



SIDEWALK VENDING AND FOOD TRUCK UPDATE

Community & Economic Development Department

City Council
January 16, 2024

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BACKGROUND

1. Senate Bill 946 establishing sidewalk vending regulations in the State of California was adopted in January 2020.
2. Riverside Municipal Code Chapter 5.38 was amended in December 2021 to comply with new State Law and regulates sidewalk and pedestrian vending activity.
3. Shortly thereafter, the City adopted amendments to the Mobile Vending (Food Truck) ordinance – RMC 5.36 – significantly broadening allowances for food truck operations throughout the City



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DISCUSSION

1. During April 2023 update, Council requested additional update to include:

- a. Local “best practices” survey
- b. Impounding equipment/cookware
- c. English/Spanish Violation Notices



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BEST PRACTICES SURVEY

“Best Practices” survey of local jurisdiction found that Riverside had the most comprehensive and robust sidewalk vendor outreach and enforcement protocol.

	ANAHEIM	ONTARIO	POMONA	SAN BERN.	RIVERSIDE
Sidewalk vendors allowed	X	X	X	X	X
Outreach/education program	X	X	X	X	X
Dedicated vendor team					X
7 day/week enforcement					X
Partners with Health Dept.	X		X		X
Issues Admin. Citations	X	X	X		X
Food Trucks allowed	X		X	X	X
Confiscates food/perishables		X		X	X
Staff safety issues/threats	X	X		X	X



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IMPOUNDING EQUIPMENT

City Code Enforcement Staff are not authorized to impound cooking equipment under sidewalk vending ordinance:

- a. California Health and Safety Code intends to “occupy the whole field of health and sanitation standards for retail food facilities” Local agencies cannot then adopt ordinances that supplant or circumvent H&S Code.
- b. The California Retail Food Code has clear requirements that enforcement officer be “registered environmental health specialists” Code Enforcement Officers do not meet those requirements
- c. The California Government Code related to sidewalk vendors prescribes Administrative Fines as the ONLY available enforcement method.



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IMPOUNDING EQUIPMENT

City Code Enforcement Staff is authorized to summarily abate public nuisances:

- a. In cases of manifest public danger and/or immediate necessity.
- b. The Building Official or the Code Enforcement Manager, or their designees, have the authority to immediately abate any public nuisance which presents an immediate threat to public health or safety.



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ENGLISH/SPANISH TRANSLATION



City of Riverside
Community Development & Economic Department
Code Enforcement Division
2900 Main Street, Riverside, CA 92522
(951) 826-5633



ADMINISTRATIVE CITATION
ORDENACION ADMINISTRATIVA

Case# _____ Date: _____ Time: _____ ANC _____
 Name of Case: _____ Date: _____ Page _____ of _____
 Location of Violation: _____

Name (First, Middle, Last) <small>Nombre</small>		Relation to Property <small>Relacion a la Propiedad</small>	
Address <small>Direccion</small>			
City	State	Zip	County/Parish <small>Condado/Parish</small>
Driver's Lic. No. <small>Numero de Licencia</small>	State	D.O.B. <small>Fecha de nacimiento</small>	

CODE SECTION <small>Artículo de Código</small>	VIOLATION DESCRIPTION <small>Descripción de Violación</small>	FINE AMOUNT <small>Cantidad de la Multa</small>
<input type="checkbox"/> RMC 5.38.050	Business Tax Required <small>Licencia de Negocio Requerida</small>	_____
<input type="checkbox"/> RMC 5.38.060	Commercial Mobile Foodstall Required (Food Truck) <small>Permisos de Salud (Comercio)</small>	_____
<input type="checkbox"/> RMC 5.38.070	Mobile Foodstall Required (Sidewalk Vendor) <small>Permisos de Vendedor (Movil)</small>	_____
<input type="checkbox"/> RMC 5.38.080	Commercial Mobile Foodstall Required (Food Stand) <small>Permisos de Salud (Vendedor de Comida)</small>	_____
<input type="checkbox"/> RMC 5.38.070 (S)	Park within 200 feet of intersection (Food Truck) <small>Estacionarse dentro de 200 pies de una interseccion (Comercio)</small>	_____
<input type="checkbox"/> RMC 5.38.070 (P)	Obstruction of vehicle / pedestrian traffic (Food Truck) <small>Obstruccion de trafico vehicular / peatonal (Comercio)</small>	_____
<input type="checkbox"/> RMC 5.38.115 (C)	Obstruction of vehicle / pedestrian traffic (Sidewalk Vendor) <small>Obstruccion de trafico vehicular / peatonal (Vendedor)</small>	_____
<input type="checkbox"/> RMC 5.38.115 (S)	Obstruction of vehicle / pedestrian traffic (Food Stand) <small>Obstruccion de trafico vehicular / peatonal (Vendedor)</small>	_____
<input type="checkbox"/> RMC 5.38.115 (S)	Canvasser/petitioner/collector de 4 pies en todo momento <small>Prohibido dentro de 200 pies de cualquier designacion con permiso especial temporal</small>	_____

