



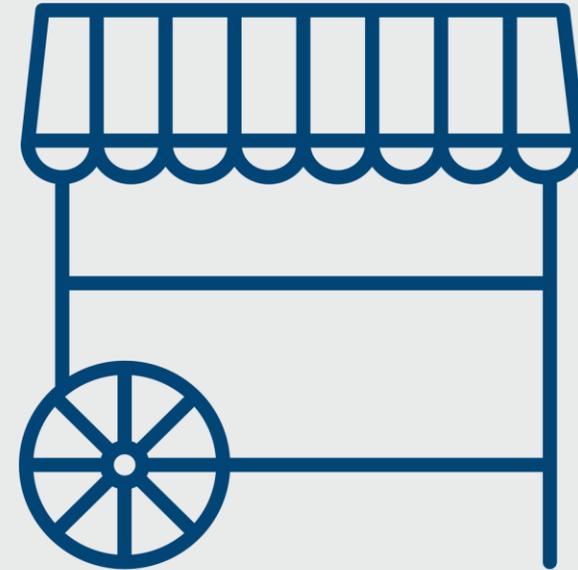
Sidewalk Vending Ordinance – First Reading

City Council Meeting – January 16, 2024



Sidewalk Vending Ordinance First Reading

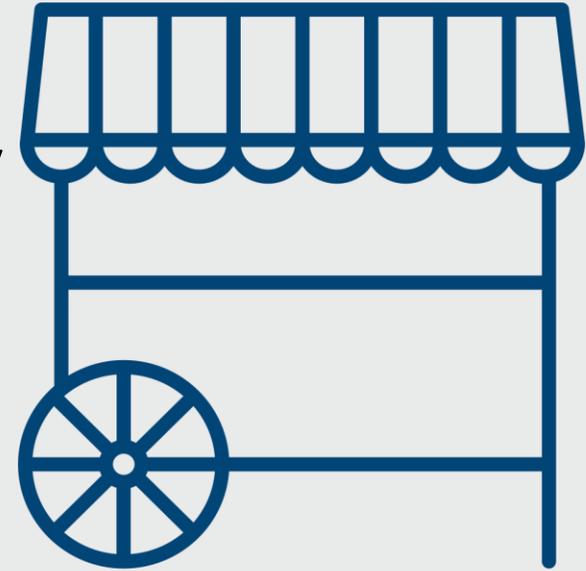
- **On November 14, 2023, a Hearing and First Reading for the proposed Sidewalk Vending Ordinance was held before Council.**
- **After deliberation, Council directed staff to:**
 - Engage with the operator of the Pike Outlets to express the City's support for allowing sidewalk vending adjacent to the property. Staff has sent initial communications and will continue conversations about potential opportunities.
 - Following implementation, return to Council with a 6-month update with best steps for enforcement.
 - Require insurance at the \$1 million policy limit, to be offset in the first year by available LBRA or other funds.
 - Increase funding from \$1,000 to up to \$1,500 per sidewalk vendor, to cover licensing and insurance costs for the first year of operations.



Sidewalk Vending Ordinance First Reading

Based on Council direction, the Sidewalk Vending Ordinance has been further revised to (more details in Appendix):

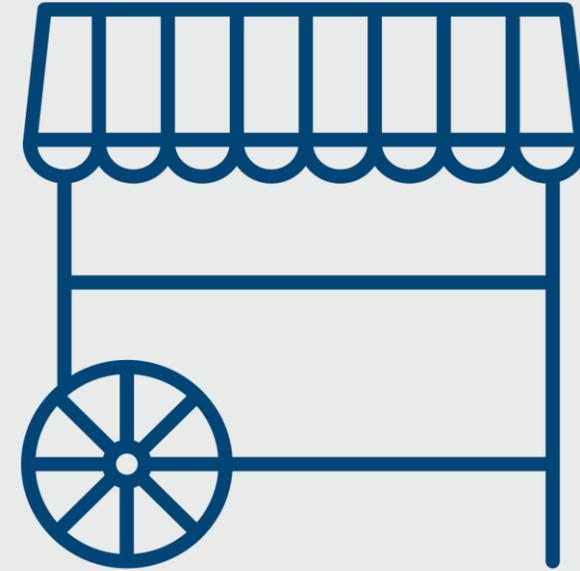
- Include language emphasizing that the permitting process will comply with the California Values Act.
- Allow sidewalk vendors to use utilities of private property owners with their permission, so long as safety hazards and ADA accessibility concerns are mitigated.
- Further refine the definition of “Parkway” to explicitly restrict operations in medians.
- Increase the operating distance from 15 feet to 25 feet away from Los Angeles County waterway and/or flood control fencing.
- Restrict the use of red and blue flashing signs, and require all other flashing signs to not face a highway or traffic.
- Offset license, permit, and plan check fees for the first year.



Business License Permitting

Under the proposed ordinance, all sidewalk vendors must obtain a Business License and Sidewalk Vendor Permit.

- Only one application required to apply for Business License and Sidewalk Vending Permit.
- Application will be available in several languages, with assistance available in all languages.
- License and permit are valid for one year and may be renewed each year with a simplified process.
- Licensed vendors will receive a permit to prominently display on their conveyance or on their person.
- Proposed fee is \$300, representing full cost recovery, and will be adjusted annually based on the Consumer Price Index (CPI).



