



Sidewalk Vending Ordinance Implementation – Mid-Year Update

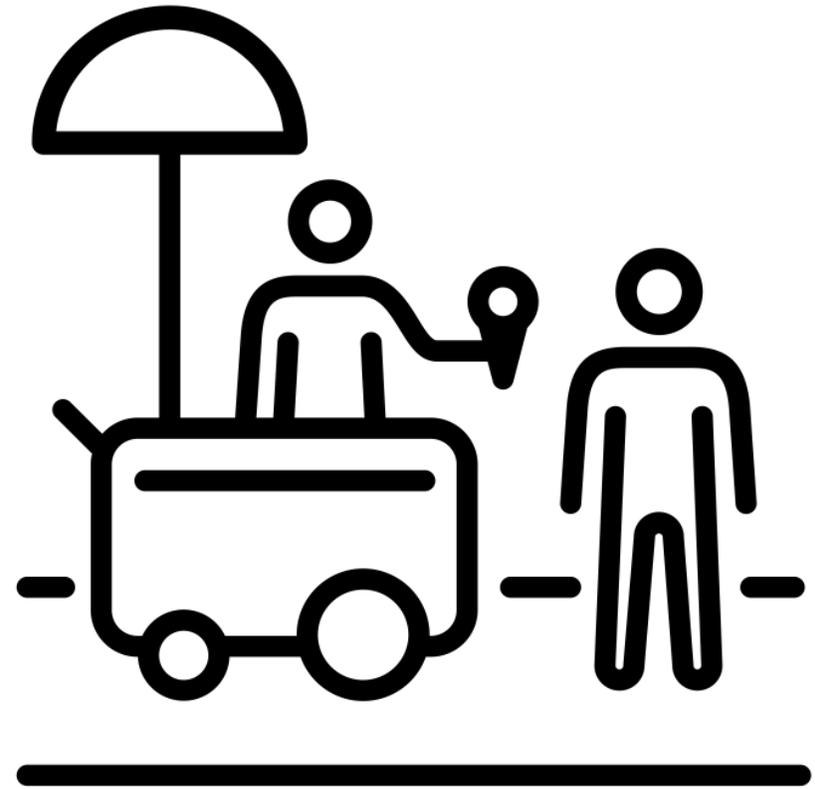
October 15, 2024

Agenda

- Background
- Education Campaign Update
- Sidewalk to Success Update
- Enforcement Update
- Next Steps



BACKGROUND



Sidewalk Vending Ordinance Background



In 2018, the State of California passed **Senate Bill 946 (SB 946) "The Safe Sidewalk Vending Act"**, which took effect on January 1, 2019



SB 946's intent was to decriminalize sidewalk vending and it established parameters for the local regulation of sidewalk vendors



On January 23, 2024, **City Council approved a new sidewalk vending ordinance**, which went into effect on February 26, 2024



The ordinance was designed after extensive research and community feedback to **create a clear path for sidewalk vendors and support small businesses**, while protecting public health, safety, and ADA access

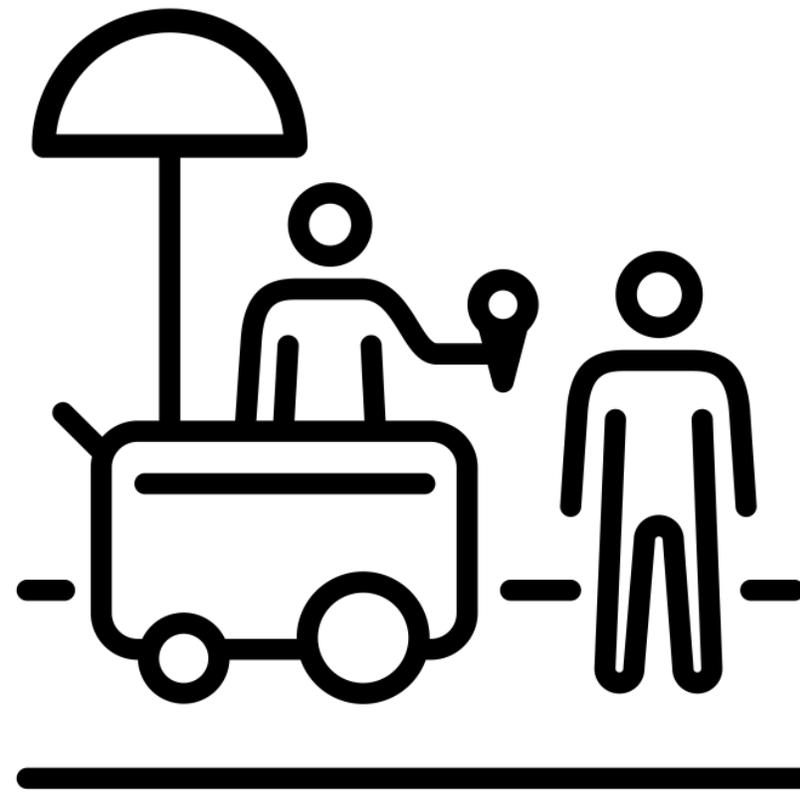


Key Components of the Sidewalk Vending Ordinance

Long Beach
Municipal Code
Chapter 5.73
and
California Health
and Safety Code

- **Licensing, Permitting, and Fees**
 - Business License and Sidewalk Vending Permit, issued jointly
 - City Health Permit for applicable food vendors
 - Insurance with \$1 million policy limit
- **Placement, Size, and Accessibility**
 - Protect the sidewalk right-of-way for pedestrians and ensure ADA accessibility
 - Parameters on locations, set up and equipment, operating distances
- **Food Safety Regulations**
 - Comply with the State Health and Safety Code (latest update through SB 972)
 - Protect the safety of consumers where all sidewalk vendors operate in a way that is hygienic and follows proper food safety rules
- **Enforcement**
 - Administrative citations, impound food and equipment if there is a public health risk or safety concern, and potential revocation of permits for permitted vendors

Education Campaign Update



Priority Focus on Education



- Per City Council's direction, the focus during the initial months of the ordinance have been on **educating vendors and the public** on the updated requirements and operational rules
- **A multi-month educational campaign** was implemented to reduce barriers to compliance before enforcement actions began
- **Existing State Health and Safety Code** regulations have continued to be enforced during this time to protect health of community

