whose permit has been suspended or revoked by the Police Chief shall have the right to appeal to the City Council pursuant to DMC 6.02.140.

# **License Nontransferable**

No permit issued pursuant to this Chapter may be transferred by contract, operation of law, or otherwise. Any such attempted transfer shall be grounds for revocation of the permit.

# SIDEWALK STREET VENDOR APPLICATION

APPLICANT INFORMATION					
APPLICANT NAME		PHONE NUMBER			
MAILING ADDRESS					
EMAIL ADDRESS		HOURS OF OPERA	TION		
VENDOR CATEGORY	FOOD / NON-FOOD				
☐ Roaming Vendor	Food				
☐ Stationary Vendor	☐ Non-Food				
DESCRIPTION OF ITEM(S) BEING SOLUTION CONVEYANCE(S)	D AND VENDING EQUIPMENT Pro	vide dimensions	of cart(s) or other		
PROPOSED AREA OF STREET VENDING	OPERATION Provide site plan or map o	f area(s) if a Stati	onary Vendor		
<b>CERTIFICATION</b> I hereby certify that the s					
information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.					
APPLICANT NAME	APPLICANT SIGNATURE		DATE		

# SIDEWALK STREET VENDOR APPLICATION

<ol> <li>No sidewalk vendor shall vend in any of the following locations:</li> <li>a. Upon or within any roadway, median strip, or dividing section;</li> <li>b. Along sidewalks, pathways, courtyards, and grounds adjacent to the any hospital, clinic, fire station, police station, or other medical or emergency facility;</li> <li>c. Within two hundred (200) feet of a permitted certified farmers' market, a swap meet, or an area designated for a temporary special permit.</li> <li>d. Within three hundred (300) feet of any school or childrare center;</li> <li>e. Within one hundred (100) feet of any public price area, playground area, playground equipment, or athletic field or court;</li> <li>f. Within one hundred (100) feet of any public devial warder;</li> <li>g. Within the entry feet (25) feet of any street or alley intersections;</li> <li>g. Within the (10) feet of a curb that has been designated as a white, yellow, green, blue, or red zone, or a bus zone;</li> <li>j. Within the (10) feet of a curb that has been designated as a white, yellow, green, blue, or red zone, or a bus zone;</li> <li>j. Within the (10) feet of a curb that has been designated as a white, yellow, green, blue, or red zone, or a bus zone;</li> <li>j. Within the (10) feet of an entrance or cent of any building or structure;</li> <li>m. Within free (5) feet of any traffic signal controller, traffic signal signal signal signal signal signal</li></ol>	OPERATING REQUIREMENTS Please initial the following requirements	APPLICANT INITIALS
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sidewalk. Any and all vertical supports for this cover shall be totally confined within the horizontal dimensions (width and length) of the vending cart	, , , , , , , , , , , , , , , , , , , ,	
the ventuing care	the ventuing care	
17. Any power used in a vending cart shall be contained wholly within the cart. No cords, hoses, pipes, bottles, canisters, or other	17. Any power used in a vending cart shall be contained wholly within the cart. No cords, hoses, pipes, bottles, canisters, or other	
conductors or containers of power or fuel shall extend from any source external to or detached from the vending cart while the		
vending cart is in operation upon a City sidewalk. (§ 1, Ord. 1171, eff. June 14, 2019)	vending cart is in operation upon a City sidewalk. (§ 1, Ord. 1171, eff. June 14, 2019)	

