

## **City of Long Beach Street Vending Regulations**

### **Licensing, Permitting and Fees**

A business license and sidewalk vending permit are required for all vendors. Most vendors selling food items will also need a City Health Permit, depending upon the type of business. The City is working to streamline processes and remove barriers to make applying for the license and permits as easy as possible. The City is also helping ease the financial burden for small businesses and has identified one-time resources to reduce costs during the first year of the ordinance being in effect.

- People can apply for a business license and sidewalk vending permit, which will be available in several languages and cost \$300.
- Health permit fees will vary depending on the type of business:
  - Vendors selling food such as whole (uncut) produce, packaged tamales, chips, candy and/or ice cream will pay \$300 for the annual health permit and a one-time \$250 plan check fee
  - People who sell food items such as hot dogs, popcorn, smoothies or cut fruit will pay \$730 for their annual health permit and a one-time \$445 plan check fee
  - Those who serve food such as hamburgers, tacos, burritos or kebabs will pay \$730 for their annual health permit and a one-time plan check fee of \$1,165
  - Pre-packaged, nonperishable display of food from a cart with a footprint of 25-square-feet or less will not need a health permit but will still need a business license
- Vendors will also need to acquire insurance with a \$1 million policy limit (a survey of options found the cost to be approximately \$400).
- If a person operates multiple carts, each cart will need its own set of permits.

To offset start-up costs in the first year, the Long Beach Recovery Act will fund a Sidewalk Vending Program that will be available to cover the cost of insurance, business license and health permit fees. This program is expected to launch in late February 2024 to provide support for the first year of the ordinance. More information about this new initiative will be provided in the next few weeks.

### **Food Safety Regulations**

To protect the safety of consumers, it is important that all sidewalk vendors operate in a way that is hygienic and follows proper food safety rules. Food carts must contain certain required elements based on the type of food they sell. The food must be sold from a cart that includes all of the required elements. This is in line with State Health codes under which the Health Department must legally comply. Using folding tables, picnic coolers, etc. will not be allowed under the new rules, as they do not meet safe health practices.

The Health Department has collaborated with Los Angeles County Department of Public Health - Environmental Health Division for a universal cart plan check approval. This means that a cart approved by the County can get a health permit without needing to pay another plan check fee.

The City is also working to identify pre-approved carts to make starting up easier and less expensive.

People are encouraged to contact the Health Department at [environmentalhealth@longbeach.gov](mailto:environmentalhealth@longbeach.gov) or by calling 562.570.4132 before purchasing any equipment to ensure their business plan is aligned with this ordinance and State law.

All food carts must use equipment certified for sanitation (i.e., the materials are food safe); they must also have orderly storage compartments for food items and clean utensils.

If a person is making or selling unpackaged food and do not handle raw meat, raw poultry or raw fish, they must meet all of the above requirements as well as the requirements below:

- Carts will need a handwashing sink with 5-gallon water tank; the water does not need to be heated.
- If the cart sells any food that needs to be refrigerated, the cart must include a mechanical refrigerator capable of holding foods at 41 degrees or lower; a picnic cooler does not meet this requirement.
- If the cart sells any food that needs to be kept hot, it must include a hot-holding unit keeping foods at 135 degrees or warmer.
- If a person is making or selling unpackaged food and handles raw meat, raw poultry or raw fish, they must meet the requirements above, but the sink requirements are different:
  - Carts will need to have a water tank of at least 20 gallons: 5 gallons for handwashing and 15 gallons for three-compartment (ware-washing) sink
  - The sinks require a water heater that can supply water continuously heated to 120 degrees
- Vendors may not dispose of wastewater or grease in the street; they must have a wastewater holding tank and dump it properly off site and dispose of grease appropriately.
- Vendors must have a trash can on site for customer and vending operations use; they must also clean up any trash and debris within 10 feet if it is related to their sidewalk vending operation. Vendors cannot use City trash bins for their operation.

### **Placement, Size and Accessibility Considerations**

A number of regulations are put into place to protect the sidewalk right-of-way for pedestrians and ensure ADA accessibility.

- Vendors are allowed to operate in areas zoned as parks between 8 a.m. and when the park closes (or sunset if there is no designated closing time).
- They may also vend in non-residential areas other than parks between 6 a.m. and 10 p.m. or during the operating hours imposed on other businesses on the same block (whichever is earlier).
- However, vendors are not allowed within one block of school grounds from 7 a.m. to 5 p.m. on school days.