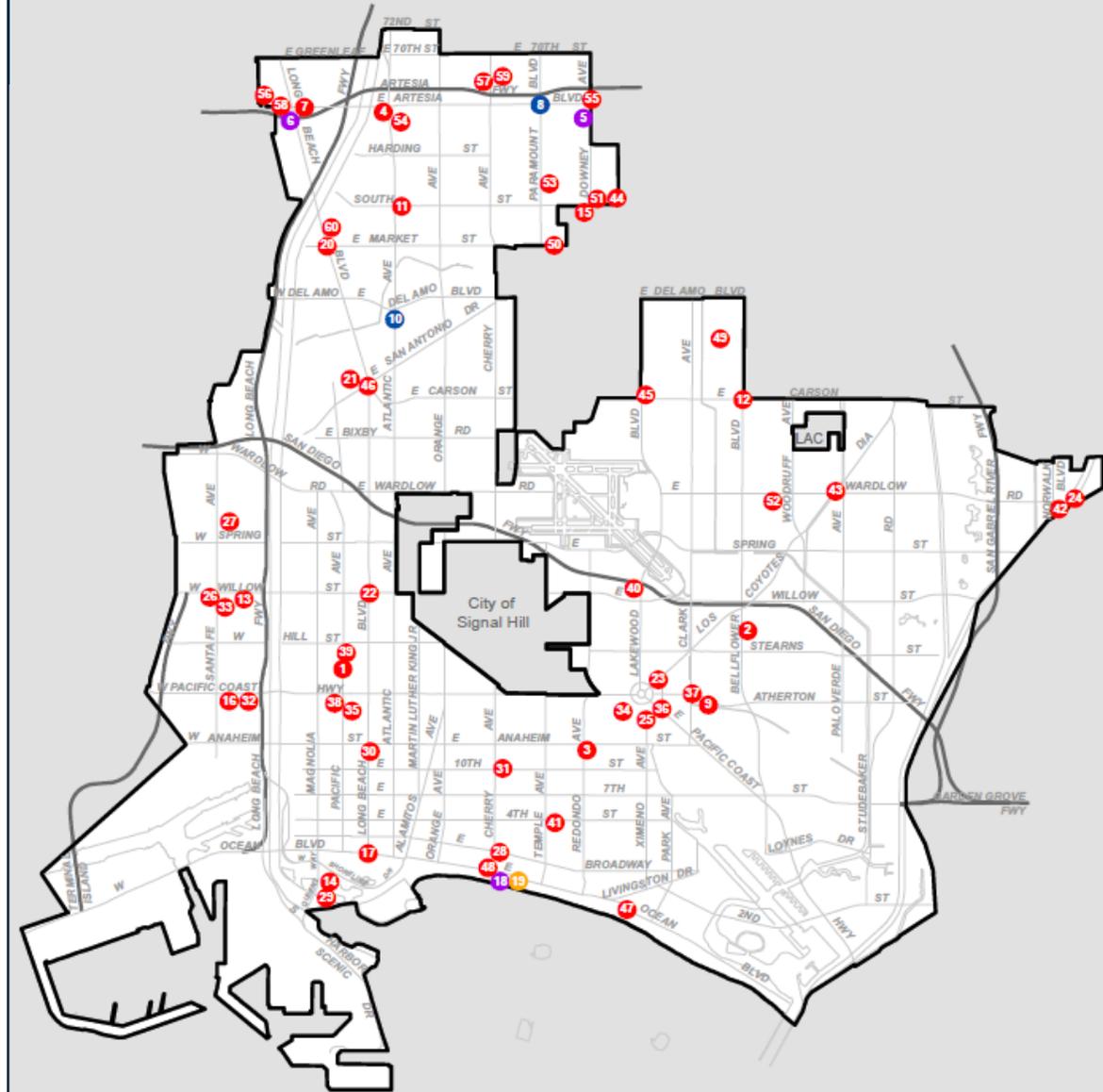
Outreach and Engagement Updates

Data between 2/26 – 10/4

- **11 in-person City-hosted Townhalls (educational sessions):** every Thursday from April 18 to May 16, with two sessions each day, and additional sessions
 - **105** attendees
- **6 virtual City-hosted Webinars (education sessions):** bi-weekly, starting in March
 - **100** attendees
- City participated in **6 educational workshops with local organizations:**
 - (1) DTLBA, (2) Centro Cha, (2) Pacific Gateway, (1) COBA
 - **125** attendees
- **6 Roundtable** discussions with various stakeholders, 42 participants
- 92 vendors-engagement occurrences **in the field at their operational sites**
- 833 vendor-engagement occurrences **via phone, email, in-person** at City Hall and Health



