



CITY OF LA HABRA

SIDEWALK VENDOR PERMIT APPLICATION

SVP Number _____

I. PRINCIPAL VENDOR /APPLICANT INFORMATION: DATE: _____

First Name _____ Last Name _____

ID Type _____ ID Number _____

Address _____

Email Address _____

II. BUSINESS APPLICANT INFORMATION: (if applicable)

Business Name _____

Business Mailing Address _____

Business Mailing Address _____

III. ADDITIONAL EMPLOYEES: (use additional pages as needed)

First Name _____ Last Name _____

Employee Address _____

Identification Type and Number _____

First Name _____ Last Name _____

Employee Address _____

Identification Type and Number _____

First Name _____ Last Name _____

Employee Address _____

Identification Type and Number _____

IV. VENDING ACTIVITY:

Roaming sidewalk vendor: A vendor who moves from place to place and stops only to complete a transaction.

Stationary sidewalk vendor: A vendor who vends from a fixed location.

Vending Type: (please choose one) Stationary Roaming

Proposed days: Mon Tues Wed Thu Fri Sat Sun

Proposed hours of operation: _____

Proposed Commodity: Food Merchandise Both

For merchandise: provide a description of the merchandise to be sold. For food: provide a description of the type of food to be sold, whether such foods are prepared on site, and whether the food requires a heating or cooling element. Note: Sidewalk vendors intending to sell food must also submit a health permit from the County of Orange.

IV. PROPOSED LOCATION FOR SIDEWALK VENDORS

Stationary sidewalk vendor permit applicants must identify the intended location for vending within the City. Use the space below to identify site for staff review or attach photographs of the proposed location to this application. Please review Exhibit A of this Application, which includes distance requirements and other restrictions for site locations. Roaming vendors are not required to identify specific site locations; however, are subject to distance requirements during operation. *Note: a limit of one (1) location may be submitted for review per application.*

V. VENDING CART DIMENSIONS

Application must include pictures of the proposed vending receptacle. The dimensions of sidewalk vending receptacle cannot exceed three (3) feet in length, three (3) feet in width and three (3) feet in height.

- I acknowledge that the dimensions of the cart intended to be used for the purposes of sidewalk vending within the City of La Habra do not exceed the maximum size allowed. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

VI. PROOF OF SELLER'S PERMIT

Prospective sidewalk vendors must possess a valid California Department of Tax and Fee Administration seller's permit for the duration of the issued permit.

- I have attached proof of a valid California Department of Tax and Fee Administration Seller's Permit purposes of sidewalk vending within the City of La Habra.

VII. PROOF OF HEALTH DEPARTMENT PERMIT (FOOD VENDORS ONLY)

Prospective sidewalk vendors must possess a valid Orange County Health Care Agency (OCHCA) permit for food sales for the duration of the issued permit.

- I have attached proof of a valid OCHCA food permit for the purposes of sidewalk vending within the City of La Habra.

Applicant's Initial _____

VIII. PROOF OF INSURANCE

Prospective sidewalk vendors must possess valid insurance for the duration of the issued permit. Please review insurance requirements on Page 5.

- I have attached proof of a valid proof of insurance.

IX. SIDEWALK VENDOR CONDUCT

- I understand that the conduct of the sidewalk vendor will not unduly interfere with traffic or pedestrian movement or tend to interfere with or endanger the public peace, or otherwise be detrimental to the public health, safety or general welfare. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

X. TRANSFER OF PERMIT PROHIBITED

- I understand that a Sidewalk Vendor Permit is non-transferable. Any change in ownership or operation of a sidewalk vendor or sidewalk vending receptacle requires a new permit. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XI. STORAGE OF FOOD

- I understand that all food and merchandise shall be stored either inside or affixed to the sidewalk vendor receptacle or carried by the sidewalk vendor. Food and merchandise shall not be stored, placed, or kept on any public property. If affixed to the sidewalk vendor receptacle, the overall space taken up by the sidewalk vendor receptacle shall not exceed the maximum size allowed for a sidewalk vending receptacle. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XII. DISPLAY OF SIDEWALK VENDOR PERMIT

