



# 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 Coachella has established.

### **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 areas in which the applicant proposes to operate.
- An encroachment permit issued by the City of Coachella Public Works Department (if applicable).

### **When Applicable, staff will ask for the following items:**

- Description of food to be offered for sale and vending equipment to be used (including the dimensions of carts or other equipment).
- If food vendor, proof of all approvals from the Riverside County Department of Public Health..
- The hours per day and the days per week of proposed operation.
- Proof of liability insurance with an endorsement naming the city as an additional insured. (*minimum limits of \$1,000,000 single coverage and in the aggregate against any injury, death, loss or damage as a result of wrongful or negligent acts or omissions by the applicant*).
- Agreement to indemnify and hold harmless the City of Coachella, its officers and employees for any damage or injury caused to the city as a result of sidewalk vending conduct or activity.

### **Approval or Denial of Permit**

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

- The requested information from the applicant is false in any material detail.
- The applicant has failed to provide a complete application after having been notified of the requirement to produce additional information.
- The applicant has failed to demonstrate an ability to conform to the operating standards in order to obtain a street vendor's permit.
- The applicant has delinquent fines, community service or alternative disposition associated with a previous violation of these regulations.
- Once a permit application has been denied, written notice and reasons of the denial shall be provided to the applicant.

### **Permit Expiration and Renewal**

A sidewalk vending permit shall be issued for a period of more than twelve (12) months. No license shall be issued for any period extending beyond the thirty-first day of December.

### **Permit Rescission and Appeals**

The Director may rescind a permit issued to a sidewalk vendor for a fourth violation or subsequent violations of these regulations. Notice of the hearing for rescission of a permit shall be given in writing, setting forth specifically the grounds of complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the permittee at his last known address at least five (5) days prior to the date set for the hearing. A sidewalk vendor whose permit is rescinded may apply for a new sidewalk vending permit upon the expiration of the term of the rescinded permit.

### **Appeals**

Any person aggrieved by the decision of the Director to issue, deny issuance, or rescind a sidewalk vending permit may appeal the decision to the City Manager. The appeal shall be filed with the City Manager within fourteen (14) days following the date of the Director's decision. The City Manager shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant. Such appeal shall be heard and decided by the City Manager within thirty (30) days from the date such appeal was filed unless such time limit is extended, with the written consent of the appellant. The decision and order of the City Manager on such appeal shall be final and conclusive.

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**SIDEWALK STREET VENDOR APPLICATION**

| <b>APPLICANT INFORMATION</b>   |                     |                                |
|--|---------------------|--------------------------------|
| APPLICANT NAME   |                     | PHONE NUMBER                   |
| MAILING ADDRESS  |                     |                                |
| EMAIL ADDRESS  |                     | FAX NUMBER                     |
| <b>VENDOR CATEGORY</b>   |                     | <b>HOURS/DAYS OF OPERATION</b> |
| <input type="checkbox"/> Roaming Vendor<br><input type="checkbox"/> Stationary Vendor  |                     |                                |
| <b>DESCRIPTION OF ITEM(S) BEING SOLD AND VENDING EQUIPMENT</b> <i>Provide dimensions of cart(s) or other conveyance(s)</i>   |                     |                                |
|  |                     |                                |
| <b>PROPOSED AREA OF STREET VENDING OPERATION</b> <i>Provide site plan or map of area(s)</i>  |                     |                                |
|  |                     |                                |
| <b>CERTIFICATION</b> <i>I hereby certify that the statements furnished above and in the attached exhibits present the data and 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.</i> |                     |                                |
| APPLICANT NAME   | APPLICANT SIGNATURE | DATE                           |