Map of Locations Staff Conducted Field Education



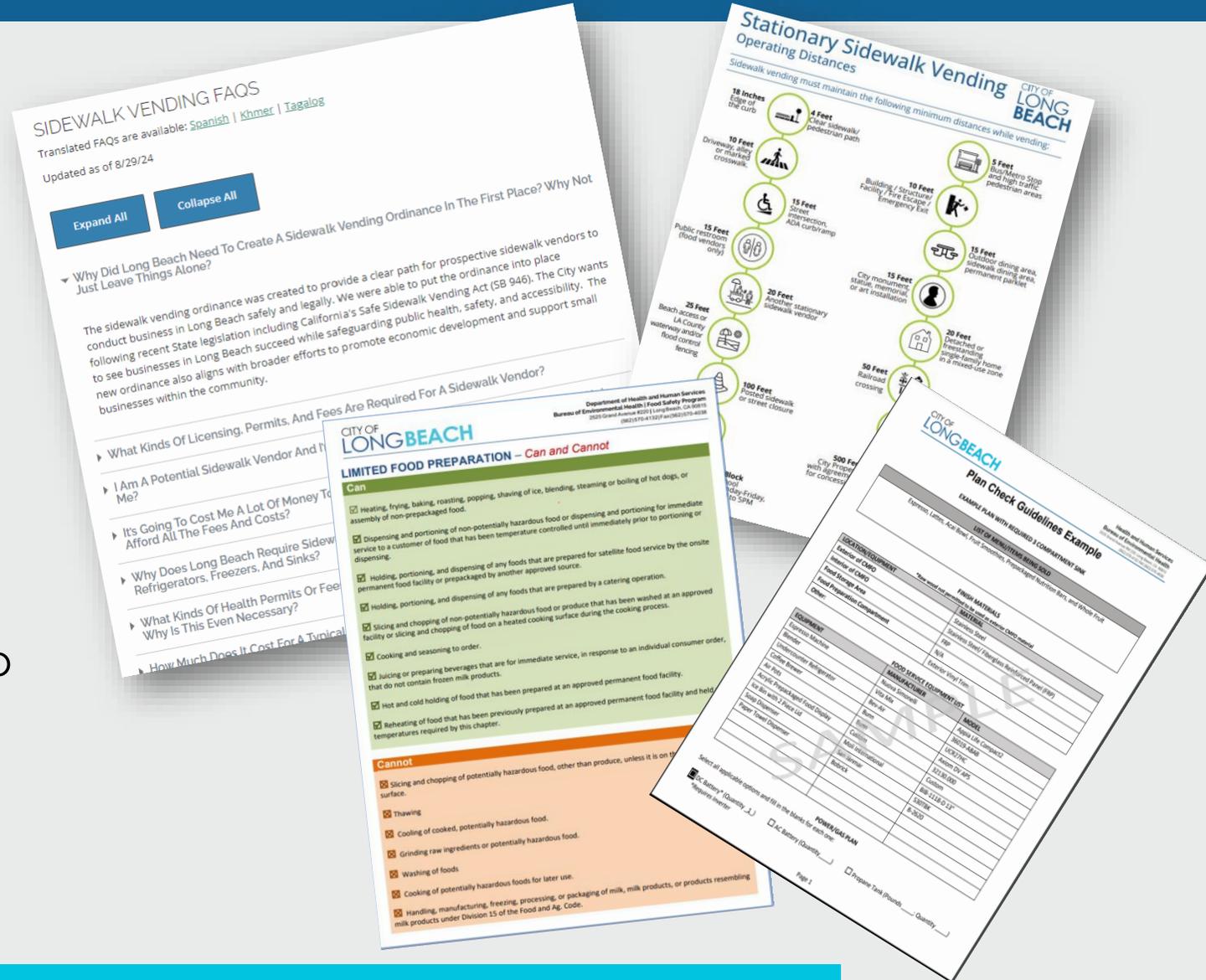
Disclaimer
 This map from the City of Long Beach is intended for informational purposes only. While reasonable effort has been made to ensure the accuracy of the data, the City assumes no liability or damages arising from errors or omissions. This map is provided without warranty of any kind. No part of this map may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying or recording systems.

Legend

- Food
- Food & Non-Food/Merchandise
- Food & Not Specified
- Non-Food/Merchandise

Educational Materials

- Presentations from Town Halls and Webinars available online
longbeach.gov/finance/business-info/business-licenses/sidewalkvending/
- Sidewalk Vending Operations Guide
- Health Requirements informational materials
- Frequently Asked Questions Document Created – both General and Enforcement focused
- Utilized Language Access Program to provide materials and recordings in multiple languages
- Staff available to provide assistance in multiple languages



Communications - Website

Created longbeach.gov/sidewalkvending as a one-stop shop for information on becoming a vendor

Home » Financial Management » Business Info » Business Licenses » Sidewalk Vending

Interested in applying for the City's free cart program?
[Apply Today](#)

SIDEWALK VENDING

On February 26, 2024 the City's Sidewalk Vending Ordinance becomes effective, creating the Sidewalk Vending Program. All sidewalk vendors in Long Beach are required to obtain a Business License, and if selling food, a Health Permit.

A sidewalk vendor is a person who sells food or merchandise from pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other nonmotorized conveyance (collectively known as the "set-up") or from one's person upon a public sidewalk or pedestrian path.

5 STEPS TO SUCCESSFULLY START & OPERATE YOUR SIDEWALK VENDING BUSINESS

- FIND OUT WHAT KIND OF LICENSES AND PERMITS YOU NEED.**
Every business in the city requires a business license, and if serving food, a health permit. To help offset costs for sidewalk vendors, we have identified resources to reduce costs during your first year.
[Learn more about licenses, permits and financial assistance](#)
- PLAN WHERE AND WHEN YOU WILL OPERATE YOUR BUSINESS.**
It's important to keep pedestrians safe, ensure ADA accessibility and protect the landscape. We've created a guide to help you understand where, when and how you can set up or operate your sidewalk vending business.
[Get placement details](#)
- MAKE SURE THAT FOOD PREPARED AND SOLD IS SAFE.**
Selling food? There are different rules depending on the kind of food you are selling. This helps keep diners safe and keeps you in compliance with California state law.
[Food Safety Regulations](#)
- DAILY PRACTICES: WHAT YOU NEED TO KNOW!**
Once you have the licenses, permits, and equipment you need, it's time to open for business! Set yourself up for success by learning the rules for traveling to your location, setting up, safely preparing and handling food, and shutting down your business operation for the day.
[Get information about daily practices](#)
- INSPECTION AND ENFORCEMENT**
To protect everyone's health and safety, we will conduct routine inspections and will follow up on complaints with an emphasis on education wherever possible.
[Read Enforcement FAQs](#)

CONTACT US

Business Licensing
562-570-7852
FM-SidewalkVending@longbeach.gov

Health Permits
562-570-4132
HE-SidewalkVending@longbeach.gov

Biz-Care Support for Small Businesses
LongBeach.gov/Bizcare
562-570-4249
4Biz@longbeach.gov

Media Inquiries
Jennifer Rice Epstein
562.441.3590
Jennifer.RiceEpstein@longbeach.gov
Public Affairs Officer
Department of Health and Human Services

Additional Resources

- [Restroom Agreement](#)
- [Accredited California Food Handler Certificate Program](#)
- [Commissary Form](#)
- [List of Mobile Food Vendors](#)
- [Report a Sidewalk Vending Concern](#)
- [Report a Foodborne Illness](#)
- [Enforcement FAQs](#)
Translated FAQs are available: [Spanish](#) | [Hmong](#) | [Tagalog](#)
- [General FAQs](#)
- [Learn More About Carts - CMFO](#)
- [What Compact Mobile Food Vendors Should Know](#)

longbeach.gov/finance/business-info/business-licenses/sidewalkvending/

Home » Financial Management » Business License » Sidewalk Vendor Business License

SIDEWALK VENDOR BUSINESS LICENSE AND PERMIT

A sidewalk vendor business license and sidewalk vending permit are required for all vendors. Most vendors selling food items will also need a City Health Permit, dependent upon the type of business.

