

Application No.:	_____
Date Received:	_____
Start Date:	_____
Expiration Date:	_____

**City of Hemet**  
 445 E. Florida Avenue, Hemet, CA 92543  
 www.hemetca.gov

\$44 TransCode 3602

(Please print legibly or type)

**SIDEWALK VENDING PERMIT APPLICATION**

**Applicant Information**

Applicant Name: \_\_\_\_\_  
 Company Name: \_\_\_\_\_  
 Applicant Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Operator or Vendor (Responsible for person(s) working at any Cart**

Name	Address	Phone Number

**Sidewalk Vendor Employees**

Name	Address	Phone Number

**Type of Vending - Mark All that Apply**

Stationary Cart       Roaming Cart      No. of Carts: \_\_\_\_\_

**Hours of Operation (Note: must be consistent with the other businesses and uses in the area.)**

Days & Hours of Operation: \_\_\_\_\_

**Location of Operation (If mobile, list streets and range of operation):**

\_\_\_\_\_  
 \_\_\_\_\_

**Description of Cart Set-up (must include picture(s))**

Cart Dimensions: \_\_\_\_\_  
 Describe Signage: \_\_\_\_\_  
 Affixed to Cart: \_\_\_\_\_

**Description of Food or Merchandise (Please explain how food will be prepared)**

**Food:** \_\_\_\_\_  
 \_\_\_\_\_

**Merchandise:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ITEMS REQUIRED WITH APPLICATION:**

- Completed Sidewalk Vending Permit Application;
- Must provide copies of the following:
  1. Valid government or state issued identification card;
  2. Valid Seller's Permit from the CA Dept. of Tax & Fee Administration
  3. Riverside County Environmental Health permit, as required.
- Payment of Sidewalk Vendor Permit fee (non-refundable);
- Photo(s) of each Cart including all Signage;
- Location of Cart (Aerial Map and Google Streetview);
- Payment of any administrative or code enforcement fines assessed;
- Proof of liability insurance and property damage insurance, including general commercial liability coverage in an amount no less than \$1,000,000 and naming the City of Hemet as additional insured;
- Proof of a valid business license, or completed business license application;
- Proof of LiveScan by the California Department of Justice for applicant and all employees.
- A list of all other cities or other jurisdictions in which the Sidewalk Vendor has operated a Cart within the past 12 months, whether a permit was required to operate, and, if so, whether the permit has been revoked in the past 12 months;
- Any other information requested by the City of Hemet;

**IN SIGNING THIS AGREEMENT, THE APPLICANT AGREES AND CERTIFIES TO THE FOLLOWING:**

- A. The use of Public Property is at the Sidewalk Vendor's own risk, and the City does to ensure Public Property is safe or conducive to the Sidewalk Vending Activities;
- B. To comply with all other applicable local, state, and federal laws.
- C. The Sidewalk Vendor permit requested will not unduly interfere with traffic or pedestrian movement, or tend to interfere with or endanger the public peace or rights of nearby residents to the quiet and peaceable enjoyment of their property, or otherwise be detrimental to the public peace, health, safety or general welfare or encourage loitering;
- D. The conduct of such Sidewalk Vending Activity will not unduly interfere with normal governmental or City operations, threaten to result in damage or detriment to Public Property, or result in the City incurring costs or expenditures in either money or personnel not reimbursed in advance by the Sidewalk Vendor;
- E. The conduct of such Sidewalk Vending Activity will not constitute a fire hazard;
- F. The conduct of such Sidewalk Vending Activity will not require the diversion of police officers to properly police the area of such activity as to interfere with normal police protection for other areas of the City;
- G. Adequate insurance to protect the City from liability associated with Sidewalk Vendor Activities will be maintained.
- H. Any change in ownership will require a new Sidewalk Vendor Permit.
- I. I certify under penalty of perjury, to my knowledge and belief, the information contained within the application is true and correct;

Print Applicant Name: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CITY AUTHORIZATION:**

Approved by (Type Name):	
Signature:	Date of Approval:

