



City of Laguna Niguel  
Community Development Department  
30111 Crown Valley Parkway  
Laguna Niguel, CA 92677  
949-362-4300  
[www.cityoflaguneniguel.org](http://www.cityoflaguneniguel.org)

## **SIDEWALK VENDING PERMIT FILING INSTRUCTIONS - FORM 221**

The submittal items necessary to file a Sidewalk Vending Permit are provided below. These filing instructions are intended to assist you in assembling a complete application packet. Please review each section and make sure to complete all necessary forms that apply to your situation. Applications may be filed at the Community Development Department (Planning Division public counter) Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Please note that incomplete submittals will not be accepted.

The City of Laguna Niguel stands ready to help you through the application process and we look forward to working with you. Should you have any questions, please contact us at 949-362-4300.

### **SUBMITTAL ITEMS CHECKLIST**

Please provide two (2) printed copies of the following and one (1) electronic copy (via CD/DVD, USB flash drive, or FileShare/Transfer):

- Sidewalk Vending Application.** Completed and signed by Applicant.
- Copy of California Seller's Permit.** A copy of the California Seller's Permit with the sales tax number issued by the California Department of Tax and Fee Administration to the vendor, which shall be maintained for the duration of the vendor's city permit.
- Copy of Vendor's Social Security Card or Tax ID.** A copy of the vendor's social security card with the number, or a copy of the individual taxpayer identification number issued to the vendor. Any such identification number(s) or license(s) collected shall not be available to the public for inspection and shall remain confidential and not be disclosed except as required to administer the permit or licensure program or comply with a state law or state or federal court order.
- Copy of Orange County Health Department Public Health Certification.** If a vendor of food or food products, certification to completion of a food handler course and proof of all required approvals from the Orange County Department of Public Health.
- Site Plan.** For stationary vendors, a site plan or description of the proposed location(s) where vending will take place, showing that the sidewalk location maintains a minimum of 48 inches of accessible route area for pedestrian travel when considering the vendor equipment and anticipated customer queue, or other minimum clear width for pedestrian travel required by the Americans with Disabilities Act or other federal or state law with regard for disability access.
- General Liability Policy.** A copy of a general liability policy naming the City as additional insured in the amount of \$1,000,000.



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## Sidewalk Operating Requirements (Laguna Niguel Municipal Code Section 5-7-45)

1.	<p>Sidewalk vending is not permitted in the following locations:</p> <ul style="list-style-type: none"><li>a) On a sidewalk or pathway immediately adjacent to a portion of a street or highway that is designated by signs or red curb markings as a "no stopping" or "no parking" zone;</li><li>b) On any sidewalk with a gradient in excess of 10%;</li><li>c) Within 500' of a freeway onramp or offramp as prohibited by California Vehicle Code Section 22520.2;</li><li>d) Upon or within any roadway, median strip within a roadway, or dividing section of a roadway;</li><li>e) Within 500' of a permitted certified farmers' market, a swap meet, or an area designated for a temporary use permit. This prohibition shall be limited to the operating hours of the farmers' market or swap meet, or the limited duration of the temporary use permit;</li><li>f) Within 200' of City Hall, any police station, or any fire station; The distance shall be measured from the property line of the lot or parcel on which City Hall, or the police station or fire station is located.</li><li>g) Within 48" of another vendor;</li><li>h) Within 500' of private or public academic school attended by elementary, junior high, or high school pupils. The distance shall be measured from the property line of the lot or parcel; and,</li><li>i) Within 25' of a:<ul style="list-style-type: none"><li>▪ Street intersection;</li><li>▪ Automated teller machine;</li><li>▪ Fire hydrant, fire call box, fire escape or other emergency facility;</li><li>▪ Bus stop, loading zone, handicapped parking space or access ramp;</li><li>▪ Driveway, alley, driveway apron, or crosswalk;</li><li>▪ Public art objects, items and display; and</li><li>▪ Storm-drain catch basin.</li></ul></li><li>j) Within 5' of streetlight, parking meters, above ground utility structures, or subsurface utility box, valve, or vault; and</li><li>k) Within 5' of a parking meter.</li></ul>
2.	Sidewalk vendors and all aspects of their operations, including but not limited to, any vending cart, any associated equipment, and any space occupied by the vendor or their employees, shall not occupy a space exceeding horizontal dimensions of a square measuring 6' x 6'. No vending cart, or associated equipment shall exceed a height of 4'.
3.	No sidewalk vendor shall vend in a manner that blocks or obstructs the free movement of pedestrians or vehicles. Sidewalk vendors must at all times provide a minimum clear width of not less than 48" of accessible route area for pedestrians when considering the vendor equipment and anticipated customer queue, or such other minimum clear width for pedestrian travel as required by in compliance with the Americans with Disabilities Act or other provision of federal or state law with regard to disability access.
4.	Sidewalk vending is permitted between the hours of 8:00 a.m. and 10:00 p.m., daily, except as follows: <ul style="list-style-type: none"><li>a) In residential zones, sidewalk vending shall be permitted between the hours of 8:00 a.m. and 8:00 p.m.</li><li>b) In nonresidential areas, the limit on hours of operation shall not be more restrictive than the hours of operation of other businesses or uses on the same street.</li><li>c) In parks, sidewalk vendors shall cease operations one (1) hour prior to the close of the park, or by 10 p.m., whichever is earlier.</li></ul>
5.	Stationary sidewalk vendors shall not vend in areas that are zoned exclusively residential.