Business License Permitting

General Business License Application

CITY OF LONG BEACH BUSINESS LICENSE APPLICATION
 Second Floor, City Hall
 411 W. Ocean Boulevard, Long Beach, CA 90802
www.longbeach.gov
LBBIZ@longbeach.gov
 (562) 570-6211

GENERAL INFORMATION

OWNER/ENTITY NAME: _____ DRIVER'S LICENSE NO: _____ STATE: _____ SOCIAL SECURITY NO: _____ HOME OCCUPATION: _____
 Y N

BUSINESS NAME (D.B.A.): _____ TYPE OF BUSINESS (BE SPECIFIC): _____ MAIL: _____

BUSINESS ADDRESS: STREET: _____ CITY: _____ STATE: _____ ZIP: _____ AREA CODE/TELEPHONE: _____

BILLING ADDRESS (if same write SAME)**: STREET: _____ CITY: _____ STATE: _____ ZIP: _____ AREA CODE/TELEPHONE: _____

RESIDENCE ADDRESS (if same write SAME): STREET: _____ CITY: _____ STATE: _____ ZIP: _____ AREA CODE/TELEPHONE: _____

LIST OF PRINCIPAL OFFICERS, MEMBERS, PARTNERS AND RESIDENTIAL ADDRESSES (IF MORE, PLEASE ATTACH A LIST):

NAME	TITLE	% OWNERSHIP
_____	_____	_____
_____	_____	_____

New Business Address Change Ownership Change Secondary License Sole Owner Partnership Corporation LLP LLC

BUSINESS OPERATIONS INFORMATION

START DATE: _____ NO. OF EMPLOYEES: _____ NO. OF VEHICLES: _____ FEDERAL TAX ID NUMBER: _____ SALES & USE TAX (SELLER'S PERMIT) NO: _____

DOES YOUR BUSINESS HAVE A CALIFORNIA STATE LICENSE? Y N STATE LICENSE NO: _____ CLASSIFICATION(S): _____ RENEWAL DATE: _____

HAVE YOU EVER HAD A BUSINESS LICENSE/PERMIT REVOKED OR SUSPENDED? Y N LICENSE/PERMIT NO: _____ ISSUING AGENCY: _____ CLASSIFICATION & DATE OF SUSPENSION/REVOCATION: _____

FOOD / ALCOHOL / TOBACCO / ENTERTAINMENT

Do you plan to sell or serve food? (Includes pre-packaged) Y N Will you offer massage, tanning, herbal therapy, escort or any other services that improve the health or well being of another? Y N

If serving food, how many seats?: _____ Do you plan to sell or serve alcoholic beverages? Y N Will you engage in fund raising? Y N

ABC License number: _____ Type: _____ Will you deal in coins, firearms, jewels or second-hand property? Y N

Conditions Included: (If yes, please attach to application) Y N Will you perform Parking Management? If so, please attach a detailed list of all activities? Y N

Does your business have amusement machines, video games, vending machines, jukebox and/or pool tables? Y N

How many _____ Type: _____ Owner: _____ Business sq. ft.: _____ Warehouse on site? Y N

Do you plan to sell tobacco products/pamphletaria? Y N Do you: Own or Rent/Lease your business property?

Do you plan to operate a Smoking Lounge? Y N **HAZARDOUS MATERIALS / MEDICAL WASTE**

Will you deal with, use, store or transport cannabis? Y N Will you manage or produce bio-hazardous materials or waste? Y N

Will you have Music Dancing Performers Adult Entertainment? Will you use, store, or transport chemicals (new or waste state)? Y N

ACKNOWLEDGMENT TO BE COMPLETED BY SOLE OWNER, PRINCIPAL OFFICERS, MEMBERS OR PARTNERS

I understand that before I can operate my business in Long Beach, my establishment must comply with applicable City departmental laws and regulations completely and I must obtain a business license and all necessary Federal State and local permits or I will be in violation of L.B.M.C. Chapter 3.80. I declare that I am authorized to complete this application and that the information and statements provided are true and correct. **SIGN and return this statement with your remittance. Make checks payable to City of Long Beach.**

Signature _____ Date _____ PRINT NAME/TITLE _____
 Signature _____ Date _____ PRINT NAME/TITLE _____

DO NOT WRITE BELOW THIS LINE

Inspection(s):	Fee	Amount	By:	Date:
Basic Tax	# _____ @ \$ _____ =	_____	_____	_____
Employees	# _____ @ \$ _____ =	_____	_____	_____
Vehicles	# _____ @ \$ _____ =	_____	_____	_____
Other	# _____ @ \$ _____ =	_____	_____	_____
PIA	# _____ @ \$ _____ =	_____	_____	_____
PIA Employees	# _____ @ \$ _____ =	_____	_____	_____
Regulatory Investigation	_____	_____	_____	_____
Misc. Fees	_____	_____	_____	_____
Sub Total	_____	_____	_____	_____
Zoning	_____	_____	_____	_____
Building Review	_____	_____	_____	_____
Total	\$ _____	_____	_____	_____

BU _____

NOTE: THIS IS NOT A BUSINESS LICENSE. DO NOT OPERATE UNTIL A VALID LICENSE HAS BEEN ISSUED

STREAMLINED



Sidewalk Vendor Application

CITY OF LONG BEACH
 Business Services Bureau
 411 W. Ocean Blvd, Long Beach, CA 90802
 (562) 570-6211 or FM-sidewalkvending@longbeach.gov

SIDEWALK VENDING LICENSE APPLICATION

- A sidewalk vendor is a person who sells food or merchandise from pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance or from one's person upon a public sidewalk or pedestrian path.
- Each conveyance or person, if vending without a conveyance, is required to have a Long Beach Business License.

APPLICANT INFORMATION

Business Owner's Full Name: _____ Business Name: _____

Business or Residence Address: _____

Mailing Address if different from business or residence address: _____

Social Security # / Driver's License # / ID #: _____ Phone Number: _____ Email: _____

I have a valid California Department of Tax and Fee Administration (CDTFA) Seller's Permit. Seller's Permit #: _____

I do not have a valid California Department of Tax and Fee Administration (CDTFA) Seller's Permit.