| <b>OPERATING STANDARDS</b> <i>Please initial the following standards</i>   | <b>APPLICANT INITIALS</b> |
|--|---------------------------|
| 1. No sidewalk vendor shall sell in the following locations:<br>a. Within ten (10) feet of any driveway or driveway apron.<br>b. Upon or within any parkway or landscaped areas lacking paved pathways.<br>c. Within five hundred (500) feet of a permitted farmers market, swap meet or special event during operating hours.<br>d. Within five hundred (500) feet of a public or private school site during school hours and not within one hour before or after school drop off and pick up operations.<br>e. In any City parking lot.<br>f. On private property without the notarized written authorization of the property owner. Must provide written approval on-site upon request. |                           |
| 2. No sidewalk vendor shall sell in a manner that blocks or obstructs the free movement of pedestrians, bicycles or vehicles.  |                           |
| 3. Sidewalk vending is only permitted between the hours of 5:00 a.m. and 11:00 p.m. daily except as follows:<br>a. In residential areas, roaming sidewalk vending shall only be permitted between the hours of 7:00 a.m. and 6:00 p.m.<br>b. In non-residential areas, the limit on hours of operation shall not be more restrictive than the hours of operation of other businesses or uses on the same street.<br>c. In park areas, sidewalk vending shall be permitted only during hours open to the public.  |                           |
| 4. Stationary sidewalk vendors shall not sell in areas that are zoned exclusively residential.   |                           |
| 5. Stationary sidewalk vendors shall not sell at any park where the City has signed an exclusive agreement of concessions.   |                           |
| 6. Stationary sidewalk vendors shall maintain a clearly designated litter receptacle in the immediate vicinity.  |                           |
| 7. Roaming sidewalk vendors shall maintain a litter receptacle attached to the vending cart.   |                           |
| 8. Litter generated from vending activities shall not be disposed of in a City refuse container.   |                           |
| 9. Vendors shall immediately clean up any food, grease, other fluids or items that fall on public property.  |                           |
| 10. Stationary vendors cannot have tables, chairs, fence shade structures permitted with vending activities  |                           |
| 11. Vendors shall possess and display their Public Health Permit from the Riverside County Department of Public Health.  |                           |
| 12. Vendors shall possess all permits and licenses required by the City to operate at all times.   |                           |
| 13. Vendors shall possess current liability insurance at all times.  |                           |
| 14. Vending carts shall not be chained, fastened or affixed at any time to any building or structure.  |                           |
| 15. No vending cart shall become a permanent fixture on any site or considered an improvement to real property.  |                           |
| 16. Vendors shall not leave their vending carts or equipment unattended or stored on any part of the sidewalk.   |                           |
| 17. Vending carts shall not be placed on any public property other than a sidewalk.  |                           |

**FOR OFFICE USE ONLY**

**CHECKLIST**

- Copy of California ID, Driver's License, Individual Taxpayer Identification Number (ITIN) or Social Security Number (SSN)
- Copy of California Department of Tax and Fee Administration Seller's Permit
- Approval from Riverside County Department of Public Health
- Food Handler's card
- Proof of Liability Insurance ( \$1,000,000.00)

| <b>COACHELLA VALLEY RESIDENT VENDOR</b> |           | <b>NON-COACHELLA VALLEY RESIDENT</b> |           | DATE FILED                   |
|---|-----------|--------------------------------------|-----------|------------------------------|
| Sidewalk Permit                         | \$ 125.00 | Sidewalk Permit                      | \$ 300.00 | PLANNING DEPARTMENT APPROVAL |
| License                                 | \$ 164.00 | License                              | \$ 164.00 |                              |
| Renewal                                 | \$ 100.00 | Renewal                              | \$ 165.00 | CODE ENFORCEMENT APPROVAL    |
| <b>TOTAL FEES</b>                       | <b>\$</b> | <b>TOTAL FEES</b>                    | <b>\$</b> |                              |

**INDEMNIFICATION AGREEMENT**

**APPLICANT SUBMITTED AN APPLICATION TO THE CITY OF COACHELLA ECONOMIC DEVELOPMENT DEPARTMENT 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 Coachella (“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.