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6.	Stationary sidewalk vendors shall not vend at any park where the operator of the park has signed an agreement for concessions that exclusively permits the sale of food or merchandise by a concessionaire.
7.	Sidewalk vendors shall provide a trash receptacle for customers and ensure proper disposal of customer trash. Prior to leaving any vending location, the sidewalk vendor shall pick up, remove, and dispose of all trash generated by the vending operations or the vendor's customers.
8.	These shall be no disposal of cooking materials or waste, including but not limited to used oil, into the City's trash receptacles, storm drains, plant material, or foliage. Vendors shall immediately clean up any food, grease, or other fluid or item related to the sidewalk vending operation that falls onto public property.
9.	The sidewalk vendor shall not attach to or use any water lines, electrical lines, or gas lines during vending operations.
10.	Storage or display of equipment, materials, goods, wares, food, or merchandise associated with the vendor, outside the vending cart, is prohibited. All food and merchandise shall be located stored either inside or affixed to the vending cart or carried by the sidewalk vendor. The sidewalk vendor shall not store or keep any food or merchandise on public property.
11.	Except for table, chair and shade structure for a stationary vendor, no other tables, chairs, fences, shade structures, other site furniture, or any freestanding signs shall be permitted in conjunction with the vendor's vending activities.
12.	Signage associated with the sidewalk vendor must be located on the vending cart, and the vendor shall not display any signage on public property.
13.	All signage and advertising related to the sidewalk vendor and or vending operations shall not be electrical, flashing, wind powered, or animated.
14.	The sidewalk vendor shall not use a horn, siren, amplified music, or any other audible device to attract attention to the presence of the vending vehicle.
15.	The sidewalk vendor location shall not block entrances to private or public buildings, private or public driveways, parking spaces or building windows.
16.	The sidewalk vendor shall not engage in aggressive sales, which shall include touching a person being offered food or merchandise without that person's consent, continuing to offer food or merchandise for sale to a person after he or she has declined to purchase food or merchandise, or deliberately blocking or impeding the path of the person(s) being offered food or merchandise.
17.	Sidewalk vendors shall not vend to or otherwise conduct transactions with persons in moving vehicles or illegally parked or stopped vehicles.
18.	Sidewalk vendors shall possess at all times while vending a valid permit issued pursuant to this Division, as well as any other permit or license required by the City and any other appropriate governmental agency. The sidewalk vendor shall publicly display any and all required business and health licenses, including but not limited to a valid permit from the Orange County Department of Public Health.
19.	The sidewalk vendor shall remit all required and applicable taxes to the applicable taxing agencies.
20.	The sidewalk vendor shall not leave his or her sidewalk vending operation unattended.
21.	No equipment or objects used for sidewalk vending purposes may be left or maintained in public spaces or in any portion of the public right-of-way beyond the allowed hours of operation. Any equipment or objects left overnight in public spaces or in any portion of the public right-of-way will be considered discarded and may be seized or disposed of by the City.
22.	The sidewalk vendor shall not use propane, natural gas, or other explosive or hazardous materials. The vendor shall not use an open flame for the sidewalk vending operation.