- I understand that the Sidewalk Vendor Permit shall be displayed conspicuously at all times on the sidewalk vending receptacle or the sidewalk vendor's person to include any special permits issued by other agencies. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XIII. INSPECTION OF SIDEWALK VENDING RECEPTACLE

- I understand that all sidewalk vendors shall allow a City police officer, firefighter, public safety officer, or code enforcement officer, at any time, to inspect the sidewalk vending receptacle for compliance with the maximum size requirements and to ensure the safe operation of any heating elements used to prepare food. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XIV. DISPOSAL OF TRASH

- I understand that sidewalk vendors that sell food shall maintain a trash container in or on their sidewalk vending receptacle and shall not empty their trash into public trashcans. Additionally, the size of the trash container shall be taken into account when assessing the maximum size limit of a sidewalk vending receptacle. Sidewalk vendors shall not leave any location without first picking up and removing all trash or refuse from their operation. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XV. COMPLIANCE WITH NOISE STANDARDS

- I understand that sidewalk vendors shall comply with the noise standards provided in Chapter 9.32 of the La Habra Municipal Code, and any successor chapters. I understand that failure to comply with this requirement may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XVI. HOURS OF OPERATION

- I understand that all sidewalk vendors, regardless of whether a roaming sidewalk vendor or stationary sidewalk

vendor, are prohibited from conducting sidewalk vending activities between the hours of 10:00 p.m. and 7:00 a.m. daily. In residential areas, all stationary sidewalk vending is prohibited. In residential areas, roaming sidewalk vending activity is prohibited between the hours of 6:00 p.m. or sunset, whichever is earlier, and 9:00 a.m. of the following day, Monday through Saturday, inclusive, and all day on Sundays and federal holidays. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

Applicant's Initial _____

XVII. PROHIBITED ACTIVITIES

- I understand that all sidewalk vendors shall not engage in: (1) renting merchandise to customers; (2) displaying merchandise or food that is not available for immediate sale; (3) selling adult-oriented material, cannabis, or alcohol; or (4) use an open flame on or within any sidewalk vending receptacle. Additionally, I understand that merchandise shall not be displayed that constitutes a hazard to pedestrians or vehicular traffic, or in such a manner as to obstruct free and clear vision, at any location where, by reason of the position, shape, color or movement, may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. The vendor shall not make use of any word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

Applicant's Initial _____

XVIII. PROHIBITED LOCATIONS

- I understand that all sidewalk vendors are prohibited from sidewalk vending activities in the locations described in La Habra Municipal Code Section 5.20.060 as well as outlined in Exhibit A of this Application.

Applicant's Initial _____

XIX. COMPLIANCE WITH LOCAL, STATE AND FEDERAL LAW

- As a condition of receiving a Sidewalk Vending Permit, I agree to follow all local, state and federal laws while vending in the City of La Habra. Additionally, any individual(s) operating under the authority of the issued Sidewalk Vending Permit in the capacity of my company will also abide by all local, state and federal laws while sidewalk vending in La Habra. I understand that failure to comply with these requirements may result in fines or revocation of the Sidewalk Vending Permit.

APPLICANT'S NAME

APPLICANT'S SIGNATURE

XX. USE OF PUBLIC PROPERTY AND WAIVER AND RELEASE OF CLAIMS

- I acknowledge that the sidewalk vendor's use of public property is at my own risk, the City does not take any steps to ensure public property is safe or conducive to the sidewalk vending activities, and the sidewalk vendor uses public property at his or her own risk. I hereby waive and release the City of La Habra (and its elected officials, officers, employees, agents, and representatives) as to any claims for damages or injuries relating to or arising from the conditions of public property.

APPLICANT'S NAME

APPLICANT'S SIGNATURE

XXI. INDEMNIFICATION OF CITY FOR THIRD PARTY CLAIMS

- I agree to indemnify, hold harmless and defend the City of La Habra (and its elected officials, officers, employees, agents, and representatives) against any and all third-party claims, demands, causes of action, and actions in any way relating to or arising from the sidewalk vendor activities that are the subject of this Application.