I am exempt from having a CDTFA seller's permit for the following reasons: _____

Ownership Type: Sole Owner LLC Corporation Partnership

Items being sold: Food Merchandise Both

Type (s) of food or merchandise sold: _____

For food vendors only:

Operating with 25 square feet or less of display area? Yes No

Selling only prepackaged, not potentially hazardous food or whole uncooked produce? Yes No

If **Yes** to both questions, a health permit is not required.

If **NO** to either question, a Long Beach Health Permit is required before a Sidewalk Vendor Business License and Permit can be issued.

I have a valid health permit from the City of Long Beach Yes No

If Yes, Health Permit #: _____

How to get a City of Long Beach Health Department Permit: <https://www.longbeach.gov/health/services/directory/food---temporary-facilities/>

Bureau of Environmental Health
 2525 Grand Ave, RM 220
 Long Beach CA 90815
 Phone Number: (562) 570-4132

Website: <https://www.longbeach.gov/health/services/directory/food---temporary-facilities/>

Email: HE-Sidewalkvending@longbeach.gov

V1 12/5/23

City Health Permit Examples

Prepackaged,
nonperishable,
under 25 sq. ft.

- \$0 - Exempt

Whole produce,
packaged tamales,
chips, candy, ice
cream

- Annual Health Permit \$300
- Plan Check Fee \$250

Hot dogs, popcorn,
smoothies, cut fruit

- Annual Health Permit \$730
- Plan Check Fee \$445

Hamburgers, tacos,
burritos, kebabs

- Annual Health Permit \$730
- Plan Check Fee \$1,165

- CA State Health Code and SB946 require sidewalk vendors selling food to obtain a Health Permit in certain circumstances.
- Plan check may be waived if plans were previously approved by an Environmental Health jurisdiction in the State of California.
- Plan check fee is one-time, not recurring, so long as the vendor does not change the type of food preparation required.
- Sidewalk Vendors selling food can only operate as a Compact Mobile Food Operation, and shall conduct only limited food preparation (SB972).

City Health Permit Process

CITY OF LONG BEACH Health and Human Services
Bureau of Environmental Health
2525 Grand Avenue RM 220, Long Beach, CA 90815
(562) 576-4132 FAX: (562) 576-4038

Standard Operational Procedures for Unpackaged Compact Mobile Food Operations

Compact Mobile Food Operation Name: _____ Plan Check Number: _____

Hours of Operation:

Time	Mon	Tue	Wed	Thur	Fri	Sat	Sun
Start:	<input type="checkbox"/> am <input type="checkbox"/> pm						
End:	<input type="checkbox"/> am <input type="checkbox"/> pm						

Location Of Operation: _____ CITY: _____, CA ZIP: _____

Business Owner Name: _____ PHONE: _____

FAX: () _____ EMAIL: _____

Mailing Address: _____ City: _____ STATE: _____ ZIP: _____

- Indicate the location where you will store food at the end of the day.
Food Stored at: _____ City: _____, CA Zip _____
Street No. Street Name
- Indicate the location where you will store the Compact Mobile Food Operation (CMFO) unit at the end of the day.
CMFO Stored at: _____ City: _____, CA Zip _____
Street No. Street Name
- Name of business providing restroom facility during hours of operation:
Business location: _____ City: _____, CA Zip _____
Street No. Street Name
- Describe the procedures you will use to clean and sanitize food contact surfaces, equipment, and utensils during working hours and at the commissary.

	During working hours	At the Commissary
Clean		
Sanitize		

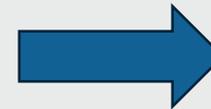
- Indicate the specific sanitizer or sanitizing method that you will use by checking the box below.
 Contact with a solution of 100 ppm (parts per million) available chlorine for at least 30 seconds.
 Contact with a solution of 200 ppm available quaternary ammonium for at least one minute.
 Check the option you will use: Commercial pre-mixed solution or I will prepare my own sanitizer solution
- Indicate location for disposal of trash and refuse
 Street Name: _____
 City: _____, CA Zip: _____

Page 14

Application Packet for unpackaged food service



Application Packet for pre-packaged food service



Also available in Spanish

Standard Operational Procedures for Prepackaged Compact Mobile Food Operations

Compact Mobile Food Operation Name: _____ Plan Check Number: _____

Hours of Operation:

Time	Mon	Tue	Wed	Thur	Fri	Sat	Sun
Start:	<input type="checkbox"/> am <input type="checkbox"/> pm						
End:	<input type="checkbox"/> am <input type="checkbox"/> pm						

Location of Operation: _____ City: _____, CA Zip: _____
Street No. Street Name

Business Owner Name: _____ Phone: () _____

Fax: () _____ E-Mail: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

- Indicate the location where you will store food at the end of the day (note that left over hot foods must be discarded at the end of each operating day).
Food Stored at: _____ City: _____, CA Zip: _____
Street No. Street Name
- Indicate the location where you will store the Compact Mobile Food Operation (CMFO) unit at the end of the day.
CMFO Stored at: _____ City: _____, CA Zip: _____
Street No. Street Name
- Name of business providing restroom facility during hours of operation if operating at one location for more than 1 hour: _____
Business location: _____ City: _____, CA Zip: _____
- Describe the procedures you will use to clean and sanitize the CMFO and equipment at the commissary.
- Indicate the specific sanitizer or sanitizing method that you will use by checking the box below:
 Contact with a solution of 100 ppm (parts per million) available chlorine for at least 30 seconds.
 Contact with a solution of 200 ppm available quaternary ammonium for at least one minute.
 Check the option you will use: Commercial pre-mixed solution or I will prepare my own sanitizer solution
- Indicate location for disposal of trash and refuse _____

Vendor Engagement

Engagement and education completed by the Environmental Health Bureau to date:

- Launched a food vendor educational campaign in August 2021 and will continue quarterly Food Safety classes.
- Updated website with relevant informational material.
- Made educational materials available online and in hard copy, in multiple languages.
- Since December 2022, Health conducted two workshops and offered free consultations and technical assistance at community events. One vendor applied and is in the process of obtaining a Sidewalk Vending Health Permit.
- Renewed Health Permit for approximately 40 food cart vendors and posted the list of approved carts online.
- In 2023, the Complaint Response Team conducted 18 coordinated enforcement actions across the city, interacting with an average of 6 vendors per action.
- Staff provided 451 educational visits informing vendors of the Health Permit requirements.

