

SIDEWALK VENDING REGULATIONS

At-a-Glance Summary for Sidewalk Vendors



The City of
SAN DIEGO

For more information, go to sandiego.gov/sidewalkvending

*To Review the full ordinance, Visit the San Diego Municipal Code
Chapter 3 Article 6 Division 1*



The information provided in this booklet summarizes the rules and regulations to assist those wishing to conduct sidewalk vending business activities in the City of San Diego. Please note that the following pages do not contain all requirements under the ordinance. This booklet is intended to serve as a guide only. Sidewalk vendors should review San Diego Municipal Code, Chapter 3, Article 6, Division 1, to familiarize themselves with all the requirements. The San Diego Municipal Code is available on the City's website at <https://www.sandiego.gov/city-clerk/officialdocs/municipal-code> or through the Office of the City Clerk located at 202 C Street, San Diego, CA, 92101.

PERMITTING REQUIREMENTS

Sidewalk Vending Permit¹

Sidewalk vendors selling goods must obtain a Sidewalk Vending Permit before conducting vending business activities in the City of San Diego. The permits are issued by the Office of the City Treasurer and are valid for one year from the date of issuance and must be renewed annually.

City of San Diego Business Tax Certificate

All businesses operating in the City of San Diego, including sidewalk vendors, must obtain a Business Tax Certificate. Business Taxes are due annually and will be renewed along with the Sidewalk Vending Permit.

California Seller's Permit

If applicable, sidewalk vendors must possess a valid California Department of Tax and Fee Administration seller's permit that designates "City of San Diego" as a location or sublocation. A seller's permit allows sales tax collection from customers and reports those amounts to the state. There is no cost to obtain a seller's permit.

FOOD PRODUCT VENDORS

In addition to the requirements listed above, vendors selling food products **must also have**:

1. San Diego County Public Health Permit

All sidewalk vendors who sell food items are required to obtain and display a San Diego County Public Health Permit at all times.

2. San Diego County Food Handler Card

All food handlers are required to acquire a San Diego County Food Handler Card.

PERMIT DENIAL AND REVOCATION

An application for a new Sidewalk Vending Permit or renewal of a permit can be denied or revoked for any of the following reasons:

- The applicant has had a prior Sidewalk Vending Permit revoked within the past 36 months.

¹ Vending permits will only be issued to individuals. A separate permit is required for each individual who intends to vend even if the individual is employed or engaged by another individual or business or will use vending equipment which another individual or business owns.

- Providing false or misleading statements, information or facts on the Sidewalk Vending Permit application.
- Failure to notify the City of San Diego within five business days after the issuance of the Sidewalk Vending Permit of any material changes to the facts provided on the Sidewalk Vending Permit application.
- Repeated failure to comply with the regulations of San Diego Municipal Code, Chapter 3, Article 6, Division 1.
- Violations of other local, state, or federal laws while operating as a sidewalk vendor.
- Completion of all disposition associated with previous ordinance violations, including payment of administrative fines and community service as applicable.

APPEALS

Applicants can appeal the denial or revocation of a Sidewalk Vending Permit by filing a written notice within 10 calendar days after receipt of the notice of denial or revocation. The City of San Diego will render the final decision within 90 calendar days.

OPERATING RULES

In general, sidewalk vendors must adhere to the following guidelines:

- Display Sidewalk Vending Permit and photo identification issued by the City of San Diego while conducting vending business activities.
- Vending activities shall take place on a sidewalk and during approved times as follows:
 - 7 a.m. to sunset on residential blocks.
 - 6 a.m. to 10 p.m., or the hours imposed on other businesses on the same street block, whichever is less restrictive on non-residential blocks.
 - 8 a.m. to sunset at public parks, plazas and beach areas with no designated closing time.
- A Sidewalk Vending Permit does not provide an exclusive right to operate on any sidewalk or portion thereof.
- Sidewalk vendors must ensure that the 10-foot area immediately surrounding the vending space is kept clean and free of trash and debris associated with their vending operation.
- A trash receptacle must be provided for customers and must be large enough to accommodate customer trash.
- Sidewalk vendors engaged in vending food or beverages must provide hand sanitizer in a conspicuous location for customers' use.
- All goods must be displayed 36 inches above the ground.
- Vending equipment and goods must be attended to at all times by the business owner or employee. Vendors must remove all equipment and goods at the end of each day.
- Connecting to an external source of power, water or other utilities while on public property is prohibited.
- Obstructions that would reduce the width of the sidewalk to less than forty-eight (48) inches are prohibited.