Apply for a Business License and Sidewalk Vendor Permit



Application

For more information about Health Permit



Compact Mobile Food Operations

SIDEWALK TO SUCCESS: FINANCIAL AND TECHNICAL ASSISTANCE

Sidewalk to Success, a sidewalk vending support program, covers the costs of the required business license and permit and health permit fees for operating through February 26, 2025, and provides a reimbursement of up to \$450 of the cost of the required insurance, business and technical assistance and up to 40 free food service carts.

For more information about the Sidewalk to Success Program



Financial and Technical Support

How to Apply for a California Seller's Permit



California Seller's Permit

longbeach.gov/finance/business-license/sidewalk-vendor-business-license/

Home » Financial Management » Business License » Sidewalk Vending Operations

SIDEWALK VENDING OPERATIONS

A sidewalk vendor is a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance or equipment (known collectively as the "set-up") or from one's person upon a public sidewalk or pedestrian path.



Operating Conditions



Distancing Requirements



Guidelines



Safety Tips

Sidewalk Vending Operations Guide
[English Flyer](#) | [မြန်မာစာအုပ်အားဖတ်ရန်](#) | [Folleto en Español](#) | [Player sa Tagalog](#)



Event Calendar

SIDEWALK VENDING REGULATIONS

All related sidewalk vending regulations can be found at the following:



Sidewalk Vending Ordinance LBMC 5.73



All Referenced Regulations

longbeach.gov/finance/business-license/sidewalk-vending-operations/

Communications – Social Media



47+ published posts



77,611+ million impressions



1,327 engagements

Descending by Lifetime Engagements

Platform	Post Content	Total Engagements	Likes	Comments	Saves	Reactions	Comments	Shares	Post Link Clicks	Other Post Clicks
Instagram	Hey Long Beach! We have launched the next phase of our #SidewalktoSuccess program... 	300	243	44	13					
Instagram	Attend one of our upcoming Town Hall meetings this week to learn more about our new... 	83	81	0	2					
Facebook	¡Aprende como solicitar la licencia de vendedor ambulante! Los invitamos qu... 	79		7		20		4	3	45

Communications – Media Engagement



**5 official
press
notifications
issued**



**Over
74 media
mentions
in
newsprint
and digital
media**



**Over 100
broadcast
news
segments
reaching
2 to 136
million
viewers**



**Over
25 organic
media
inquiries
received
via email
and phone**

What Have We Heard and Learned?

Vendor Challenges	Current Approach/Comments
Insurance requirement	The Sidewalk to Success program will reimburse the cost of insurance coverage for the first year. Many vendors are submitting applications without insurance paperwork and may be unfamiliar with obtaining insurance. Business Navigators available to help support.
Health permit compliance particularly with carts	The City has launched a free cart program to distribute food carts that are compliant with health requirements. The free cart program does not cover every type of cart a vendor might be interested in. Staff are available to support prospective vendors in understanding and determining next steps for cart and other regulations.
Confusion regarding temporary permits vs. regular permit requirements	City has held multiple roundtables with community members to address concerns and confusion. City has developed additional communications materials and will continue ongoing education efforts.
Commissary/Kitchen agreements are costly and limited	No fiscal support is being provided for commissary agreements. With the passing of SB 972 that went into effect January 1, 2023, permanent food facilities (restaurant, bar, church, community centers) can now be utilized as a commissary. Shared kitchens can also be used as an alternative to commissaries. Currently there are only 3 in the city, but approved shared kitchens in other cities may also be used. Lastly, Health Department received funding from the State in June 2024 to study the feasibility of adopting Micro-Enterprise Home Kitchen Operations in Long Beach. If adopted, MEHKO's can be an approved commissary if approved by Health.
Transportation/storage for carts	No fiscal support being provided for this expense in the current Sidewalk to Success Program. Updates to State's Retail Food Code in 2023 now allows for carts to be stored in homes if approved by Health.
Concern over enforcement before the ability to get into compliance	Education first will continue to be the first part of any typical business license enforcement activity. Vendors receive series of warnings prior to receiving any administrative citation.
Safety concerns	The Police Department has created outreach materials on vendor safety. Business Navigators are also preparing to assist vendors transition away from cash transactions.

What Have We Heard and Learned?

Brick and Mortar Businesses Concerns	Current Approach/Comments
Concerned that vendors setting up near their businesses are affecting their business	SB 946 only allows for operational/locational limitations on sidewalk vendors for reasons related to health and safety. Perceived economic competition does not constitute an objective health, safety, or welfare concern. However, staff can educate and enforce vendors who are not in compliance with other aspects of the regulation.
Parity with the enforcement of regulations	Per City Council's direction, the City engaged in an education campaign for several months before enforcement of ordinance began. As of July 26, Business License has begun enforcement of the ordinance.
City's enforcement is slow and limited	State law limits the enforcement options for Sidewalk Vending. Current resources allow for a complaint-based response system. Staffing capacity and safety concerns are challenges. Still, the City is continuously working on ways to bring vendors into compliance.
Parity with funding and benefits	The City Council authorized Sidewalk to Success Program that has earmarked \$722,042 of Recovery Act Funds. The City has also allocated over \$19 million for businesses, including over \$3.5 million in direct grants to local restaurants.

Continuing Education and Increasing Awareness

The City is committed to continually educating sidewalk vendors, providing the support they need to understand and comply with the ordinance.



Continuing Education and Increasing Awareness, cont.

Key Clarification: The City is required to uphold State Health and Safety Code, including Retail Food Code sections. These regulations cannot be changed by City Council or staff decision.



- Cart Requirements
- Commissary Requirements
- Compact Mobile Food Operations Requirement
- Other requirements to obtain Health Permit



Long Beach
Sidewalk
Vending
Ordinance
and Program

Continuing Education and Increasing Awareness, cont.

Key Clarification: State law requires sidewalk food vending to be a Compact Mobile Food Operation (CMFO). Not every food vendor on a sidewalk is a CMFO. Some are “Pop-up Restaurants” which are not eligible for a CMFO Health Permit (unless with a temporary food facility permit associated with an approved community event).

