



# COUNTY OF MONTEREY HEALTH DEPARTMENT

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Administration  
Behavioral Health

Clinic Services  
Emergency Medical Services  
Environmental Health/Animal Services

Public Health  
Public Administrator/Public Guardian

## Senate Bill 946: Sidewalk Vendors

### Frequently Asked Questions (FAQs)

On September 17, 2018, Senate Bill 946 (also known as the Safe Sidewalk Vending Act, SB 946) was signed by the Governor as an addition to existing Chapter 6.2 to Part 1 of Division 1 of Title 5 of the Government Code, relating to sidewalk vendors. This new bill would prohibit a local authority from regulating sidewalk vendors, except in accordance with the provisions of the bill. This bill would require a local authority that elects to adopt a sidewalk vending program to not require a sidewalk vendor to operate within specific parts of the public right-of-way, except when that restriction is directly related to objective health, safety, or welfare concerns, and not restrict sidewalk vendors to operate only in designated neighborhood or area, except as specified.

#### **Q: When does SB 946 go into effect?**

A: While the law becomes effective January 1, 2019, unless a local government body such as a City or County authorize this type of food facility a permit will not be able to be issued by the local enforcement agency (i.e. environmental health).

A: Senate Bill (SB) 946 – This regulation is applicable throughout the State of California including the 12 incorporated cities and the unincorporated areas of the County of Monterey

#### **Q: What is considered a sidewalk vendor?**

A: A “sidewalk vendor” is a person who sells food or merchandise from a pushcart, stand, pedal-driven cart, wagon, showcase, rack, or other nonmotorized vehicle, from one’s person.

#### **Q: Do I need a permit to be a sidewalk vendor?**

A: A health permit is needed to sell food products to the consumer through the local enforcement agency. A permit is not needed by the local enforcement agency to sell other products i.e. paintings, bracelets, keychains, lanyards, etc.

**Q: How do I obtain a permit?**

A: To obtain a permit, you must first complete a permit application, submit operating procedures, a commissary verification form, and plan check review if applicable. There is a review fee for this process. Once the application and procedures are approved by the local enforcement agency, a permitting inspection will be scheduled. A permit may be issued at the conclusions of the inspection if compliance is achieved.

**Q: How long is the application process?**

A: The application process is determined by the level of detail and completeness of the application package. Refer to the County of Monterey Health Department, Consumer Health Protection Services webpage for application details and forms needed for your proposed business.

**Q: Can I set up a tent with my pushcart as a street vendor?**

A: No, only during temporary special events are vendors allowed to set up a tent structure. A tent structure used to prepare, package, and sell food is considered a temporary food facility (TFF) for a special event. A TFF is any individual, group, or organization intending to sell, sample, or give away food to the public from a fixed location for a limited period of time, not to exceed 25 days, in a 90-day period, in conjunction with a community event.

**Q: Are there restricted areas I won't be able to sell as a street vendor?**

A: The local authority may prohibit sidewalk vendors in areas located established permitted events such as a swap meet, certified farmers' markets, special organized events, etc.

A: For vendors located in incorporated cities in County of Monterey, contact your local city jurisdiction for additional information regarding street vendor operations. For vendors located in unincorporated areas of County of Monterey, please contact County of Monterey Resource Management Agency Department at 831755-5025.

**Q: Who can I contact for more information?**

A: Contact the County of Monterey Health Department- Environmental Health Bureau, Consumer Health Protection Services program at (831) 755- 4508.