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SIDEWALK STREET VENDOR APPLICATION					
OPERATING REQUIREME	NTS Please initial the following	requirements	APPLICANT INITIALS		
<u>Penalties</u>					
punishable only by an a exceed the following: a. One hundred do	dministrative citation pursuant to ollars (\$100) for a first violation.	s a valid sidewalk vending permit from the City is chapter 1.07 of Title 1 of this Code in amounts not to n within one year of the first violation.			
<ul> <li>b. Two hundred dollars (\$200) for a second violation within one year of the first violation.</li> <li>2. A person engaged in sidewalk vending without a valid City sidewalk vending permit is punishable by an administrative citation pursuant Chapter 1.07 of Title 1 of this Code in amounts not to exceed the following, in lieu of the amounts set forth in paragraph (a): <ul> <li>a. Two hundred fifty dollars (\$250) for a first violation.</li> <li>b. Five hundred dollars (\$500) for a second violation within one year of the first violation.</li> <li>c. One thousand dollars (\$1,000) for each additional violation within one year of the first violation. 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).</li> </ul> </li> <li>3. A violation of this Article 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.</li> <li>4. 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.</li> <li>5. 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.</li> <li>6. If the person meets the criteria described in subdivision (a) or (b) of Government Code Section 68632, the Ci</li></ul>					
7. 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.					
FOR OFFICE USE ONLY					
Copy of California Departmen	s License, Individual Taxpayer Identifi nt of Tax and Fee Administration Sello from Dixon Police Department	ication Number (ITIN) or Social Security Number (SSN) er's Permit			
DEPARTMENT SIGNATURE	DEPARTMENT APPROVALS	DATE FILED			
	☐ Fire Department				
	☐ Police Department	APPROVAL DATE			
	Finance Department				





# INDEMNIFICATION AGREEMENT

APPLICANT SUBMITTED AN APPLICATION TO THE CITY OF DIXON ON THE FOLLOWING DATE,				
FOR THE FOLLOWING APPROVAL(S):				
DATE	APPROVAL(S)			

As part of, and in connection, with this application, Applicant agrees to defend, indemnify, release and hold harmless the City of Dixon ("City"), its agents, officers, attorneys, employees, boards, commissions, advisory agencies, consultants and contractors (collectively "Indemnitees"), from and against any claim, action or proceeding (collectively "proceeding") brought against Indemnitees to challenge, attack, set aside, void or annul the approval of this application and/or any action taken by Indemnitees to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended ("CEQA"). This indemnification shall include, without limitation, damages, fees and/or costs awarded against or incurred by Indemnitees, if any, and costs of suit, claim or litigation, including, without limitation, attorney fees, expert witness fees and other costs, liabilities and expenses incurred in connection with the proceeding, whether incurred by Applicant, Indemnitees, and/or parties initiating or involved in such proceedings.

Applicant agrees to indemnify Indemnitees for all of the Indemnitee's costs, fees and damages incurred in enforcing the indemnification provisions of this Agreement.

Applicant agrees to defend, indemnify and hold harmless Indemnitees from and for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report, negative declaration, specific plan, or general plan amendment) if made necessary by the proceeding and if Applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

In the event that Applicant is required to defend Indemnitees in connection with the proceeding, Indemnitees shall have and retain the right to approve (a) the counsel to so defend Indemnitees; (b) all significant decisions concerning the manner in which the defense is conducted; and (c) any and all settlements, which approval shall not be unreasonably withheld. Indemnitees shall also have and retain the right to not participate in the defense, except that Indemnitees agree to reasonably cooperate with Applicant in the defense of the proceeding. If Indemnitees choose to have counsel of its own defend any proceeding where Applicant has already retained counsel to defend Indemnitees in such matters, the fees and expenses of the additional counsel selected by Indemnitees shall be paid by the Indemnitees. Notwithstanding the immediately preceding sentence, if the City Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant.

Applicant's defense and indemnification of the indemnitees set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

AFTER REVIEW AND CONSIDERATION OF ALL OF THE FOREGOING TERMS AND CONDITIONS, APPLICANT, BY ITS SIGNATURE BELOW, HEREBY AGREES TO BE BOUND BY AND TO FULLY AND TIMELY COMPLY WITH ALL OF THE FOREGOING TERMS AND CONDITIONS.

APPLICANT NAME (PRINT)	APPLICANT SIGNATURE	DATE			
BUSINESS LICENSE NO.					