- Vendors may operate in parkways as long as there are no plants present and it is safe to vend there; vending in the street's center median, however, is not allowed.
- Vendors are allowed to use a private property owner's utilities if they have permission from the property owner, if using the utilities does not present a safety hazard and if they obtain the necessary State permits for utility sharing.
- Roaming sidewalk vendors are allowed to sell items on greenspace or sandy areas as long as they do not interfere with any activities or approach spectators.
- Amplified music, microphones, bells, chimes, etc. are not allowed for stationary vendors, but roaming vendors may use bells or chimes.
- Any flashing signs must not be facing traffic and may not contain blue and red lights.
- Stationary vendors, which operate from a fixed location, may not operate in areas zoned as exclusively residential. However, roaming vendors, who operate moving from place to place only stopping to complete a transaction, may operate in residential areas.
- Vendors cannot sell to people in unparked vehicles.
- Vendors may not place tables or chairs on the sidewalk for customer use.
- Sidewalk vendor carts need to maintain a certain amount of space (clearance) to allow for the easy flow of traffic:
  - A minimum of four feet of clear sidewalk or pedestrian path
  - At least five feet of clear sidewalk in High Volume or Very High Volume Pedestrian Zones
- Vendors may not operate:
  - Within 18 inches of the curb
  - Within five feet of an above ground structure
  - Within five feet of a bus or Metro stop
  - Within 10 feet of a driveway, alley approach or marked crosswalk
  - Within 10 feet of an ATM
  - Within 10 feet of shared e-scooter or bike parking
  - Within 15 feet of a commercial outdoor dining area, sidewalk dining area, permanent parklet or location with a valid encroachment permit
  - Within 15 feet of an intersection
  - Within 15 feet of a loading zone
  - Within 15 feet of an ADA curb, ramp or curb cut, or access ramp for a person with disabilities
  - Within 15 feet of a public restroom (applicable to sidewalk vendors selling food)
  - Within 20 feet of another stationary sidewalk vendor (applicable to stationary sidewalk vendors)
  - Within 25 feet of a beach access point
  - Within 25 feet of a Los Angeles County waterway or flood control fencing
  - Within 50 feet of a railroad crossing
  - Within 100 feet of the vehicle entrance of a fire station, lifeguard tower or other emergency building or path
  - Within 500 feet of a freeway on or off ramp
- Vendors are not allowed to set up on private property or at certain City-owned facilities under lease by another agency, including:

- Long Beach Convention and Entertainment Center
- Shoreline Village
- The Pike Outlets
- Rainbow Harbor Esplanade
- Rancho Los Cerritos and Rancho Los Alamitos
- Municipal golf courses and community gardens
- Vendors also are not allowed to set up at protected habitats and mitigation areas, like Colorado Lagoon, DeForest Park and Wetlands, and El Dorado Nature Center

### **Enforcement**

The City will work with vendors for several months after the ordinance is in effect to provide the updated licensing and permitting requirements and operational rules, before enforcement of these rules takes place. Even after enforcement begins, the City will take an education-first approach whenever possible. Health codes will continue to be enforced in order to protect the health of residents and visitors.

If a sidewalk vendor has a valid permit but is violating the ordinance, which is codified at Chapter 5.73 of the Long Beach Municipal Code, they will first be given the opportunity to remedy the situation. Under some circumstances, vendors could face an administrative fine and, as with restaurants and other businesses, health permits and business licenses can be revoked if a vendor is found to be continually out of compliance. In addition, in some circumstances, a sidewalk vendor's equipment and merchandise can be impounded. These circumstances include:

- If the vendor is selling prohibited items, such as tobacco, cannabis, drugs or drug paraphernalia, animals, counterfeit goods, adult-oriented material or weapons.
- If the vendor is operating without a permit.
- If the vendor leaves their cart, food, merchandise or other equipment unattended.

While impoundment is an authorized enforcement mechanism, the intent is to use discretion and employ it only in significant and problematic circumstances. Equipment, food and merchandise subject to impoundment can be disposed of immediately if it poses a public health risk or safety concern.

### **Background and Outreach**

The recommendation to develop a City Ordinance that supports sidewalk vending in Long Beach was originally brought to the Long Beach City Council in March 2022 by First District Councilwoman Mary Zendejas and was developed after exhaustive research and community feedback.

In November 2022, the City conducted a multilingual survey to solicit opinions from vendors, restaurateurs and other business owners as well as residents and visitors, which garnered more than 2,300 responses. In December 2022, the City's Environmental Health Bureau hosted a Health Permit workshop that was attended by over 60 people. Seven focus groups were also hosted throughout December 2022 and January 2023 and included participation from sidewalk

vendors, residents, business owners and community-based organizations. In January 2023, the City hosted one virtual and one in-person sidewalk vending community feedback meeting. Lastly, in an effort to keep the public informed of all matters related to sidewalk vendor policies and regulations, community members had the opportunity to sign up to receive updates from the City. The proposed ordinance was also read at the Nov. 14, 2023, City Council meeting as well as the Jan. 16, 2024, City Council meeting, both of which offered the community opportunities to make public comments.

The ordinance and its enforcement will be evaluated around six months after the ordinance goes into effect.

The upcoming Sidewalk Vending Program is made possible by the Long Beach Recovery Act, a plan to fund economic and public health initiatives for Long Beach residents, workers and businesses critically impacted by the COVID-19 pandemic. Additional information about the Long Beach Recovery Act is available at [longbeach.gov/recovery](https://longbeach.gov/recovery). The program also aligns with Goal 4 of Long Beach's [Racial and Reconciliation Initiative](#) to improve health and wellness in the City by eliminating social and economic disparities where health outcomes are significantly below city averages

### **About the City of Long Beach**

Long Beach is nestled along the Southern California coast and home to approximately 466,000 people. As an award-winning full-service charter city, Long Beach offers the amenities of a metropolitan city while maintaining a strong sense of individual and diverse neighborhoods, culture and community. With a bustling downtown and over six miles of scenic beaches, Long Beach is a renowned tourist and business destination and home to the iconic Queen Mary, nationally recognized Aquarium of the Pacific and Long Beach Airport, award-winning Long Beach Convention and Entertainment Center and world-class Port of Long Beach.