Next Steps – Education and Community Outreach

- Staff met with 3 separate Compact Mobile Food Operation (CMFO) manufacturers to obtain an understanding of their needs to produce Compact Mobile Food Conveyances.
- City collaborated with LA County Environmental Health for universal plan check approval of CMFO.
- Pre-approved equipment reduces vendor costs related to plan check and expedites the Health Permit approval process.

Examples of a Compact Mobile Food Operation



Next Steps – Education and Community Outreach

Comprehensive approach:

Informational
Flyers

Onsite
Engagement

Educational
Town Halls

Social Media
Campaign

Permitting &
Licensing
Workshops

Website

GO Long
Beach App

Videos

Next Steps – Education and Community Outreach

Through a collaborative effort, the City departments will...

- Directly engage vendors and the community through **site visits** to provide program information, as well as continue to provide vendor operational safety information.
- Health will begin **public information campaigns** about the benefits of licensed vendors.
- Provide a combination of **workshops and webinars** about specific key topic areas.
- Record **informational videos** in multiple languages about overall program and ensure immediate program information is always available in a verbal format.
- Use **social media** to drive interest to educational opportunities and information.
- Provide comprehensive program information on City **websites**.
- Expand options in **GO Long Beach App** to assist the community in reporting sidewalk vending concerns, allowing for data gathering and better tracking to aid reporting and investigations.
- Establish standalone program **phone numbers** for information and complaints.

Draft Informational Material Samples: Business Licensing

CITY OF LONG BEACH SIDEWALK VENDING

A sidewalk vendor is a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other nonmotorized conveyance or from one's person, upon a public sidewalk or pedestrian path.

- A Long Beach Sidewalk Vendor Business License and Permit is required.
- A Long Beach Health Permit is required for vending with food (unless an exception applies).
- Regulations for Sidewalk Vending can be found in the Long Beach Municipal Code, Chapter 5.73, and are referenced below.

OPERATING REQUIREMENTS:

- Areas Zoned as Exclusively Residential:**
 - Only roaming sidewalk vending is permitted
 - 8:00 a.m. and 8:00 p.m., or between 8:00 a.m. and sunset, whichever is later.
- Non-residential Areas (other than Parks):**
 - 8:00 a.m. and 10:00 p.m., or during the operating hours imposed on other businesses on the same block, whichever is least restrictive.
- Areas Zoned as Parks:** 8:00 a.m. and the closing time or, if there is no designated closing time, at sunset.
- Size:** Space no larger than 100 square feet.
- Tables, Chairs, Umbrellas, and Canopies:**
 - Must be for the sole use of the sidewalk vendor.
 - Umbrellas must be 8 feet or taller and secured.
 - One secured canopy allowed, not to exceed 10 feet by 10 feet, with cane-detectable barrier.
- Motorized Vehicles/Loading and Unloading:**
 - Do not drive onto sidewalks, pedestrian paths, pathways, turf, or sandy areas; includes staging a motorized vehicle on a curb, parkway or sidewalk to load or unload sidewalk vending items to operate.
- Sound-Making Devices:**
 - No speakers, microphones, or public address systems.
 - Only Roaming sidewalk vendors may use bells and chimes.
- Signs:** No red or blue flashing signs permissible flashing signs must not be facing a highway or flashing.
- Litter Fees/Damage Fees:**
 - Clean up after operation by removing all trash and debris within a 10 ft radius of the vending area and do not use public trash receptacles.
 - Take care not to damage City property, including landscape and hardscape areas.
 - Dispose of items or materials appropriately.
- Greenspace/Sandy Areas (zoned as parks):**
 - Operations allowed, but no interference with recreational activities.
 - Do not approach spectators to vend food or merchandise.

To apply for a Health Permit or Report a Health Safety Concern:

(562) 570-4132, or
HE-Sidewalkvending@longbeach.gov

For health and safety concerns, include if possible, type of food, location, and hours of operation.

Environmental Health
2525 Grand Ave Rm. 220
Long Beach, CA 90815

To apply for a Business License or for general questions:

(562) 570-6211, or
FM-Sidewalkvending@longbeach.gov

Business Licensing Division
411 W. Ocean Blvd
Long Beach, CA 90802

Ver. 1, 1/2024

NO SIDEWALK VENDING:

- On public property, other than "public" sidewalk or pedestrian path or as otherwise allowed by LBMC Chapter 5.73.
- On Private or Leased City-Owned Property
 - Unless authorized by the owner and the vendor has an administrative use permit.
 - Includes Convention and Entertainment Center, Shoreline Village, Pike Outlet, Rainbow Harbor Esplanade, Rancho Los Alamitos, City golf courses and community gardens.
- In protected habitat or mitigation areas (e.g., Colorado Lagoon, DeForest Park and Wetlands Los Cerritos Wetlands, El Dorado Nature Center, Golden Shore and Jack Dunster Marine Reserves, Sims Pond, and Willow Springs Park and Wetlands).
- Near permitted farmers' markets, swap meets, and temporary special permit areas when they are operating.
 - Generally, within 500 ft of the event, but may be closer depending on the size and type of event.
- Which obstructs traffic signals or regulatory signs.
- Of anything other than food or merchandise, of anything not immediately for sale, or of anything for rent.
- Using public property utilities, and only private property owner's utilities with authorization, and only if it does not present a safety hazard or accessibility challenge (e.g. extension cords must not cause a trip and fall hazard).
- Of the following types of items:
 - Anything that requires verification of a minimum age, such as alcoholic beverages, tobacco products, cannabis, or weapons like guns or explosive devices.
 - Adult-oriented material.
 - Animals.
 - Counterfeit, stolen, or illegal goods.

