



City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
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Application for Sidewalk Vending

PERMIT NO. . _____

PERMIT EXPIRES _____

Applicant shall fill in all applicable information below.

APPLICANT NAME: _____

APPLICANT ADDRESS: _____

COMPANY NAME: _____

MAILING ADDRESS: _____

PHONE/ FAX NUMBER: _____

E-MAIL ADDRESS: _____

DRIVER LICENSE NO./EIN: _____

VENDING LOCATION: _____

TYPE OF SERVICES (include cart dimensions if applicable): _____

TYPE OF VENDOR: STATIONARY ROAMING

DAYS AND HOURS OF OPERATION: _____

ACKNOWLEDGEMENT AND CERTIFICATION

APPLICANT/OWNER MUST SIGN BELOW

Applicant Signature: _____ Date: _____

By signing this permit application, applicant certifies all information contained in the application is true to their knowledge and belief. Further the applicant acknowledges and certifies that the applicant is responsible for complying with the all of the information, restrictions and conditions of this permit (listed below) and that the applicant has read and acknowledged the provisions of the City of Malibu Municipal Code Chapter 5.60 and all other applicable federal, state and local laws and regulations.

OFFICIAL USE ONLY: PUBLIC WORKS DEPARTMENT

City Approval: _____ Date: _____

City Comments: _____

- California Department of Tax and Fee Administration Seller Permit
- Los Angeles County Department of Public Health (food vending)
- Insurance Certificate
- Executed Indemnity and Hold Harmless Agreement

1. Applicant shall submit a valid California Driver's License or identification number, an individual taxpayer identification number, or a social security number.
2. Applicant shall submit copy of valid California Department of Tax and Fee Administration seller's permit, as required.
3. Food vendor shall submit copy of valid food permit issued by Los Angeles County Department of Public Health.
4. Applicant shall submit proposed vending locations for staff approval.
5. Applicant shall note proposed days and hours of operation for staff approval.
6. Applicant shall submit general liability insurance of such types and in such amounts as required by the City's Risk Manager or their designee.
7. Applicant hereby agrees to defend, indemnify, release and hold harmless the city, its city council, boards, commissions, officers and employees from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to the permit or the applicant's sidewalk vending activities. 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 applicant, City, and/or the parties initiating or bringing such proceedings. Applicant hereby certifies under penalty of perjury that applicant is authorized to make this statement and the foregoing statements to be true and correct, and agree to defend, indemnify, release and hold harmless the City, its council members, commissioners, officers, employees, volunteers, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorneys' fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to the permit or the applicant's sidewalk vending activities. 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 applicant, City, and/or the parties initiating or bringing such proceeding. Applicant also agrees, if approved, to comply with all permit conditions, and understand that failure to comply with any condition or any violation of law may result in the immediate revocation of the permit.
8. Permits are valid for one (1) year from date of issuance.
9. Sidewalk vending permit is non-transferable to any person or be valid for vending operations in any location(s) other than the location designated on the permit for the term stated.
10. All sidewalk vendors are subject to the following requirements:
 - a. Maintain all state and local permits necessary for the proposed vending operation;
 - b. Prominently display the permit issued pursuant to this Chapter at all times while operating in the City, and present the license for inspection at the request of any city staff member or law enforcement officer;
 - c. No vending cart may operate at a location if the cart would reduce the pedestrian access route clearance on the path or sidewalk to a width of less than five (5) feet.
 - d. Vending activity may not block the entrances to any buildings, driveways, or vehicle parking spaces;
 - e. Carts and other equipment used in connection with sidewalk vending may not be stored or left unattended in public spaces or in any portion of the public right-of-way. (Equipment or objects left in public spaces or in the public right of-way overnight, or outside the hours of permitted vending operations, will be considered discarded and may be seized or disposed of by the city.)
 - f. Signs, tables, chairs, shade structure, fences, or other furnishings not approved for use in a sidewalk vending license may not be used in vending operations;
 - g. Vendors may not use any horns, music, lights, visual media, or any sound amplifying device unless expressly approved in the vending license;
 - h. Sidewalk vendors are not permitted to sell or offer for sale lottery tickets, alcohol, cannabis, adult oriented material, or tobacco or electronic cigarette products;
 - i. Sidewalk vending of services, including rental services, is prohibited;
 - j. Vendors may not attach or use any water lines, electrical lines, or gas lines during vending operations;
 - k. Vendors may not affix, lean, or touch any sidewalk vending equipment to, on, or against any street fixture or structure, including, but not limited to, utility posts, bus shelters, public trash cans, parking meters, or street signs;
 - l. Carts and vending activity may not physically alter or otherwise damage the underlying sidewalk;
 - m. Maintain vending operations in sanitary condition, including ensuring proper disposal of any trash

produced as a result of said operations. (Vendors must operate with their own trash containers to allow the proper disposal of trash, food, or liquids generated by their operations.); and

- n. A sidewalk vendor shall not discharge any liquid (e.g. water, grease, oil, etc.) onto or into city streets, storm drains, catch basins, or sewer facilities;
11. Roaming vendors must keep their operations moving except when completing a transaction and may not operate on any city block for more than one (1) hour in any four (4) hour period.
 12. Sidewalk vendor shall not operate in the following locations:
 - a. In any street, driveway, alley, median strip, bike path, public parking lot, or any other public location that is not a sidewalk as that term is defined in section 5.60.010;
 - b. Within the immediate vicinity of a certified farmers' market or an area designated for a temporary special permit, during the limited operating hours of these events. Any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the City's temporary special permit will also be furnished to a sidewalk vendor permitted to operate in the area.
 - c. Within five-hundred (500) feet of any public or private school grounds, between the hours of 8:00 a.m. and 5:00 p.m., on days that school is open to students;
 - d. Within twenty (20) feet of an entrance or exit to any building, including, but not limited to, any theater, house of worship, or place of public assembly.
 - e. On private property without the consent of the property owner and a city-issued permit.
 13. Vending in parks is restricted to sidewalks (a park's paved pedestrian paths).
 - a. No sidewalk vending is permitted on ballfields, grass turf, playground areas, or other unpaved trails or sand areas.
 - b. A vendor may not operate on a sidewalk if doing so would reduce the clearance for pedestrian access thereon to a width of less than five (5) feet.
 - c. Stationary sidewalk vendors may not operate in a park if the park operator has entered an exclusive concessions agreement with a third party.
 - d. All vendors must cease operating 20 minutes prior to park closure.
 14. Stationary sidewalk vendors may not operate in areas zoned exclusively for residential use. Stationary sidewalk vendors may only operate at the location(s) designated in their vending permit and only during the times set forth herein.
 15. Roaming sidewalk vendors shall not operate within residential zones between the hours of 8:00 p.m. to 9:00 a.m.