- **State Health and Safety Code** allows food operations from a non-motorized compact mobile conveyance on a sidewalk known as a **Compact Mobile Food Operation (CMFO)**
- CMFOs allow only **limited food preparation and handling** to provide minimum food safety measures, given the lack of necessary equipment and facilities, such as a plumbing, refrigeration capacity, protective walls, ceiling, and flooring
- “Pop-up restaurants” although operating on sidewalks, do not meet the definition or intent of the State Health and Safety Code for CMFOs
- Pop-up restaurants’ operations and set up are more closely aligned with traditional restaurants or temporary food facilities at community events, rather than CMFOS

Continuing Education and Increasing Awareness, cont.

WHAT COMPACT MOBILE FOOD VENDORS SHOULD KNOW!



This guide aims to help you safely and legally operate your mobile food vending unit, ensuring the safety of your staff and customers by preventing foodborne illnesses and avoiding common violations.



longbeach.gov/sidewalkvending

IV. What You Should Know About Your Permit and Decal

- Licenses, permits and decals cannot be sold, rented or given to another person.
- Vendors must always carry a current permit.
- To sell food, a compact mobile food vending unit must have a current decal on it.



Boiled frankfurters or sausages and knishes:

- Potable water (water that is safe to drink)
- Wastewater tank
- Thermometers
- May need ventilation
- Overhead structure (e.g., overhang or umbrella)
- Cold holding unit
- Hot holding unit
- Hand Sink

Sandwiches, cut fruits, vegetable salads, breads, bagels or rolls buttered or topped with cream cheese, smoothies and ice cream:

- Potable water (water that is safe to drink)
- Hand wash sink
- Wastewater tank
- Overhead structure (e.g., overhang or umbrella)
- Cold holding
- Hot holding
- Thermometers

Brewed coffee or tea, donuts, pastries, bagels or rolls buttered, popcorn, cotton candy, plain or candied nuts, soft pretzels and chestnuts

- Potable water (water that is safe to drink)
- Wastewater tank
- May need hand wash sink
- Overhead structure (e.g., overhang or umbrella)

REMEMBER: Vendors may not change equipment in their vending unit after the final plan check (e.g., the size, adding accessories, etc.). If you make a change to your unit, you must be reinspected immediately.



Other requirements your compact mobile food vending unit may need:

All components such as attachments and overhead structure must be a part of the compact mobile food vending unit. Only a trash bin can be set up separately next to the vending unit.



- Water Heater**
 - Handwashing 100° F
 - Warewashing 120° F
- Potable Water**
 - Handwashing 5 gal
 - Dishwashing 15 gal
- Power Source**
 - Propane tank
 - Battery
 - Generator
- Wastewater Tank**
 - 50% more capacity than supply tank

If you prepare perishable food on a vending unit, you must have:

- A tank for potable water that holds at least 20 gallons.
- A wastewater tank that holds 50 percent more liquid than the potable water tank.

For example:

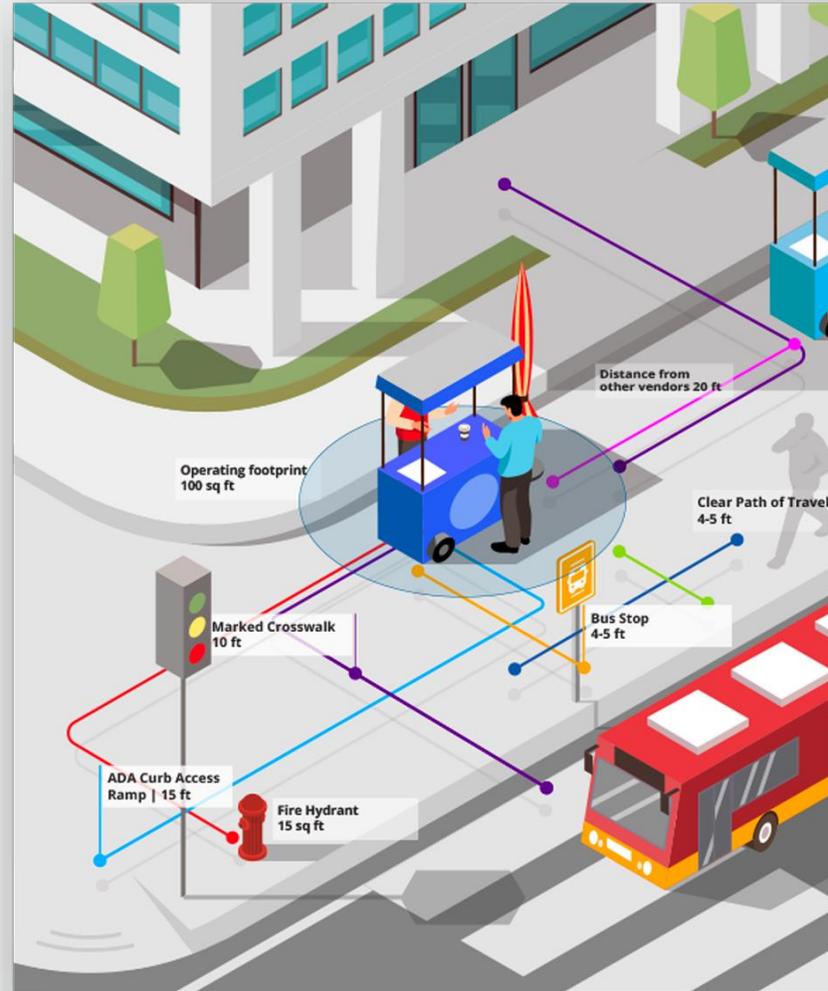
- > For hand washing sink: minimum 5 gal potable water and 7.5 gal for wastewater tank.
- > For warewashing sink: minimum 15 gal potable water and 22.5 gal for wastewater tank.

WHAT COMPACT MOBILE FOOD VENDORS SHOULD KNOW 7

A new **Compact Mobile Food Vending Informational booklet** has been created end of September to help vendors navigate through the complexities of health and safety requirements

Continuing Education and Increasing Awareness, cont.