DO NOT:

- Leave any sidewalk vending items, equipment, food, and/or merchandise, unattended or attempt to store on public property.
- Solicit sales by travelling (door-to-door on private property, per LBMC 5.66).
- Hang or affix any items to above ground structures, fences, gates, or onto public or private buildings.
- Adversely affect the City's ability to perform municipal functions or furnish City services.
- Interfere with the performance of police, firefighter, lifeguard and/or emergency medical personnel services.
- Obstruct the free and easy access to and departure from any portion of any public landing, pier or wharf within the marinas.

PENALTIES

California State Senate Bill 946, the Safe Sidewalk Vending Act, decriminalized sidewalk vending. It does however still permit the City of Long Beach to regulate sidewalk vending within parameters and when necessary and appropriate, issue administrative citations for violations of the Long Beach Municipal Code.

- Violations of LBMC, Chapter 5.73 are only punishable administratively, as follows:
 - An administrative fine not exceeding one hundred dollars (\$100) for a first violation.
 - An administrative fine not exceeding two hundred dollars (\$200) for a second violation within one (1) year of the first violation.
 - An administrative fine not exceeding five hundred dollars (\$500) for each additional violation within one (1) year of the first violation.
- City may revoke a sidewalk vendor business permit for the term of that permit upon the fourth violation or subsequent violations.
- Violations for sidewalk vending without a permit are only punishable administratively, as follows:
 - An administrative fine not exceeding two hundred fifty dollars (\$250) for a first violation.
 - An administrative fine not exceeding five hundred dollars (\$500) for a second violation within one (1) year of the first violation.
 - An administrative fine not exceeding one thousand dollars (\$1,000) for each additional violation within one (1) year of the first violation.
- Vendor may request an ability-to-pay determination.

ENFORCEMENT OPERATIONS:

- The City may impound equipment and goods and/or issue administrative citations pursuant to the Long Beach Municipal Code.
- Non-compliance with Health and Business License regulations, along with operational requirements are subject to fine or impoundment of equipment and goods.

Stationary Sidewalk Vending OPERATING DISTANCES

Sidewalk vending must maintain the following minimum distances while vending:

4 Feet Clear sidewalk/ pedestrian path	18 Inches Edge of the Curb	5 Feet Bus/Metro Stop and high traffic pedestrian areas
10 Feet Driveway, alley or marked crosswalk	10 Feet Building / Structure / Facility / Fire Escape / Emergency Exit	15 Feet Outdoor dining area, sidewalk dining area, permanent parklet
15 Feet Public Restroom (Food Vendors Only)	15 Feet Street Intersection, ADA Curb/Ramp	15 Feet City monument, statue, memorial, or art installation
20 Feet Another Stationary Sidewalk Vendor	20 Feet Any detached or freestanding single-family home located in a mixed-use zone (i.e., area zoned as both residential and commercial)	20 Feet Vehicle entrance of Fire Station, Police Department, Hospital, Lifeguard Tower, any other Emergency Response Structure
25 Feet Beach Access or Los Angeles County waterway and/or flood control facility	50 Feet Railroad crossing	100 Feet Posted Sidewalk or Street Closure
500 Feet Freeway On or Off Ramp	500 Feet Signed agreement for concessions with the City	1 Block School Monday-Friday between 7AM and 5PM

Roaming sidewalk vendors may not:

- block the entrance or exits to a Building, Structure, Facility, Fire Escape, or Emergency Exit.
- block a Fire Department connection, fire hydrant, fire lane or any fire backflow preventer.

CITY OF LONG BEACH SIDEWALK VENDING

INSURANCE INFORMATION

Sidewalk vendors shall maintain approved insurance in full force and effect when conducting sidewalk vending. Failure to maintain such insurance shall be cause for suspension or revocation of a sidewalk vendor business permit.

1. General Liability Endorsement Form is required to be submitted under one of the following options:
A. City of Long Beach General Liability Endorsement Form
The form should be completed and signed by the same agent signing the insurance certificate.
B. Additional Insured- State or Political Subdivision Endorsement / CG 20 12
The form should add as an additional insured, in the space provided "The City of Long Beach, its Boards and Commissions, and their Officials, Employees and Agents."
C. Additional Insured- Designated Person/ Organization / CG 20 26
The form should add as an additional insured, in the space provided "The City of Long Beach, its Boards and Commissions, and their Officials, Employees and Agents."

FINANCIAL SUPPORT FOR BUSINESS OWNERS:

The Long Beach Recovery Act will provide support to business owners by providing grant resources to ensure the first year of business licensing comes at no charge to the business owner and provides additional assistance for Health Department permit fees and the reduces the impact of the cost of obtaining insurance. Successful applicants may also apply for the opportunity to be awarded a City-approved sidewalk vending cart of either small or large size, depending on their business needs. This program will roll out in the Spring of 2024, in tandem with the City's Sidewalk Vending Ordinance implementation.

More information can be obtained from the Long Beach Environmental Health and Business Services Bureau.

<p>Environmental Health 2525 Grand Ave Rm. 220 Long Beach, CA 90815 (562) 570-4132 HE-Sidewalkvending@longbeach.gov</p>	<p>Business Licensing Division 411 W. Ocean Blvd Long Beach, CA 90802 (562) 570-6211 FM-Sidewalkvending@longbeach.gov</p>
--	--

Support is available in all languages, including but not limited to Spanish, Khmer, and Tagalog.