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23.	The sidewalk vendor shall not sell alcohol, marijuana, adult-oriented material, tobacco products, products that contain nicotine, or any product used to smoke/vape nicotine and/or marijuana, or any products not permitted to be sold in the zone in which the sidewalk vendor is located.
24.	No vending shall occur in roadways, medians, pedestrian islands, or bikeways.
25.	No vending shall occur immediately adjacent to existing above-ground amenities such as newsstands or street furniture including but not limited to benches and bike racks.
26.	Sidewalk vendors shall comply with all applicable state and local laws, including without limitation state food preparation, handling, and labeling requirements; fire codes and regulations; noise standards; and the Americans with Disabilities Act of 1990 and other disability access standards (both state and federal).
27.	No vending cart shall become a permanent fixture on the vending site or be considered an improvement to real property.
28.	The sidewalk vendor shall keep and maintain the vending area in a clean and sanitary condition.
29.	These shall be no disposal of cooking materials or waste, including but not limited to used oil, into the City's trash receptacles, storm drains, plant material, or foliage. Vendors shall immediately clean up any food, grease, or other fluid or item related to the sidewalk vending operation that falls onto public property.
30.	The sidewalk vendor shall not attach to or use any water lines, electrical lines, or gas lines during vending operations.
31.	Storage or display of equipment, materials, goods, wares, food, or merchandise associated with the vendor, outside the vending cart, is prohibited. All food and merchandise shall be located stored either inside or affixed to the vending cart or carried by the sidewalk vendor. The sidewalk vendor shall not store or keep any food or merchandise on public property.
32.	Except for table, chair and shade structure for a stationary vendor, no other tables, chairs, fences, shade structures, other site furniture, or any freestanding signs shall be permitted in conjunction with the vendor's vending activities.
33.	Signage associated with the sidewalk vendor must be located on the vending cart, and the vendor shall not display any signage on public property.
34.	All signage and advertising related to the sidewalk vendor and or vending operations shall not be electrical, flashing, wind powered, or animated.
35.	The sidewalk vendor shall not use a horn, siren, amplified music, or any other audible device to attract attention to the presence of the vending vehicle.
36.	The sidewalk vendor location shall not block entrances to private or public buildings, private or public driveways, parking spaces or building windows.
37.	No vending cart shall become a permanent fixture on the vending site or be considered an improvement to real property.
38.	The sidewalk vendor shall keep and maintain the vending area in a clean and sanitary condition.



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## SIDEWALK VENDING PERMIT APPLICATION - FORM 221

APPLICANT, PRINCIPAL AND EMPLOYEE INFORMATION			
APPLICANT NAME:			
MAILING ADDRESS:	CITY:	STATE:	ZIP:
EMAIL:	PHONE:		
PRINCIPAL NAME IF APPLICANT IS AGENT OF AN INDIVIDUAL, COMPANY, PARTNERSHIP, CORPORATION, OR OTHER ENTITY:			
PRINCIPAL ADDRESS:	CITY:	STATE:	ZIP:
EMAIL:	PHONE:		
EMPLOYEE #1 NAME:			
EMPLOYEE ADDRESS:	CITY:	STATE:	ZIP:
EMAIL:	PHONE:		
EMPLOYEE #2 NAME:			
EMPLOYEE ADDRESS:	CITY:	STATE:	ZIP:
EMAIL:	PHONE:		
EMPLOYEE #3 NAME:			
EMPLOYEE ADDRESS:	CITY:	STATE:	ZIP:
EMAIL:	PHONE:		
<i>If there are more than three employees, provide additional sheets as necessary</i>			
PROJECT INFORMATION			
NUMBER OF VENDING OPERATIONS:			
DAYS AND HOURS OF OPERATION:			
DESCRIPTION OF FOOD OR MERCHANDISE OFFERED FOR SALE:			
STATIONARY OR ROAMING SIDEWALK VENDOR?			



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I certify that as the business owner/applicant that I shall comply with all generally applicable local, state, and federal laws; and the vending operations in the application are consistent with the standards, conditions, and requirements of Section 5-7-10 of Laguna Niguel Municipal Code. I also certify that the information contained in this application and the application materials are correct and true.

I acknowledge that my employees, volunteers, representatives, agents, heirs, successors, and assigns (collectively "Vendor Parties") agree to indemnify, defend (at the vendor's sole cost and expense), and hold the City of Laguna Niguel, and its officers, officials, employees, representatives, and agents, harmless from any and all claims, losses, damages, injuries, liabilities or losses which arise out of, or which are in any way related to, the City's issuance or failure to issue a sidewalk vending permit, the City's decision to approve or its refusal to approve the sidewalk vending permit, the operation of the sidewalk vending use and activity, and the process used by the City in making its decision. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, or proceeding whether incurred by the permitted, City, and/or the parties initiating or bringing such proceeding.

I further acknowledge that use of public property is at my and the Vendor Parties own risk, and the City does not take any steps to ensure public property is safe or conducive to sidewalk vending operations.

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Applicant's Signature

Date

**STAFF USE ONLY**

<b>PROJECT CASE NO:</b>	<b>TRAKIT NO:</b>	<b>PROCESSING FEE/DEPOSIT:</b>	<b>APPLICATION DATE:</b>
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