A new **Sidewalk Vending Ordinance Informational booklet** is being created that helps create visuals to capture the various location and distancing requirements in the ordinance and aid better comprehension and compliance



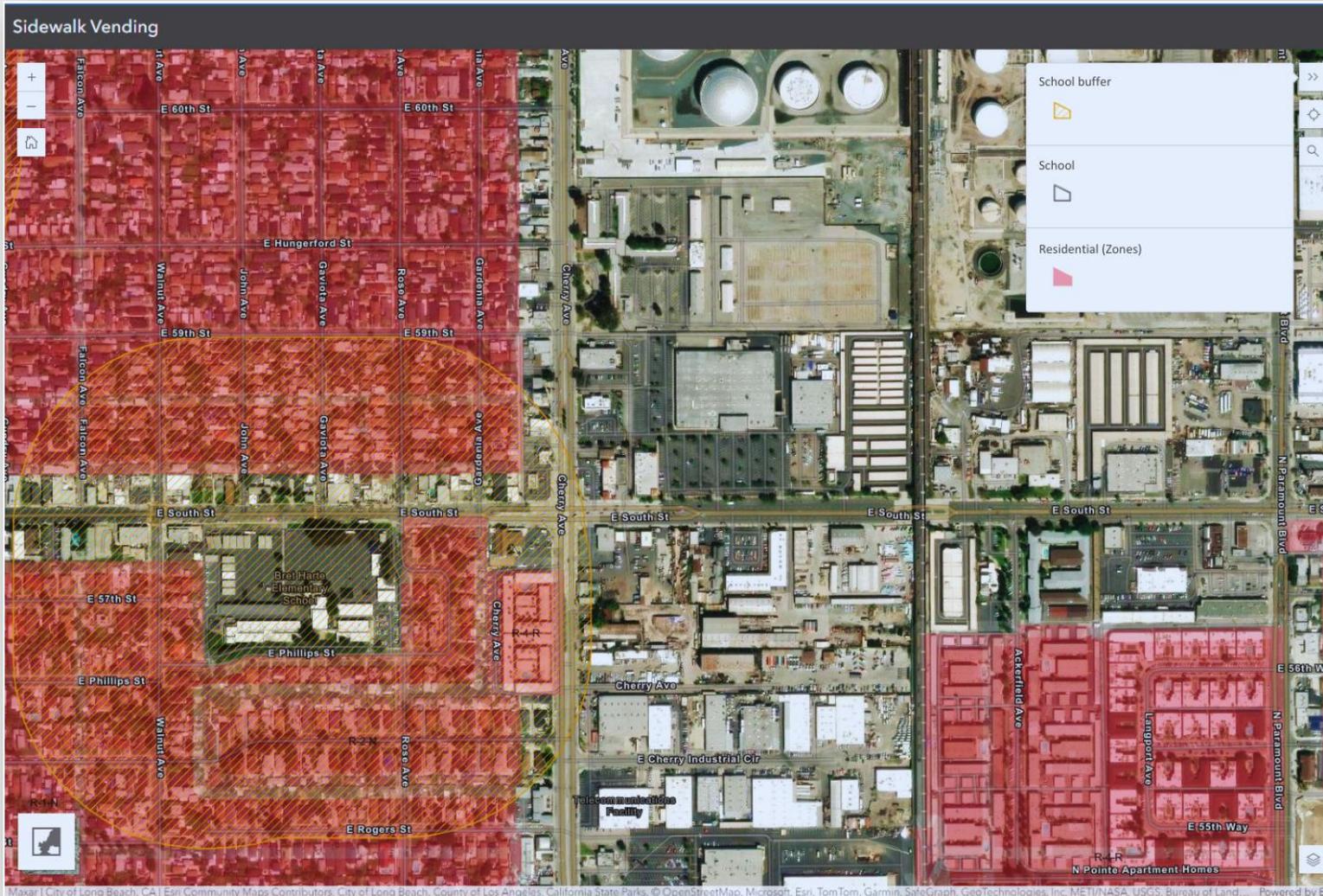
Draft

Sidewalk Vending Rules and Regulations

Lorem ipsum dolor sit amet, consectetur adipiscing elit, sed diam nonummy nibh euismod tincidunt ut laoreet dolore magna aliquam erat volutpat. Ut wisi enim ad minim veniam, quis nostrud exerci tation ullamcorper suscipit lobortis nisl ut aliquip e

- Operating footprint | 100 sq ft**
All sidewalk vendors must operate in a space no larger than one hundred (100) square feet.
- Distance from other vendors | 20 ft**
Stationary sidewalk vendors shall not vend within twenty (20) feet of another stationary sidewalk vendor.
- ADA Curb or Access Ramp | 15 ft**
Sidewalk vendors shall not vend within 15 feet of an ADA curb cut, access ramp, or parking spot or access ramp designed for individuals with disabilities.
- Marked Crosswalk | 10 ft**
All sidewalk vendors must operate in a space no larger than one hundred (100) square feet.
- Bus Stop Metro | 4-5 ft**
Sidewalk vendors shall not vend within five (5) feet of a bus stop or Metro stop.
- Sidewalk Clear Path of Travel | 4-5 ft**
Sidewalk vendors shall not vend within eighteen (18) inches of the edge of a curb
- Fire Hydrant | 15 ft**
Sidewalk vendors shall not vend within 15 feet of a fire hydrant, Fire Department Connection, fire lane, or any backflow preventer.

Continuing Education and Increasing Awareness, cont.