- Hay apoyong disponible en todos los idiomas, incluyendo, pero no limitado al español, camboyano y tagalo.
- ឈរមានការគាំទ្រក្នុងភាសាទាំងអស់ រួមមាន ភាសាស្បែកខ្មែរ និងភាសាតាហ្គាល់។
- May tulong sa lahat ng wika, kabilang ang, ngunit hindi limitado sa Espanyol, Khmer, at Tagalog.

**For more language access information, please contact:
Languageaccess@longbeach.gov or (866)-874-3972**

- 4-Page Informational Brochure will be available in hard copy and online, and during interactions in the field.
- Language assistance information included and bilingual staff available.
- Summary of the ordinance, operational requirements, and other key elements of the program.
- Designed to be easily updated to adapt to vendor and community needs quickly.

Informational Material Samples: Environmental Health



COMPACT MOBILE FOOD OPERATION (CMFO)
FREQUENTLY ASKED QUESTIONS

Effective January 1, 2023, California Retail Food Code (CRFC) was amended to promote economic inclusion while modernizing the CRFC so that food vendors can obtain a permit and join the regulated vending economy. The law established a new definition for Compact Mobile Food Operations (CMFO) and criterion for permitting. Below are frequently asked questions about these changes.

Q1: What is a compact mobile food operation (CMFO)?

A1: A CMFO is a mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized unenclosed conveyance that can be approved to sell packaged food or conduct limited food preparation.

Q2: Do I need a Health Permit from Environmental Health?

A2: Yes, a permit is required, unless your compact mobile food operation has 25 square feet or less of display area and sells only prepackaged, nonpotentially hazardous (non-perishable) foods or whole uncooked produce, otherwise a permit is required.

Q: What is "prepackaged food"?

A: Prepackaged considered food is food that has been processed in a permitted food facility or food establishment and properly packaged and labeled to prevent any direct human contact with the food product and the consumer prior to consumption.

Q: Can I sell tamales that were prepared in an approved commissary on the CMFO?

A: It all depends on the type of CMFO you have. If you have a CMFO with a hand sink, you may be approved to sell tamales in the husk from the permitted cart. If the CMFO does not have hand sink, the tamales must be prepackaged prior to sale on the CMFO.

Q: How do I measure 25 square feet of prepackaged non-potentially hazardous food (non-phf) display to be exempt from permitting?

A: To be exempt from permitting, the total amount of display and non-displayed food inventory must not exceed 25 sq feet measurement. The footprint is limited to no greater than 5 feet x 5 feet.

Q3: How do I get a Health Permit from my local Environmental Health Department?

A3: Contact us at environmentalhealth@longbeach.gov or Tel: (562) 570- 4132 regarding our application process.

Last updated 1/20/23

LIMITED FOOD PREPARATION – *Can and Cannot*

Can

- Heating, frying, baking, roasting, popping, shaving of ice, blending, steaming or boiling of hot dogs, or assembly of non-prepackaged food.
- Dispensing and portioning of non-potentially hazardous food or dispensing and portioning for immediate service to a customer of food that has been temperature controlled until immediately prior to portioning or dispensing.
- Holding, portioning, and dispensing of any foods that are prepared for satellite food service by the onsite permanent food facility or prepackaged by another approved source.
- Holding, portioning, and dispensing of any foods that are prepared by a catering operation.
- Slicing and chopping of non-potentially hazardous food or produce that has been washed at an approved facility or slicing and chopping of food on a heated cooking surface during the cooking process.
- Cooking and seasoning to order.
- Juicing or preparing beverages that are for immediate service, in response to an individual consumer order, that do not contain frozen milk products.
- Hot and cold holding of food that has been prepared at an approved permanent food facility.
- Reheating of food that has been previously prepared at an approved permanent food facility and held at temperatures required by this chapter.

Cannot

- Slicing and chopping of potentially hazardous food, other than produce, unless it is on the heated cooking surface.
- Thawing
- Cooling of cooked, potentially hazardous food.
- Grinding raw ingredients or potentially hazardous food.
- Washing of foods
- Cooking of potentially hazardous foods for later use.
- Handling, manufacturing, freezing, processing, or packaging of milk, milk products, or products resembling milk products under Division 15 of the Food and Ag. Code.



MOBILE FOOD FACILITY & STREET FOOD VENDOR
HEALTH PERMIT EXEMPTION



Q. WHEN IS A MOBILE FOOD FACILITY AND STREET FOOD VENDOR EXEMPT FROM A HEALTH PERMIT?

A. You can be exempt from a health permit if you sell less than 25 square feet of prepackaged, non-potentially hazardous food that is properly labeled and processed from an approved source.

Q. WHAT ARE NON-POTENTIALLY HAZARDOUS FOODS?

A. Non-potentially hazardous foods do not need to be kept at a particular temperature to minimize the growth of food poisoning bacteria or toxins. Cookies, fruit pies, nuts, herbs, spices, and dry goods are a few examples of non-potentially hazardous food.

Q. WHAT IS PROPER LABELING?

A. Proper labeling requires every package to include:

- The common name or adequate description of the food.
- If the food is made from two or more ingredients, a list of ingredients in descending order of predominance by weight.
- Include artificial color or flavor and chemical preservatives, if used.
- Provide the weight or quantity of contents.
- Include name and address of the manufacturer, packer, or distributor.

Q. WHAT IS CONSIDERED AN APPROVED SOURCE?

A. "Approved" means that the facility where the food is produced, prepared, or processed meets or exceeds the standards of the responsible regulatory agency. The standards are based on a determination of conformity with applicable laws, current public health principles, practices, and generally recognized industry standards that protect public health.

