

Article 20. Vending from Stands in Public Ways

3-7.2001 Findings and purpose.

The City Council finds as follows:

- (a) The primary purpose of the public streets, sidewalks, and other public ways is for use by vehicular and pedestrian traffic;
- (b) Vending from stands on public streets impedes the flow of both vehicular and pedestrian traffic;
- (c) Vending on public streets for commercial purposes is unnecessary because residents and tourists have ample commercial facilities from which to purchase food, beverages, wares and other merchandise;
- (d) However, there is a minimum of commercial facilities providing food and drink within easy walking distance from the County beach located west of and adjacent to the Esplanade; and it is in the public interest to permit a limited number of vendors to operate temporary stands, particularly during the summer season, on the west side of the Esplanade to supplement such facilities by providing food and drink for the convenience of those persons frequenting the public beach;
- (e) And the Redondo Beach Municipal Pier together with the adjacent Basin 3 area is a unique ocean oriented commercial-recreation attraction utilized by the entire Southern California community and in which vending from certain vending stands on City-owned leaseholds has historically been permitted as an addition to the festive ambience thereof;
- (f) And at such special events as designated by the City Council from time to time. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2002 Definitions.

For the purpose of this article the words set out in this section shall have the following meanings:

“Public way” shall mean all areas legally open to public use such as public streets, sidewalks, roadways, highways, parkways, alleys, parks, as well as the interior and areas surrounding public buildings.

“Stand” shall mean any table, bench, booth, or wagon, cart or other similar wheeled container, which is not a “vehicle” as defined in the Vehicle Code of the State of California, from which food, beverage or other consumable product is offered for sale to the public.

“Vendor” shall mean any individual, including an employee or agent of a group of individuals, partnership, or corporation, who sells or offers to sell food, beverages, goods, wares or merchandise on any public way from any stand, pushcart, or other human powered device. (§ 1, Ord. 2702 c.s., eff. September 16, 1993, as amended by § 1, Ord. 3137 c.s., eff. August 28, 2015)

3-7.2003 Business license and permit required.

It is unlawful for any person to sell, display, or offer for sale any food, beverage, goods, wares, or merchandise from any stand on any public way within the City without first obtaining a business license and vendor’s permit therefor from the City Treasurer. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2004 Limitation of vending sales.

No permit shall be issued for sales of food, beverage, goods, wares, or merchandise from any stand or vendor’s vehicle other than for specifically designated areas. With regard to that area in the City on the west side of the Esplanade between Knob Hill and Paseo de la Playa; the four (4) locations within said area for which permits may be issued pursuant to Section 3-7.2008, will be designated by the City Manager’s office. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2005 Exceptions.

The provisions of this chapter shall not be applicable to:

- (a) Newsracks permitted pursuant to Chapter 21 of Title 4 of the Redondo Beach Municipal Code;
- (b) Certified farmers' markets established under the provisions of Division 21 (Section 58001 et seq.) of the State Food and Agricultural Code;
- (c) The five (5) existing vending sites on City owned leaseholds on the Redondo Beach Municipal Pier and adjacent Basin 3 areas;
- (d) The County beach adjacent to the Esplanade;
- (e) Fairs, shows, festivals, exhibitions, city-wide celebrations and other special events for which a permit allowing vendors' stands has been issued by the City;
- (f) Mobile vending vehicles regulated pursuant to Article 23 of this chapter. (§ 1, Ord. 2702 c.s., eff. September 16, 1993, as amended by § 1(24), Ord. 2844 c.s., eff. November 4, 1999, and § 1, Ord. 3137 c.s., eff. August 28, 2015)

3-7.2006 Application.

- (a) The application for a vending permit shall be filed with the City Treasurer and shall contain all information relevant and necessary to determine whether a particular permit may be issued, including, but not limited to:
 - (1) Full name, home address, permanent business address (if any), telephone number, and driver's license number;
 - (2) A brief description of the nature, character, and quality of the food, beverages, goods, or merchandise to be sold;
 - (3) If vendor is employed by or is an agent of another, the name and business address of the principal/hiring person, firm, association, organization, company or corporation;
 - (4) A complete listing of any other permits or permits issued to applicant by the City within the past five (5) years;
 - (5) Any permits issued or required by the Los Angeles County Health Department.
- (b) Except for the year 1993-94, all applications for a vending permit shall be received by the City Treasurer no later than December 15 of the year prior to which the permit is to be issued. (§ 1, Ord. 2702 c.s., eff. September 16, 1993, as amended by § 1, Ord. 2711 c.s., eff. November 18, 1993)

3-7.2007 Health permits.