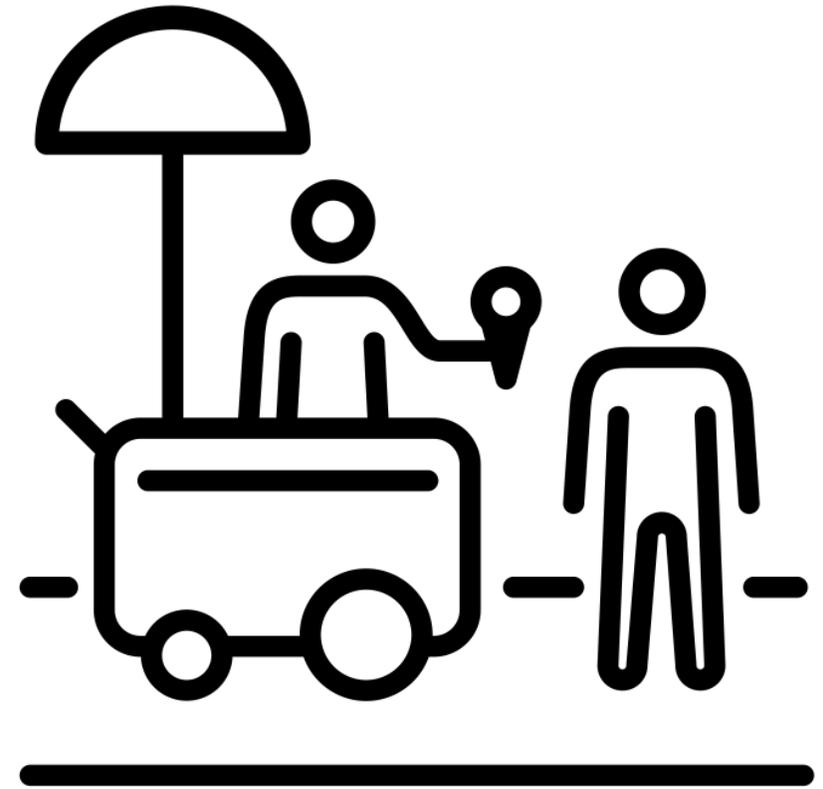
An **interactive map** is being created and will be made available online later this year/early next year to help vendors look up and see what areas of the City are permitted to vend

Continuing Education and Increasing Awareness, cont.

- An educational flyer for vendor safety has been created by the Police Department.
- Business Navigators will continue to support vendors with the cart application, licensing process, and other requirements related to setting up a business; and will be providing support in going cashless.
- City will continue to take an education-first approach whenever possible when implementing enforcement efforts.



Sidewalk to Success Update



Sidewalk to Success Program

- Per City Council's direction, the City also launched its **"Sidewalk to Success" Program** to help ease the financial burden for small businesses in the 1st year of the Sidewalk Vending Ordinance.
- **The first phase:** Covers the cost of the required business license and health permit fees and provides reimbursements for insurance costs in the first year – *launched Feb 26*
- **The second phase:** Provides select free food vending carts to eligible participants. The actual type and number of carts distributed will depend on demand, program participation, and funding – *launched August 22*



Funding for Sidewalk to Success – Long Beach Recovery Act



- **Initial funding of \$247,042 was allocated** to support waivers for fees and to purchase Health-approved food carts.
- **Additional funding of \$475,000** added to the cart program as reported on March 15, 2024, Memo on Long Beach Recovery Act Program Changes.
- **In total - \$722,042 has been allocated to Sidewalk to Success** through the Long Beach Recovery Act:
 - \$174,000 to cover costs of fees, insurance, and Business Navigator support
 - \$548,042 for Health-approved food carts

Larger Long Beach Recovery Act Support for Businesses

- Funds for Sidewalk to Success are **part of a larger effort** the City has engaged in over the past few years to support businesses and economic recovery.
- **\$6.2 million in CARES Act funding has supported 719 businesses**, including funding to Business Improvement Districts (BIDs) to strengthen small businesses and attract customers, outdoor dining grants, and business support.
- **Over \$19.4 million of Long Beach Recovery Act Funds have been allocated to economic recovery business support programming**, including:
 - Approximately \$12 million in direct business grants
 - \$450,000 for customer activation programs such as ShopLB
 - \$600,000 for inclusive business support
 - An additional \$1.2 million to support Business Improvement Districts





- **Received 164 business license permit applications**
 - 46 indicating they want to be Merchandise Vendors
 - 2 have been closed, both applicants did not want an annual permit.
 - 118 indicating they want to be Food Vendors
 - 3 have been closed, one stated they intend to buy a food truck the other two were duplicate applications.



- **Approved 17 business license applications** with 17 business license fees waived and 6 insurance costs reimbursed with others pending request submittals
 - 15 merchandise
 - 2 food vendors (that were exempt from Health Permit)



- Received **10 health permit applications**
 - No new health permits approved yet
 - 3 have been closed



- Received 71 calls and emails to **BizCare** concerning: License requirements and process, Sidewalk to Success Programs; Inclusive Business Navigators support



- Supported 85 businesses with **one-on-one coaching through Inclusive Business Navigators**. 5 workshops held with 106 total attendees.

Free Cart Program Launched

- Launched Free Cart Program on August 24
- Available carts in the program are: Fruit (with cooler), Grilled Foods (no raw meats), Tamales, and Ice Cream Carts
 - Vendors can apply for health permit for other cart types; the free cart program is limited to these pre-approved carts
- Applicants must meet core eligibility requirements before receiving a cart, including must be located/operating within the boundaries of Long Beach, and must be a small/micro business with no more than one cart operation
- The program is open first to Tier 1 applicants (those located in CDBG area) for 3 months before expanding to Tier 2 (any eligible applicant in Long Beach) to expand economic opportunities for low- and moderate-income areas
- Program will be based on first-come, first-serve, and while funding and supplies last



Free Cart Program Launched, cont.

- A dedicated Cart Program page on the Sidewalk Vending Website that includes all the application materials
- Health Department staff are prepared to work with prospective vendors by phone, via video conference or in person in English, Spanish, Khmer, Tagalog, and other languages upon request
- The Business License Division and the Economic Development's Business Navigators Program are also available for support and free technical assistance.
- 22 cart applications received (as of 10/4/24)
 - 8 are in "Part A"
 - 9 are in "Part B"*
 - 4 are outside of CDBG area
 - 1 is not eligible

* Carts are ordered after Part B is complete

CART APPLICATION

APPLYING FOR A FREE CART IS AS EASY AS A, B, C.



PART A

Fill out the business license application and readiness checklist. After you turn in the form, you'll be contacted with next steps. If you would like help filling out these forms, call the Health Department at 562-570-4132. You can schedule an appointment and we will walk through the process with you.

+Apply in [English](#) | [Spanish](#)



PART B

Plan submittal; this includes explaining your standard operating procedures, reading through and understanding all aspects of your cart and listing menu item

+Fruit Cart Application in [English](#) | [Spanish](#)

+Grill Cart Application in [English](#) | [Spanish](#)

+Ice Cream Application in [English](#) | [Spanish](#)

+Tamale Cart Application in [English](#) | [Spanish](#)



PART C

Final approval checklist. We will send you this packet once Part B is approved. Some set-ups will require extra paperwork, like a restroom agreement or written operational procedures. The Environmental Health Specialist will let you know if you need to fill these out.