PROHIBITED VENDING LOCATIONS

No roaming or stationary sidewalk vending of any kind shall take place in the following locations:

- The public right of way or any area that blocks pedestrians or vehicles.
- Any public property that does not meet the definition of a sidewalk, including but not limited to any alley, beach, street, street or roadway median, or street end.
- Parking lots.
- On any slope greater than 5% or where signage indicates that wheels must be cramped to the curb.
- At any location that obstructs traffic signals or regulatory signs.
- In the Ballpark District during an event or game or within three hours before or one hour after an event or game.
- On Sports Arena Boulevard between Hancock Street and East Drive during an event or game or within three hours before or one hour after an event or game at [Pechanga Arena](#).
- Within 18 inches from the edge of the curb.
Within 5 feet in front of or 65 feet behind a bus stop, tram or non-rail trolley stop as measured linearly along the curb from the sign marking the bus stop, tram, or non-rail trolley stop.
- Within 10 feet of any driveway, marked crosswalk, fire escape or emergency exit.
- Within 15 feet of any other sidewalk vendor, intersection, driveway or building entrance, high-traffic sidewalk, loading zone, parking space, or access ramp designed for a person with disabilities, outdoor dining or patio area, public restroom, curb ramp, location with a valid encroachment permit displayed, high-traffic bike and shared-use path.
- Within 25 feet of any beach access point or pier.
- Within 50 feet of any railroad crossing or major transit stop.
- Within 100 feet of the vehicle entrance of any fire station, police department, hospital, lifeguard station or other structure dedicated to health and safety emergency matters, any major transit stop, City street or sidewalk closures.
- Within 150 feet of Harbor Drive, between Front Street and Park Boulevard, during a convention held at the San Diego Convention Center or within three hours before or one hour after a convention at the Convention Center.
- Within 500 feet of any permitted event, any school while children are going to or from the school during recess or within 30 minutes before or after the school's opening and closing hours, the open-air baseball facility located in East Village, currently known as Petco Park, the indoor arena located in Midway District currently known as Pechanga Arena within three hours before or one hour after an event or game.
- Within 50 feet of another stationary vendor in any City-designated promenade such as the 14th Street Promenade.
- Within 15 feet of any fire hydrant or fire lane.
- Vending is prohibited during the Summer moratorium (Saturday before Memorial Day and preceding Saturday and Sunday through Labor Day) in Balboa Park, Mission Bay Park, and Shoreline Parks (Newport Avenue between Abbott Street and Sunset Cliffs Boulevard in Ocean Beach, Ventura Place between Mission Boulevard and Ocean Front Walk in Mission Beach, Garnet Avenue between Ocean Front Walk and Cass Street in Pacific Beach, Coast Boulevard, between Cave Street and the 200 block of Coast Boulevard South, in La Jolla.)
- East Village District.

- On City property subject to a lease agreement so long as proper notice is provided of the prohibited location.
- Gaslamp Quarter District, which extends from the south side of Broadway to Harbor Drive and from the east side of Fourth Avenue to the west side of Sixth Avenue. Also included is the west side of Fourth Avenue (to the mid-block property line) between Market Street and Island Avenue.

SIDEWALK VENDORS IN PARKS, Plaza AND BEACHES Areas

In addition to the operating rules listed above, vendors operating in public parks and beaches **must comply with the following:**

- Sidewalk vendors shall stop vending before the designated closing time of any public park, plaza, , and beach area and by sunset where there is no designated closing time. All vending equipment and goods must be removed each day.
- Vending activities are prohibited in the following locations in Balboa Park:
Within 25 feet of El Prado, Village Place, Pan American Road East, Pan American Road West, Pan American Plaza, Old Globe Way, Chapel Road, Spanish Village, Plaza de Panama, Plaza de California, Plaza de Balboa, War Memorial Building, the Carousel, Spreckels Organ Pavilion, Presidents Way, or any other covered walkway.
- Vending activities are prohibited within 25 feet of the following gardens:
1935 Old Cactus Garden, Alcazar Garden, Casa del Rey Moro Garden, Florida Canyon Native Plant Preserve, Inez Grant Parker Memorial, Rose Garden, Martson House Garden, Palm Canyon, Trees for Health Garden, Veterans Memorial Garden, Zoro Garden; Within 50 feet of the Botanical Building or Lily Pond.
- Vending activities are prohibited within Balboa Park between December 25 and January 1.
- Sidewalk vendors shall not vend within 50 feet of another sidewalk vendor.
- Sidewalk vendor shall not vend within 25 feet of any decorative park fountain, statue, monument, memorial, or art installation.
- During the Summer moratorium (Saturday before Memorial Day and preceding Saturday and Sunday through Labor Day), vending is prohibited at Balboa Park, Mission Bay Park and Shoreline Parks, which are those parks contiguous to the shoreline or beach in the communities of Ocean Beach, Mission Beach, Pacific Beach and La Jolla.
- Safety and welfare of persons engaged in active sports activities and spectators of active sports activities are prohibited.
- Stationary sidewalk vendors shall not be allowed within any public park area if the park operator has entered into an agreement for concessions that exclusively permits the sale of goods or services by a specific concessionaire, provided that notice by signage or other means is provided to the stationary sidewalk vendor.
- Sidewalk vendors shall not use amplified or non-amplified sound-making devices in conjunction with vending, such as speakers, microphones, public address systems, bells and chimes.