APPLICANT'S NAME

APPLICANT'S SIGNATURE

XXII. AFFIDAVIT:

I hereby certify that all of the above information contained in this Application is, to the best of my knowledge and belief, true and correctly represented and that I have read and understand Chapter 5.20 of the La Habra Municipal Code pertaining to sidewalk vending. I understand that omission of material or false information may be grounds for denial of a sidewalk vending permit.

APPLICANT'S NAME

APPLICANT'S SIGNATURE

DATE

XXIII. FILING INSTRUCTIONS:

Submit a complete Sidewalk Vendor Permit application and pay a fee of \$180.00. An incomplete Application or insufficient information could delay the processing of the Application.

XXIV. INSURANCE REQUIREMENTS

Without limiting the indemnity provisions of the Permit, the Vendor shall procure and maintain in full force and effect during the term of the Permit, the following policies of insurance.

- Commercial General Liability (CGL) which affords coverage at least as broad as Insurance Services Office "occurrence" form CG 00 01, including products and completed operations, property damage, bodily injury, and personal & advertising injury with limits no less than \$2,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- Automobile Liability Insurance with coverage at least as broad as Insurance Services Office Form CA 0001 covering "Any Auto" (Symbol 1) with limit no less than \$1,000,000 each accident for bodily injury and property damage.

Endorsements:

Additional Insured: The City, its elected officials, officers, employees, volunteers, boards, agents and representatives shall be additional insureds with regard to liability and defense of suits or claims arising out of the work or operations performed by or on behalf of the Consultant including materials, parts or equipment furnished in connection with such work or operations.

Primary Insurance: This insurance shall be primary and any other insurance whether primary, excess, umbrella or contingent insurance, including deductible, or self-insurance available to the insureds added by endorsement shall be in excess of and shall not contribute with this insurance. Coverage shall be at least as broad as ISO CG 20 01 04 13.

CITY OF LA HABRA
SIDEWALK VENDOR PERMIT
APPLICATION
EXHIBIT A – STATIONARY SIDEWALK VENDING

I. PROXIMITY REQUIREMENTS FOR STATIONARY SIDEWALK VENDING SITE LOCATION

- The proposed site maintains a minimum four (4) foot clear accessible path of travel free from obstructions, including sidewalk vending receptacles and customer queuing area.
- The proposed site is not within twelve (12) inches of any curb face on all roads.
- The proposed site is not within fifteen (15) feet of any entrance or exit to a building, structure or facility.
- The proposed site is not on any designated emergency vehicle accessway.
- The proposed site is not on any public property that does not meet the definition of a sidewalk or pathway including without limitation any alley, park, street, roadway or parking lot;
- The proposed site is not within one thousand (1,000) feet of an area designated for a special event permit approved by the City, during the limited duration of the special event permit.
- The proposed site is not on any private property or any state highway (see map on last page).
- The proposed site is not within fifty (50) feet of another sidewalk vendor.
- The proposed site is not within five hundred (500) feet of a grade school, a place of worship, or a child day- care facility.
- The sidewalks or pathways at the proposed site has a minimum width of eight (8) feet or larger.
- The proposed site is not within twenty-five (25) feet of a:
 - a. Fire hydrant;
 - b. Curb which has been designated as white, yellow or red zone;
 - c. Automated teller machine;
 - d. Driveway, alley, or street corner;
 - e. Trash or recycling receptacles, bike racks, benches, bus stops or similar public use items; and
 - f. Public art objects, items, and displays.

- The proposed site does not violate provisions of this code relating to visibility requirements for streets, alleys, driveways, and intersections.
- The proposed site is not in a location where the City has signed a concessionary agreement.
- The sidewalk or pathway at the proposed site does not have a gradient in excess of ten percent (10%).
- The proposed site is not within two hundred (200) feet of any public safety facility, including without limitation police stations and fire stations.
- The proposed site is not within twenty-four (24) inches of a parallel parking space.

OR

- The sidewalk vending receptacle will not be affixed to any permanent items to include the sidewalk.