The application of any vendor engaged in the sale of food or beverages shall also be referred to the Los Angeles County Health Department for approval of a health permit in addition to the regular vending license. Such vendor's equipment shall be subject to inspections by the Health Department at the time of application and at periodic intervals thereafter. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2008 Issuance of permit.

- (a) Vending permits shall be issued by the City Treasurer.
- (b) Applicants qualifying for a permit shall be chosen by lottery. Site location shall be made by the permittee in the order of their selection.
- (c) A vending permit shall be valid for the period from January 1 through December 31 of that year.
- (d) In the event that a space becomes available between annual selections, a vending permit shall be issued to an applicant therefor which shall be valid only until the following December 31. (§ 1, Ord. 2702 c.s., eff. September 16, 1993, as amended by § 1, Ord. 2711 c.s., eff. November 18, 1993)

3-7.2009 Fees.

(a) Each applicant for a vending permit shall pay to the City Treasurer a non-refundable application fee which shall be set by action of the City Council.

(b) Each vendor granted a vending permit shall pay to the City Treasurer an annual permit fee which shall be set by action of the City Council. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2010 Insurance of bond.

No vending permit shall be issued to an applicant unless the applicant furnishes proof to the city of a public liability bond or insurance policy in an amount not less than One Million and no/100ths (\$1,000,000.00) Dollars for property damage and injuries, including injury resulting in death, caused by the operation of the vending business. Said insurance shall provide that: (1) the City is named as an insured, (2) it cannot be canceled without thirty (30) days' prior notice to the City, and (3) the insurance is primary to all other insurance. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2011 Display of permits.

(a) The permit issued to a vendor shall be with the vendor at all times when he or she is engaged in the business of vending. If the vendor sells food or beverages, the health permit must be displayed.

(b) Permits shall be displayed only by the person to whom they were issued and may not be transferred to any other person. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2012 General regulations.

The following regulations are applicable to vendors with vending permits:

(a) Size of stands. Vendors' stands shall not exceed six (6') feet in length, fifty-three (53") inches in width, or six (6') feet in height. Vendors are prohibited from blocking the public right-of-way beyond their area of immediate operation and are required to minimize their interference with pedestrian traffic.

(b) Hours of operation. It is unlawful for vendors to engage in the business of vending between the hours of 8:00 p.m. and 10:00 a.m. When temporary vending permits are sought for special events, pursuant to Section 6-3.07, the applicant may request from the City an exception to the usual hours of operation. All stands used for vending must be removed from public property during non-operating hours.

(c) Removal of trash. All trash or debris accumulating within fifty (50') feet of any vending stand shall be collected by the vendor and deposited in a trash container. All vendors selling food or beverages must provide trash receptacles adjacent to a part of their stands.

(d) Noise. No vendor may sound any device which produces a loud and raucous noise, or use or operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract public attention.

(e) Glass containers. Vendors are not permitted to sell or dispense items of food or drink in glass containers which would be carried away by the customer after purchase.

(f) Sale of food items only. Vendors are permitted to sell only items of food or drink. Additional goods, wares, or merchandise of non-food character will not be allowed sold from vendors' carts. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2013 Suspension or revocation of permit.

Any permit issued under this article may be suspended or revoked by the City Treasurer for any of the following reasons:

(a) Fraud or misrepresentation in the application for the permit;

(b) Fraud or misrepresentation in the course of conducting the business of vending;

- (c) Conducting the business of vending contrary to the conditions of the permit;
 - (d) Conducting the business of vending in such a manner as to create a public nuisance or constitute a danger to the public health, safety or welfare;
 - (e) Conviction of any crime involving moral turpitude while holding a vending permit from the City;
 - (f) Cancellation of health department authorization for a food or beverage vending unit due to uncorrected health or sanitation violations;
 - (g) Failure to pay sales taxes or other taxes payable by the permittee due to the operation of such stand;
 - (h) Refusal to provide sufficient records to the City Treasurer's office to verify by audit the proper collection of sales tax;
 - (i) Violation of any of the provisions of this article.
- (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2014 Revocation and suspension hearings.

All hearings relating to and appeal of the revocation or suspension of any permit granted pursuant to this article shall be conducted by the City Council in accordance with the provisions of Redondo Beach Municipal Code, Sections 6-1.26 and 6-1.27. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

3-7.2015 Penalties.

Any person who violates any provision of this article shall be punished upon conviction by a fine not to exceed One Thousand and no/100ths (\$1,000.00) Dollars or by imprisonment not to exceed six (6) months, or by both fine and imprisonment. (§ 1, Ord. 2702 c.s., eff. September 16, 1993)

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