Q. IS FOOD PREPARED AT MY HOME AN APPROVED SOURCE?

A. A health permit is required for foods prepared at home. A Cottage Food Operation can prepare and package certain non-potentially hazardous foods in a private home-kitchen. You can contact our office and ask for Cottage Food Operation permit.

Q. IS SELLING FRUIT AND VEGETABLES EXEMPT FROM A HEALTH PERMIT?

A. Yes, if fruit and vegetables are uncut, uncooked, and kept less than 25 square feet. Some cut fruit and vegetables can support growth of food poisoning bacteria or toxins and require a health permit, even if it's less than 25 square feet.

Q. IF I'M NOT QUALIFIED UNDER EXEMPTION, CAN I SELL FOOD WITHOUT A HEALTH PERMIT?

A. Under the California Health and Safety Code, a health permit is required if anyone prepares, stores, transports, offers, or sells food to public.

Compact Mobile Food Operations Construction Guidelines
Prepackaged Food

INTRODUCTION:

On September 23, 2022, Senate Bill 972 (SB 972) was signed by the Governor and becomes effective January 1, 2023. This bill modifies the California Retail Food Code (CRFC) to relax some structural and operational requirements for lower risk sidewalk food vending operations. SB 972 created a new category of Mobile Food Facilities termed Compact Mobile Food Operation (CMFO).

This document provides information on the structural requirements based on the CRFC for CMFO's that handle only prepackaged foods.

A valid Health Permit may be required to operate a CMFO that handles only prepackaged food items. Plan submittal may also be required for review and approval before a Health Permit will be issued. Use the Plan Submittal Checklist (starting on page 4) that indicates the information that must be included on the plans.

DEFINITIONS:

- A. **Commissary** means a health permitted food facility that services mobile food facilities where any of the following occur: food, containers, or supplies are stored; food is prepared or prepackaged for sale or service at other locations; utensils are cleaned; liquid and solid wastes are disposed, or potable water is obtained.
- B. **Compact Mobile Food Operation (CMFO)** means an unenclosed mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.
- C. **Cottage Food Operation (CFO)** means a registered or permitted area of a private home where the CFO operator resides and where cottage food products are prepared or packaged for direct or indirect sales.
- D. **Microenterprise Home Kitchen Operation (MEHKO)** means a food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to, consumers either on site, via pick-up, or delivery.
- E. **Non-Potentially Hazardous Food (NON-PHF)** means a food that does not require time or temperature control. Examples include prepackaged chips, sodas, pretzels, cookies, popcorns. (See examples page)
- F. **Potentially Hazardous Food (PHF)** means a food that requires time or temperature control to limit pathogenic micro-organism growth or toxin formation. Examples include tamales, burritos, ice cream sandwiches. (See examples page)
- G. **Prepackaged Food** means any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, a food facility, or other approved source.

Informational Material Samples: Environmental Health

NOTICE

You must have a valid
HEALTH PERMIT
to operate a food business
in the City of Long Beach

IT'S THE LAW

Our Health Department
Can Help
 Please Contact
Environmental Health
(562) 570-4132
www.longbeach.gov/eh

For More Information
 Scan with Your Phone




CITY OF
LONG BEACH
 HEALTH AND HUMAN SERVICES

AVISO

Debes tener una valida
PERMISO DE SALUD
para operar un negocio de
alimentos en la ciudad de
Long Beach

ES LA LEY

Nuestro Departamento De Salud
Puede Ayudar
 Por Favor Contactar
Oficina De Salud Ambiental
(562) 570-4132
www.longbeach.gov/eh

Para Más Información
 Escanear Con Su Teléfono




CITY OF
LONG BEACH
 HEALTH AND HUMAN SERVICES

FOODBORNE ILLNESS
GOT YOU DOWN?
Report it!

If you or someone you know has the symptoms listed below after eating at a local facility, contact:

Long Beach Health and Human Services Department
(562) 570-4302

HOW DO I REPORT AN INCIDENT?

 **Online**
www.longbeach.gov/foodborneillness

 **Call**
(562) 570-4302

SYMPTOMS OF FOODBORNE ILLNESS:

- Nausea
- Vomiting
- Diarrhea
- Fever
- Abdominal Cramps
- Headache

WHAT TYPE OF FACILITY CAN I REPORT?

All facilities or vendors that sell food. Including but not limited to:

 Restaurants/ Fast food	 Events	 Food trucks
 Food carts	 Schools	 Cottage Foods

Protect yourself!
 Eat only at food facilities that have a Health permit.

To learn more: visit longbeach.gov/EH



¿LAS ENFERMEDADES TRANSMITIDAS POR LOS ALIMENTOS TE DEPRIMIÓ?
¡Reportalo!

Si usted o alguien que conoce tiene los síntomas que se enumeran a continuación después de comer en un establecimiento local, comuníquese con:

Departamento de Salud de Long Beach
(562) 570-4302

¿CÓMO REPORTO UN INCIDENTE?

 **En línea**
www.longbeach.gov/foodborneillness

 **Llame**
(562) 570-4302

SÍNTOMAS DE ENFERMEDADES TRANSMITIDAS POR LOS ALIMENTOS:

- Náusea
- Vómitos
- Diarrea
- Fiebre
- Calambres abdominales
- Dolor de cabeza

¿QUÉ TIPO DE ESTABLECIMIENTO PUEDO DENUNCIAR?

Todas las instalaciones o vendedores que venden comida. Incluyendo pero no limitado a:

 Restaurants/ Comida rápida	 Eventos	 Camiones de comida
 Carros de comida	 Escuelas	 Alimentos caseros

¡Protéjase!
 Coma solo en establecimientos de comida que tengan permiso de Sanidad.