**OPERATING CONDITIONS DISCLOSURE**

- A. No Sidewalk Vendor shall conduct Sidewalk Vendor Activities anywhere in the City between the hours of 9:00 p.m. and 7:00 a.m. daily, with the exception of private events.
- B. All Food and Merchandise shall be stored either inside or affixed to the Cart or carried by the Sidewalk Vendor. Food and Merchandise shall not be stored, placed, or kept on any Public Property. If affixed to the Cart, the overall space taken up by the Cart shall not exceed the size limitations provided in this section.
- C. Carts and any attachments thereto shall not exceed a total height of four (4) feet, a total width of four (4) feet, and a total length of four (4) feet.
- D. All Sidewalk Vendor Activities shall comply with the Americans with Disabilities Act, as the same may be amended from time to time, as well as with the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way.
- E. To maintain accessibility standards for the City's disabled residents, every Sidewalk Vendor operating on any Sidewalk must ensure that no obstruction is placed in or on the Sidewalk that would reduce the width of the Sidewalk to fewer than forty-eight (48) inches, exclusive of the top of the curb. No obstruction shall be located in a Sidewalk less than six (6) feet in width when the Sidewalk is adjacent to the curb.
- F. Sidewalk Vendors shall locate their Cart and/or their person in a manner that maintains a minimum four (4) foot clear accessible path for pedestrian ingress and egress free from obstructions, including Cart and customer queuing area.
- G. All signage and advertising related in any way to the Sidewalk Vendor shall be attached to the Cart or the Sidewalk Vendor's person.
- H. Sidewalk Vendors shall not use any electrical, flashing, wind powered, or animated sign.
- I. Carts shall not be stored on Public Property and shall be removed when not in active use by a Sidewalk Vendor.
- J. Sidewalk Vendors shall not leave their Carts unattended.
- K. No Cart shall contain or use propane, natural gas, batteries, or other explosive or hazardous materials.
- L. Sidewalk Vendors that sell Food shall maintain a trash container in or on their Cart and shall not empty their trash into public trashcans. The size of the Sidewalk Vendor's trash container is included towards the total size limit of a Cart.
- M. Sidewalk Vendors shall not leave any location without first picking up, removing, and disposing of all trash or refuse from their operation. Sidewalk Vendors shall immediately clean up any Food, grease or other fluid or item related to Sidewalk Vendor Activities that falls on Public Property.
- N. No Sidewalk Vendor shall discharge liquid upon any public street, Sidewalk or premises in the City.
- O. Sidewalk Vendors shall not block an entrance into a Building, structure or facility, or obstruct any door or window.
- P. Stationary Sidewalk Vendors shall not cause, allow, or maintain the placement of tables, chairs, shade structures, tents, umbrellas, other furniture, rugs, towels, fabric of any kind in public spaces or in any portion of the Public Right-of-way.
- Q. Sidewalk Vendors shall not store or leave unattended Vending equipment or receptacles in public spaces or in any portion of the Public Right-of-way.
- R. Sidewalk Vendors shall comply with the noise standards set forth in this Code. Using any horns, music, lights, visual media, or sound amplifying device unless expressly approved in the Sidewalk Vendor Permit;

**By signing below, I certify I have read and fully understand the Operating Conditions listed above:**

Print Applicant Name: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **PROHIBITED ACTIVITY DISCLOSURE**

- A. Carts shall not touch, lean against or be affixed at any time to any building or structure including, but not limited to lampposts, parking meters, mailboxes, traffic signals, fire hydrants, benches, bus shelters, newsstands, trash cans or traffic barriers.
- B. Conducting Sidewalk Vending Activity on unpaved portions of property;
- C. Conducting Sidewalk Vending Activity on privately-owned property without the written authorization of the property owner or lawful lessee/tenant and all activity must be conducted entirely on paved portions of the premises;
- D. Renting Merchandise to customers;
- E. Displaying Merchandise or Food that is not available for immediate sale;
- F. Selling of live animals, alcohol, marijuana, adult oriented material, tobacco products, products that contain nicotine or any product used to smoke/vape nicotine or marijuana;
- G. Selling Food or Merchandise to any person fifteen years of age or younger without one or both of their parents or legal guardians present;
- H. Using an open flame on or within any Cart;
- I. Using an electrical outlet or power source that is owned by the City or another person other than the Sidewalk Vendor;
- J. Providing or selling any service to any person;
- K. Continuing to offer Food or Merchandise for sale, following, or accompanying any person who has been offered Food or Merchandise after the person has declined the offer to purchase Food or Merchandise;
- L. Knowingly making false statements or misrepresentations during the course of offering Food or Merchandise for sale;
- M. Blocking or impeding the path of person(s) being offered Food or Merchandise to purchase;
- N. Making any statement, gesture, or other communication which a reasonable person in the situation of the person(s) being offered Food or Merchandise to purchase would perceive to be a threat and which has a reasonable likelihood to produce in the person(s) a fear that the threat will be carried out;
- O. Touching the person(s) being offered Food or Merchandise without that person(s) consent.
- P. Advertising any product or service that is not related to the Food or Merchandise being offered for immediate sale;
- Q. Using any horns, music, lights, visual media, or sound amplifying device unless expressly approved in the Sidewalk Vendor Permit;
- R. Placing a Cart outside of any Pathway or Sidewalk when engaging in Sidewalk Vending Activities;
- S. Physically altering or otherwise damaging the Sidewalk;
- T. Fastening or affixing any item, including but not limited to, tape, strap, chain, tie, band, or rope, to any Public Property, with the exception of tape used for social distance markers;
- U. Providing or selling any service to any person; or
- V. Placing of any type of fencing or other divider around the vending area.
- W. Sidewalk Vendors shall not engage in Sidewalk Vending Activities at the following locations:
  - Any Residential zone in the City:
    - Stationary Sidewalk Vendors shall not operate on Sidewalks or Pathways directly adjacent to or within Residential areas or in any Park for which the City has entered an exclusive concessionaire agreement
  - Upon or within any roadway, median strip, or in areas that separate opposing lanes of traffic on divided roadways.
  - Hemet City Hall which requires unimpeded pedestrian ingress and egress to ensure public safety.
  - Vending in Parks:
    - Sidewalk Vendors are prohibited from Vending in a Park owned or operated by the City where the operator of the Park has signed an agreement for concessions that exclusively permits the sale of Food or Merchandise by the concessionaire. Such restriction, if imposed, shall be set forth as a condition of approval of the Sidewalk Vendor Permit and identify the restricted Park(s).