VENDING EQUIPMENT AND GOODS

- Vendors are forbidden from using sound-making devices in conjunction with vending, including but not limited to loudspeakers, public address systems, bells, chimes or other noise-making devices.
- The erection of freestanding structures (signs, umbrellas, ice chests, etc.) adjacent to vending activities is prohibited.
- Vending equipment shall not be attached to or lean against any utility pole, street sign, bus stop, trash can, traffic pole or public structure.
- Roaming sidewalk vendors are prohibited from using portable cooking equipment, flammable-gas-fueled appliances or any open flame.
- All sidewalk vendors are prohibited from deep fat frying, using portable generators, using outdoor wood-burning ovens or charcoal barbecues and using gasoline or kerosene.
- Stationary sidewalk vendors may use portable cooking equipment according to the requirements outlined in the ordinance (36.0108 (j)).
- The sale of the following items by sidewalk vendors is prohibited by local, state and federal law: Alcoholic beverages, tobacco or electronic vaping products, smoking and drug-related paraphernalia, cannabis products, weapons, including knives, guns or explosive devices, airsoft guns and imitation firearms, pharmaceuticals or other products.

VIOLATIONS

Any violation of the Sidewalk Vendor ordinance by any person holding both a valid vending permit shall be punished by an administrative citation and penalties:

1. \$100 penalty for first violation.
2. \$200 penalty for a second violation within one year of the first violation.
3. \$500 penalty for a third and each subsequent violation within one year of the first violation.

Any person found vending without a valid vending permit (if required) shall immediately cease vending, and the activity is punishable by the following in lieu of the administrative fines set forth above and penalties:

1. \$250 for first violation.
2. \$500 for a second violation within one year of the violation.
3. \$1,000 for a third and each subsequent violation within one year of the first violation.

The City may impound vending equipment and any goods therein, for any of the following reasons:

- Leaving vending equipment or goods unattended.
- Vending prohibited goods in violation of San Diego Municipal Code section 36.0109.
- Vending without a valid Sidewalk Vending Permit in violation of San Diego Municipal Code section 36.0110(b).
- Vending food without a valid and displayed San Diego County Environmental Health Permit in violation of San Diego Municipal Code section 36.0105(h).
- Vending in violation of Chapter 3 Article 6 Division 1 of the San Diego Municipal Code and the Sidewalk Vendor refuses or fails to provide identification upon request by an Enforcement Official.
- Vending in apparent violation and the Sidewalk Vendor refuses or fails to remove the vending equipment from the sidewalk, park, or other property within 30 consecutive minutes after being instructed to do so by an Enforcement Official.

- Vending in a manner that blocks or obstructs the free movement of pedestrians or other traffic on sidewalks and fails to maintain a minimum of 48 inches of accessible path of travel in violation of San Diego Municipal Code section 36.0105(m).
- Vending in a manner that creates an imminent and substantial danger or environmental hazard to the health, safety, or general welfare of the public or property at the location of the vending equipment.
- Vending by a Sidewalk Vendor who has within a 24-month period, been issued three or more administrative citations for violations of Chapter 3 Article 6 Division 1 of the San Diego Municipal Code.

Reporting a violation

- Contact Code Enforcement by calling 619-236-5500 or submitting a [request for investigation online at https://www.sandiego.gov/development-services/code-enforcement/request-investigation](https://www.sandiego.gov/development-services/code-enforcement/request-investigation). Requests can be submitted 24/7; we will respond during business hours.
- For any complaints regarding food safety concerns or health permits for food vendors, contact the County Department of Environmental Health and Quality, Food and Housing Division via email at fhdcomplaints@sdcounty.ca.gov or by phone at 858-505-6903.