Para saber más: visita longbeach.gov/EH



Informational Material Samples: Environmental Health



Staff is developing a new booklet to help guide mobile food vendors operating on City streets and Sidewalks by providing:

- Information on Health Permit and Decal
- Service and Storage Facility requirements
- How to safely prepare, hold, and serve food
- Best practice of setting up and shutting down
- How to operate safely and legally to keep their staff and customers safe from foodborne illness and to avoid common violations

Next Steps – Enforcement

Business License Division Business Services Bureau

Financial Management Department

Responsibilities include:

- Issuing Business License and Sidewalk Vending Permit.
- Providing education to the community and vendors.
- Enforcing the Long Beach Municipal Code regulations for business licensing and general operating conditions for all sidewalk vendors.

Environmental Health Bureau

Health and Human Services
Department

Responsibilities include:

- Completing Plan Check Process and issuing Health Permit for vendors selling food.
- Providing education to the community and vendors.
- Enforcing the CA State Health Code regulations for sidewalk vendors selling food items.

Long Beach Police Department

Responsibilities include:

- Taking enforcement action against illegal activity not directly related to sidewalk vending (e.g., illegal items being sold like alcohol or firearms, operations causing an imminent public safety threat, disturbing the peace, etc.).

Contact Information

- To report violations of the Long Beach Municipal Code or to receive additional information, the community may reach out to the following:
 - Business License Division may be contacted by calling (562) 570-6211 or by emailing FM-SidewalkVending@longbeach.gov
 - Environmental Health Bureau may be contacted by calling (562) 570-4132 or by emailing HE-SidewalkVending@longbeach.gov
 - If there is an emergency, please call 9-1-1.

* Once the Sidewalk Vending Ordinance is adopted and implemented, violations may be reported using the GO Long Beach App.

Next Steps – Financial Support

**Long Beach
Recovery Act
Funds**
~\$250,000

- Cover up to \$1,500 per vendor for Business License, Health Permit, and Insurance in the first year
- Make Health-approved sidewalk vending carts financially accessible
- Provide technical assistance through the Business Navigators program
- Program will roll out alongside ordinance implementation and vendors can apply through December 2024



Thank you

Tyler Bonanno-Curley

Deputy City Manager
City Manager's Office

Tara Mortensen

Business Services Bureau Manager
Financial Management

Mozhgan Mofidi

Environmental Health Bureau Officer
Health and Human Services

Appendix: Ordinance Changes

Council Request	How Addressed
<p>Include language emphasizing that the permitting process will comply with the California Values Act.</p>	<p>Ordinance at Chapter 5.73.100(D): City will comply with the California Values Act, Chapter 17.25 (commencing with Section 7284) of Division 7 of Title 1 of the Government Code, and City of Long Beach Administrative Regulation 33: Procedures Regarding the Requesting, Collecting, and Maintaining of Sensitive Information and the Enforcement of Federal Immigration Law in relation to the collection of information of sidewalk vendors.</p>
<p>Allow sidewalk vendors to use utilities of private property owners with their permission, so long as safety hazards and ADA accessibility concerns are mitigated.</p>	<p>Ordinance at Chapter 5.73.110(O): Sidewalk vendors may use a private property owner’s utilities (e.g., water or power) only if the sidewalk vendor has prior authorization from the private property owner and use of the utilities does not present a safety hazard (e.g., tripping hazard) or accessibility challenge.</p>
<p>Further refine the definition of “Parkway” to explicitly restrict operations in medians.</p>	<p>Ordinance at Chapter 5.73.020(K): “Parkway” means the area between the sidewalks and the curb of any street, and where there is no sidewalk, that area between the edge of the roadway and the property line adjacent thereto. “Parkway” also includes any area within a roadway which is not open to vehicular travel. “Parkway” does not include street medians.</p>

Appendix: Ordinance Changes

Council Request	How Addressed
<p>Cover licensing and permitting costs for the first year of operations.</p>	<p>Ordinance at Chapter 5.73.040: Each sidewalk vendor is subject to and must comply with the provisions of Chapter 3.80 of this Code related to the City’s business license tax. Notwithstanding the foregoing, every person who applies for a sidewalk vendor business license/permit within the first year of the effective date of this Chapter 5.73 of this Code shall not be subject to the business license tax imposed by Section 3.80.253 of this Code for the first year of the applicant’s operation as a sidewalk vendor.</p> <p>Ordinance at Chapter 5.73.090: Each sidewalk vendor vending food must also obtain a City-issued health permit pursuant to Section 5.04.050 and Title 8 of this Code, and the California Health and Safety Code. Notwithstanding the foregoing, every person who applies for or renews a health permit to operate as a sidewalk vendor of food within the first year of the effective date of this Chapter 5.73 of this Code shall not be subject to any City health permit and/or plan check fee for the first year of the applicant’s operation as a sidewalk vendor.</p>

Appendix: Ordinance Changes

Council Request	How Addressed
Increase the operating distance from 15 feet to 25 feet away from Los Angeles County waterway and/or flood control fencing.	Ordinance at Chapter 5.73.120(B)(18): Within twenty-five (25) feet of a Los Angeles County waterway and/or flood control fencing.
Limitation on flashing signs in high traffic corridors, if possible. Coordinate with City Traffic Engineer.	Ordinance at Chapter 5.73.110(N): Sidewalk vendors may not use red and blue flashing signs. Any other flashing sign used in sidewalk vending must not be facing a highway or traffic.
Reimburse sidewalk vendors for cost of required insurance coverage.	Recommendation: Authorize the Department of Financial Management to reimburse the cost of general liability insurance coverage, in an amount not to exceed \$450 per applicant, for any sidewalk vendor who is issued a sidewalk vendor permit and submits a receipt for the cost of said insurance to City within one year of the effective date of the ordinance