



**CITY OF CARMEL BY THE SEA
COMMUNITY PLANNING AND BUILDING
SIDEWALK VENDING APPLICATION**

Fee: \$ _____
Receipt: _____
Date: _____
Time Received: _____
Application No: _____

Applicant Information

To be filled out by individual applying to be a sidewalk vendor:

Name of Applicant _____

Mailing Address _____

Email Address _____

Phone# _____

Application Type **New Permit** **Permit Renewal – Prior Application Number: SV _____**

Signature of Applicant

Date

Permit Guidelines

1. **No person, either for themselves or any other person, shall engage in any sidewalk vendor activities within the City without first applying for and receiving a permit from the Community Planning and Building Director.**
2. **No more than ten (10) permits in total shall be issued by the City that allow sidewalk vending in the commercial and/or residential districts combined in order to protect the public health, safety, and welfare. No more than one (1) commercial/residential permit shall be issued to an individual sidewalk vendor and only one (1) vending receptacle is permitted per permit.**
3. **No more than three (3) permits shall be issued by the City that allow sidewalk vending in Devendorf Park in order to prevent undue concentrations of commercial activity and protect the character of the park. No more than one (1) Devendorf Park permit shall be issued to an individual sidewalk vendor and only one (1) vending receptacle is permitted per permit.**
4. **Permits shall be issued in order that applications are received and deemed complete. Sidewalk vendor permits shall expire one year after the date of issuance, unless renewed on or before the expiration date.**
5. **This application shall be accompanied by information required on the attached Information Checklist and acknowledgements**

For City Use Only

Decision Maker _____ **Action** _____ **Date of Action** _____

By signing and submitting this application, the applicant:

1. Acknowledges that the use of public property as authorized by State Legislation (Government Code Sections 51036 – 51039) shall be at the sidewalk vendor's own risk.
2. Agrees to comply with all City ordinances as well as Federal and State laws relating to sidewalk vending.
3. Acknowledges that all materials submitted as part of this application package are considered to be public information, may be posted on the internet, distributed to the necessary Committees, Commissions and Council as part of the approval process, and reviewed by the public.
4. Agrees to obtain insurance to protect the City from liability associated with the sidewalk vendor's activities and to name the City as an additionally insured. Prior to operation, the applicant shall obtain commercial general liability insurance, including, but not limited to, premises, personal injuries, bodily injuries, property damage, products, and completed operations, with a combined single limit of not less than \$1,000,000 in combined single limit insurance for personal injury and/or property damage per occurrence and \$2,000,000 in the aggregate, and the City shall be named as an additional insured. Proof of insurance shall be provided to the Community Planning and Building Department prior to the commencement of operation and within 30-days of the date of the approval of the Sidewalk Vending Application. Failure to provide proof of insurance within 30-days* will void any approval. The insurance shall be maintained during the duration of the permit.
5. Agrees to obtain an "In-and-About" business license prior to commencement of business operation and within 30-days of the date of the approval of the Sidewalk Vending Application. Failure to obtain an In-and-About business license within 30-days* will void any approval. An active In-and-About business license shall be maintained for the duration of the permit.
6. Declare under penalty that I am the owner of said sidewalk vending business and that all statements and answers, data, information, documents and evidence submitted to the City of Carmel-by-the-Sea as part of this application are to the best of my knowledge and belief, true and correct.
7. Agrees to, at its sole expense, 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 vendor'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 permittee, City, and/or the parties initiating or bringing such proceeding.
8. Acknowledges existing permit holders hold the first right to renew existing permits before they expire. Should sidewalk vending permits be unavailable due to the numeric cap established by the sidewalk vending program, new applicants will be placed on a waitlist based on the order in which their application is received and deemed complete, including the payment of the full application fee. Should an applicant placed on the waitlist wish to be removed from the waitlist, a partial refund of application fees may be issued upon approval by the Director of Community Planning and Building. Any applicant removed from the waitlist will be required to submit a new application and be placed at the end of the waitlist should they wish to re-apply for a sidewalk vending permit in the future.

Signature of Applicant/Responsible Party

Date

INFORMATION REQUIRED

For both renewals and new applications, please include the following information as a separate attachment(s) to this application. The application will not be deemed complete until all items below have been satisfied:

- The name, address, and telephone number of the person who will be in charge of any roaming sidewalk vending activity and/or be responsible for the person(s) working at the sidewalk vending receptacle. If same as the applicant, please indicate as such.
- The name, address, and telephone number of all persons that will be employed as a sidewalk vendor. If same as the applicant, please indicate as such.
- Whether the vendor intends to operate as a stationary sidewalk vendor or a roaming sidewalk vendor. Indicate if a permit is desired for the Commercial and Residential Districts (10 total permits issued) Devendorf Park (3 total permits issued).
- The location(s) in the City where the sidewalk vendor intends to operate. If roaming, indicate the intended path of travel.
- The day(s) and hours of operation the sidewalk vendor intends to operate at such location(s).
- The dimensions of the sidewalk vendor's sidewalk vending receptacle(s), including a picture of each sidewalk vending receptacle operating under the permit and any signs that will be affixed thereto.
- Whether the sidewalk vendor will be selling food, merchandise, or both, including a detailed description of products proposed to be sold.

If Vending Food:

- A description of the type of food to be sold, whether such foods are prepared on site, whether such foods will require a heating element inside or on the sidewalk vending receptacle for food preparation, and the type of heating element (electric, induction, etc.), if any. Open flame or charcoal-fueled device on or within any sidewalk vending receptacle are prohibited (CMC 12.46.070.A.5).

PRIOR TO COMMENCEMENT OF OPERATION:*

Within 30-days of approval of a Sidewalk Vending Application or Renewal, and prior to the commencement of business operation, the applicant shall:

- Return the signed Conditions of Approval to the Community Planning & Building Department.
- Obtain an "In-and-About" Business License. Please refer to the city's [Business License webpage](#) for information regarding applying for the In-and-About business license.
- Obtain commercial general liability insurance, including, but not limited to, premises, personal injuries, bodily injuries, property damage, products, and completed operations, with a combined single limit of not less than \$1,000,000 in combined single limit insurance for personal injury and/or property damage per occurrence and \$2,000,000 in the aggregate, and the City shall be named as an additional insured. Proof of insurance shall be provided to the Community Planning and Building Department within 30 days of permit approval.
- Proof the person possesses a valid California Department of Tax and Fee Administration seller's permit which notes the City as a location or sub- location, which shall be maintained for the duration of the sidewalk vendor's permit.

If Vending Food:

- Proof of a valid Health permit issued by the Monterey County Health Department in accordance with Part 7 of the California Health and Safety Code.

PERMIT FEES:

New Permit: \$425

Permit Renewal: \$210

*Failure to return the signed Conditions of Approval, obtain a business license, obtain a Health Permit by the Monterey County Health Department (if applicable) and/or submit proof of insurance within 30-days of the initial approval of the sidewalk vending permit will void any approval pertaining to the license. Extensions to this 30-day period may be granted by the Director of Community Planning and Building if the applicant can provide proof that they have been diligently pursuing these required materials during this period.