Code Section <small>Artículo de Código</small>	Description/Remarks <small>Descripción/Comentarios</small>	Fine Amount <small>Cantidad</small>

TOTAL FINE AMOUNT
CANTIDAD TOTAL DE LA MULTA

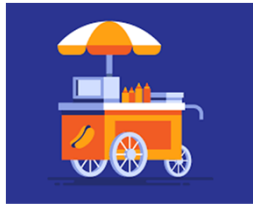
Payment is due 30 calendar days from date of this citation
Pago de multa dentro de 30 días de esta multa

Signature (Acknowledging Receipt) _____ Issuing Officer: _____ C# _____
Nombre Nombre de Oficial Numero de Oficio
 Printed Name: _____ Phone # _____
Nombre Telefono

WHITE/COPY CHERRY/CERTIFIED MAIL PINK/REGULAR MAIL MANILA CARD POSTED/REMOVED CO-Form No. 58 (7-23)


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STATISTICS

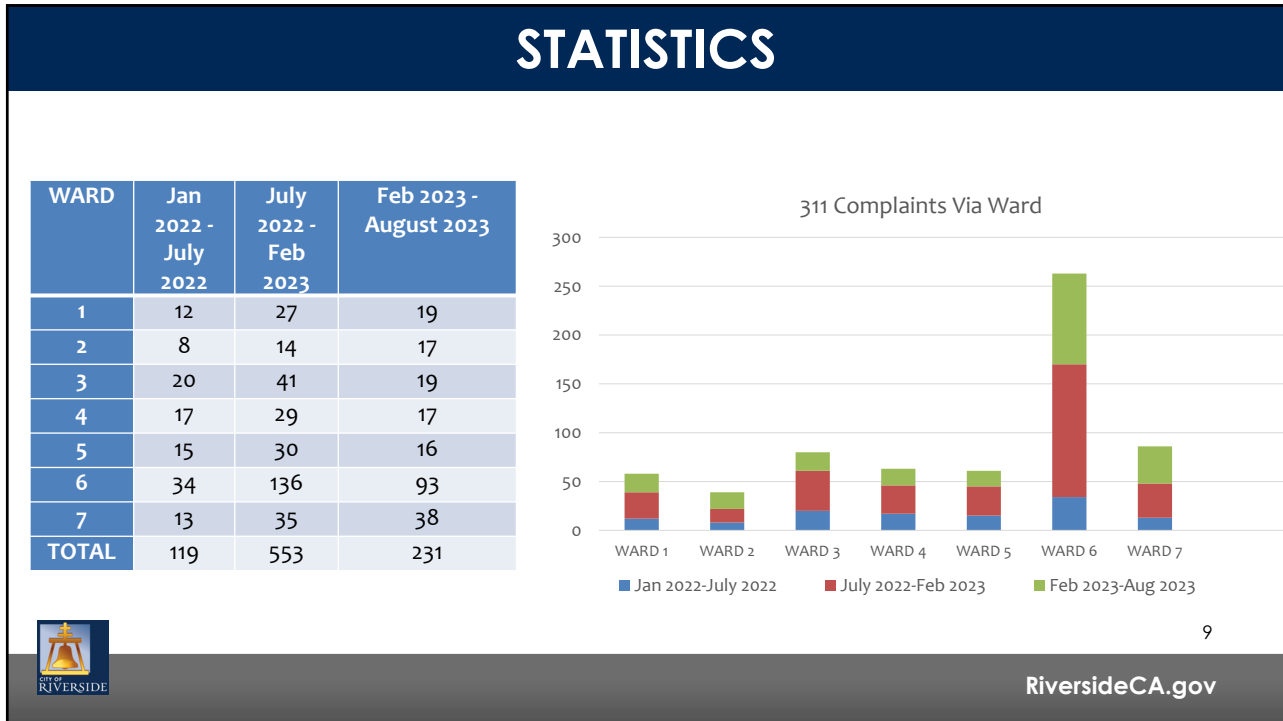


31 active vendor permits for sidewalk vendors

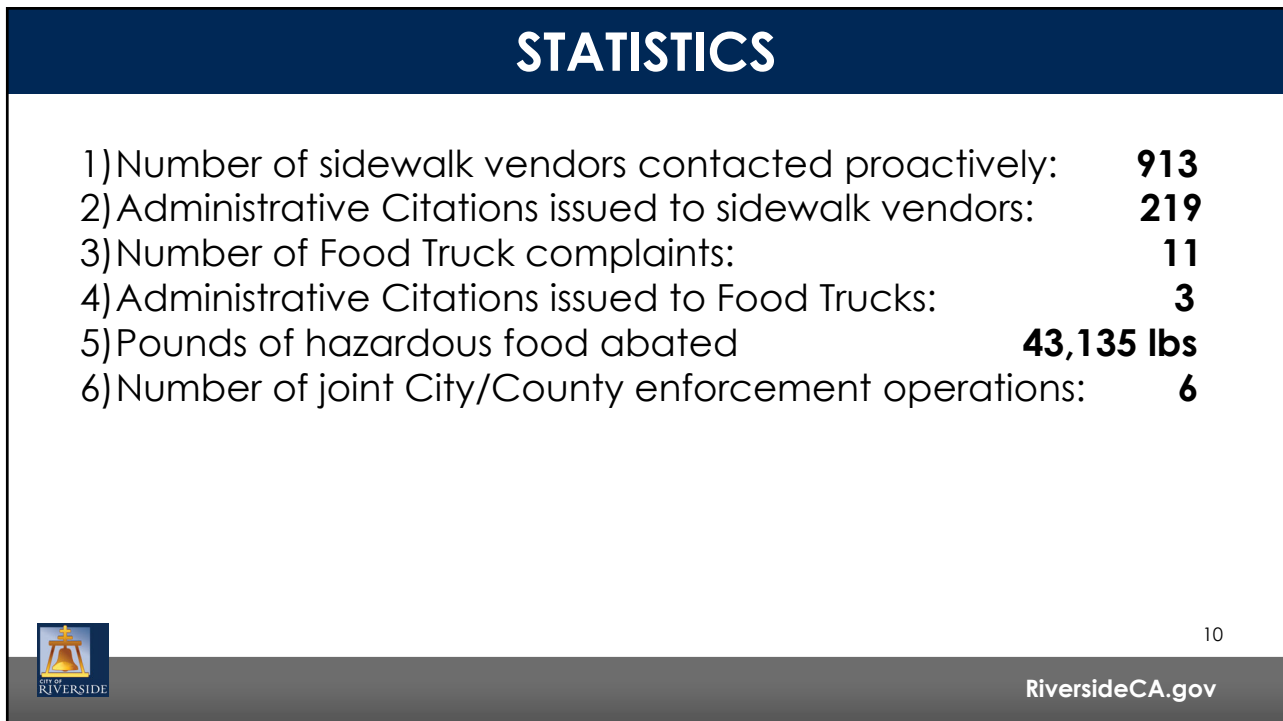


22 active business tax certificates for Food Trucks





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OBSERVATIONS

1. Majority of unpermitted vendors are stationary taco vendors from Los Angeles or surrounding areas – not Riverside.
2. Many vendors connected to one operator who “opens” several locations at a time in Riverside
3. Operators have been coached not to cooperate with City Officials
4. Some vendors appear to be making an attempt to adjust to enforcement methods, employ lookouts and have a roaming “replenishment” truck to avoid food confiscation.



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STRATEGIC PLAN ALIGNMENT

Envision Riverside 2025 Strategic Plan Priorities

 #3 Economic Opportunity

Cross-Cutting Threads



Community Trust



Fiscal Responsibility



Sustainability &
Resiliency



Equity



Innovation



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RECOMMENDATIONS

That the City Council:

1. Receive and file an update on education and enforcement efforts related to the City's Sidewalk Vending and Food Truck Ordinances.



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