- Sidewalk Vendors are prohibited from Vending in a Park owned or operated by the City in a manner that impedes the public's use and enjoyment of natural resources and recreational opportunities, or that causes an undue concentration of commercial activity that unreasonably interferes with the scenic and natural character of the Park. Such restriction, if imposed, shall be set forth as a condition of approval of the Sidewalk Vendor Permit and identify the restricted Park(s).
- Sidewalk Vendors shall not Vend in the following locations within a Park:
  - Within fifty (50) feet of any field or court that is primarily designed for use in a sporting activity (including, but not limited to, baseball field, softball field, basketball court, tennis court, soccer field, volleyball court, and handball court), while said area is in use;
  - Within fifty (50) feet of any playground, pool, or exercise area while said area is in use.
- Florida Avenue / Highway 74 and San Jacinto Street (North of Florida Avenue) / Highway 79. Sidewalk Vendors shall not conduct Sidewalk Vendor Activities on Florida Avenue (Highway 74) or San Jacinto Street north of Florida Avenue (Highway 79). Permitting any Sidewalk Vendor Activity would result in an undue concentration of commercial activity at Florida Avenue / Highway 74 and San Jacinto Street (North of Florida Avenue) / Highway 79 that unreasonably interferes with traffic, existing business, and pedestrian ingress and egress.
- Within Immediate Vicinity of a Certified Farmers' Market or certified Swap Meet during the hours of its operation; or an area designated for a Special Event permit for the limited duration of the permitted event;
- Within one (1) block of a public or private school, a place of worship, or a child day-care facility between 8 a.m. to 5 p.m. on days in which school is open.
- Within two-hundred (200) feet of a Police Station, Fire Station, or hospital.
- Within one-hundred (100) feet of: any police officer, firefighter, lifeguard or emergency medical personnel who are actively performing their duties or providing services to the public; another Sidewalk Vendor; the intersection of a cross-walk and a Sidewalk; any public picnic area, playground area or playground equipment; any public community center, athletic field, softball/baseball diamond, basketball court, handball court, pickleball court, tennis court, soccer field, or volleyball court.
- Within twenty-five (25) feet of: a fire hydrant; a curb which has been designated as a white, yellow, blue, or red zone, or a bus zone; an automated teller machine; a transit shelter; a bus stop; and/or a restroom or similar public use item.
- Within fifteen (15) feet of: any street corner or marked pedestrian crosswalk; the outer edge of any entrance to any business, including, but not limited to, doors, display windows, vestibules, and driveways during the hours that any business on the premises is open to the public or to persons having or conducting lawful business within those premises; the outer edge of any area permitted for sidewalk or outdoor dining including, but not limited to, sidewalk or outdoor dining entries and exits during the hours the business is open to the public; and any driveway or alley approach.
  - Within five (5) feet of: any area improved with lawn, flowers, shrubs or trees; any traffic signal controller, traffic signal pole, power pole, street light pole, general utility pole, above ground cabinet, general utility facility, manhole, parking meter, regulatory and directional signs, street furniture, or street art sculpture.

**By signing below, I certify I have read and fully understand the Prohibited Activities listed above:**

Print Applicant Name: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_