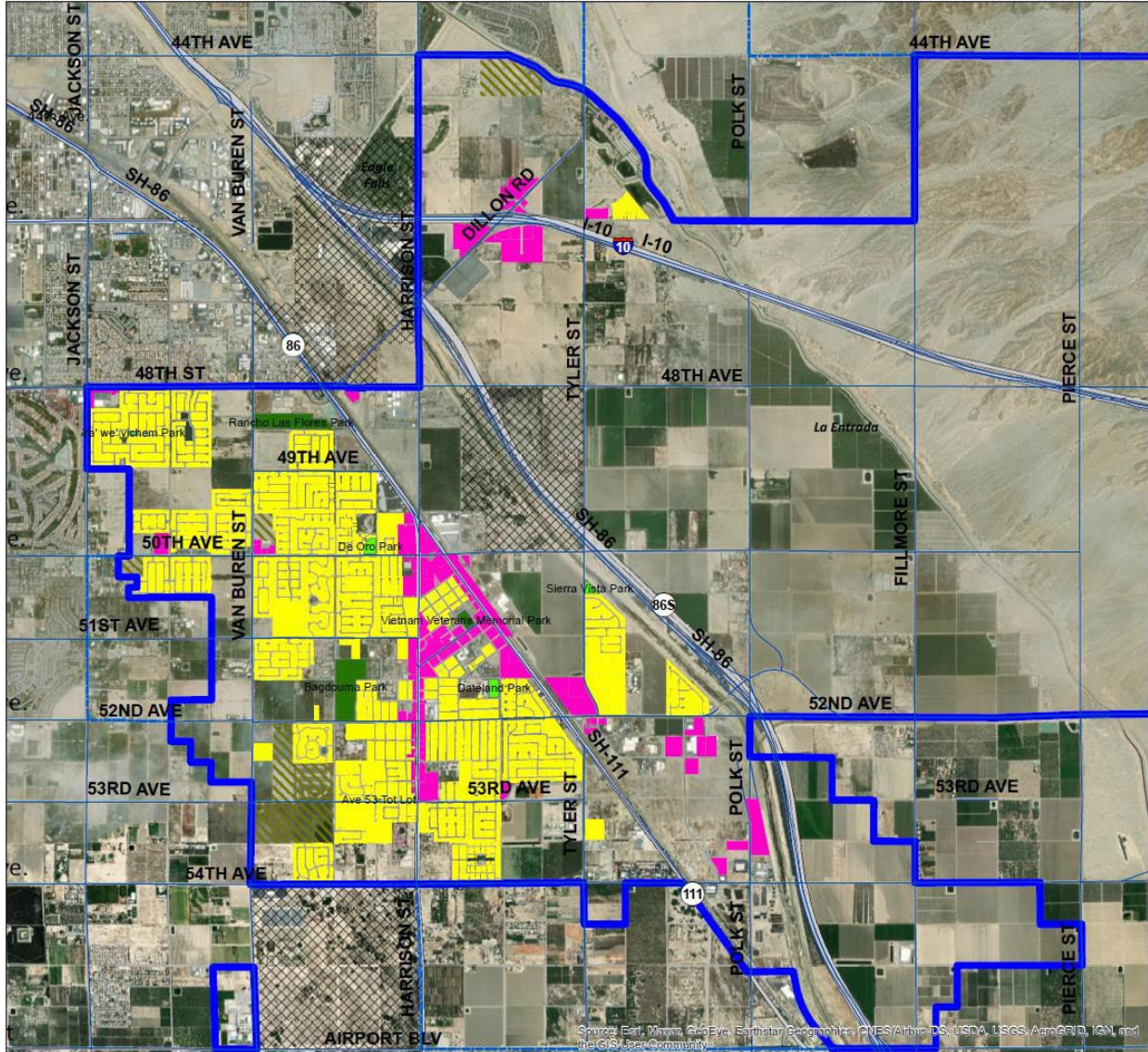
If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

**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 |
|------------------------|---------------------|------|

CITY PLANNING FILE NO.

**Sidewalk Street Vendor – Map of Permitted Areas**



- Residential Districts  
Roaming Sidewalk Vendors permitted
- Non-Residential Districts  
Stationary and Roaming Sidewalk Vendors permitted
- Public Parks  
Stationary and Roaming Sidewalk Vendors permitted

*\*Densities, intensities, and prohibited uses shall be consistent with criteria in the airport land use compatibility plan for the Jacqueline Cochran Regional Airport, including applicable Countywide criteria that may exist at the time of project review. If the project is located in the Riverside County Airport Land Use Compatibility Plan zones, please see ALUCP and Coachella City Planning Staff for the most up-to-date regulations.*