Final Approval Checklist: [English](#) | [Spanish](#)

Appendix D: [English](#)

Once Your Paperwork Is Finished, You're Ready To Officially Launch Your Business!

CONTACT US

Business Licensing
562-570-7852
FM-SidewalkVending@longbeach.gov

Health Permits
562-570-4132
HE-SidewalkVending@longbeach.gov

Biz-Care Support for Small Businesses
LongBeach.gov/Bizcare
562-570-4249
4Biz@longbeach.gov

Media Inquiries
Jennifer Rice Epstein
562.441.3590
Jennifer.RiceEpstein@longbeach.gov
Public Affairs Officer
Department of Health and Human Services

Additional Resources

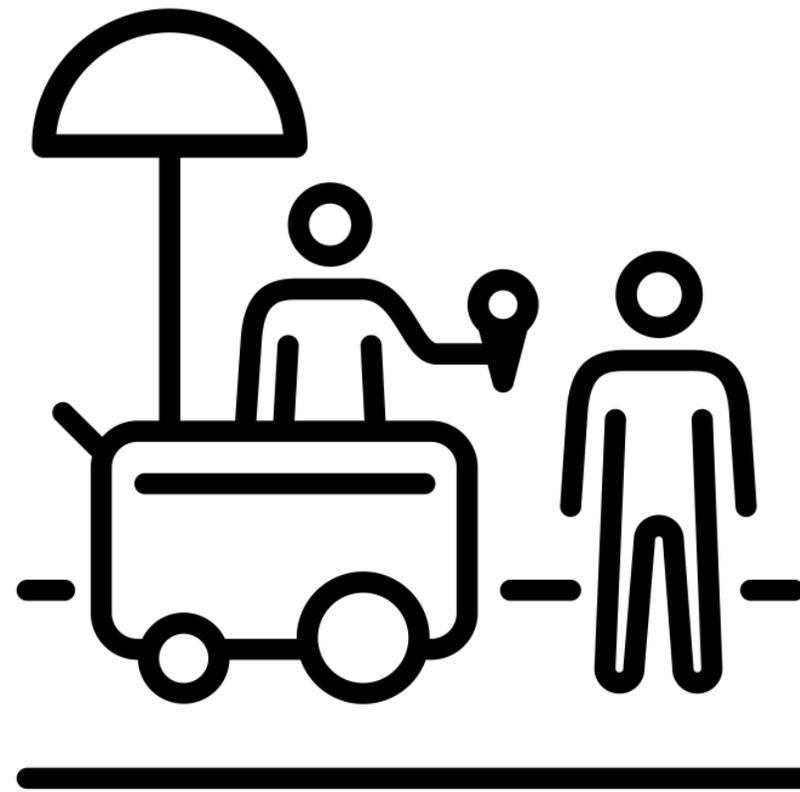
- [Restroom Agreement](#)
- [Accredited California Food Handler Certificate Programs](#)
- [Commissary Form](#)
- [List of Mobile Food Vendors](#)
- [Report a Foodborne Illness](#)
- [Enforcement FAQs](#)
Translated FAQs are available:
[Spanish](#) | [Khmer](#) | [Tagalog](#)
- [General FAQs](#)
- [Learn More About Carts - CMFO](#)

longbeach.gov/finance/business-info/business-licenses/sidewalkvending/cart-application/

Next Phase of Permitting

- Push out new educational materials to help provide resources and support
- Continue to meet with vendors and stakeholder groups to provide clarifications
- Staff will continue to provide one-on-one support to applicants who need support with business license or health permit applications; will continue to refer to resources provided through Business Navigators
- Looking to the further roll out of the cart program to get more permitted vendors
- Health staff will be establishing regular “Office Hours” once a week where anyone can walk-in for assistance and learn about permitting requirements, standard operating procedures, and other health requirements; if needed can set up virtual meetings or other scheduled appointments
- Vendors on their end will need to work through all the requirements and complete paperwork

Enforcement Update



Who Leads Enforcement? Has Enforcement begun?

Who?

Business License Division (Financial Management Department)

Leads enforcement of the Sidewalk Vending Ordinance, Section 5.73 of the Long Beach Municipal Code

Environmental Health Bureau (Health Department)

Leads enforcement of the California State Health and Safety Code

Other Departments

- **City Attorney's Office** – provides guidance on legislation
- **City Manager's Office** – provides interdepartmental oversight
- **City Prosecutor's Office** – potential misdemeanor enforcement if applicable
- **Disaster Preparedness and Emergency Response (Dispatch)** – provides support/education when calls come through 911
- **Economic Development** – liaison with the business community and business support
- **Police** – focuses on supporting staff safety
- **Public Works** – provides support if impoundment occurs

When?

- Enforcement of the new sidewalk vending ordinance began on July 24, 2024
- **Previously existing State Health and Safety Codes** have continued to be enforced to protect health of community.

Current Enforcement “Stage”

- **Early Stages of Enforcement**

- Transitioned from education-first approach
- 2 months into enforcement of ordinance
- New operations in Business License – just ramping up

- **Process and Approach**

- Complaint-Based Model
- Education-first approach where education is provided to vendors as part of enforcement actions
- Notices of violations and warnings being issued first for ordinance violations
- Laying groundwork for elevated enforcement actions
- Working through required steps to initiate elevated enforcement actions

- **Visibility**

- Enforcement actions are actively occurring but not immediately visible to public
- Building momentum for long-term impact

Enforcement Tools Are Regulated by SB 946

- A Sidewalk Vendor by State law is defined as: A person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path
- Enforcement of the ordinance and Health Safety Code is limited to administrative remedies for those who meet **the definition of a Sidewalk Vendor**. This means **no criminal enforcement** is allowable under SB 946, which has decriminalized sidewalk vending
- Criminal citations cannot be issued by the Police (unless there is criminal activity) and Business License cannot issue misdemeanor citations for sidewalk vending

Enforcement Strategy Framework Components

Ordinance and Health Code related violations

Other Non-Ordinance/Health Code related violations



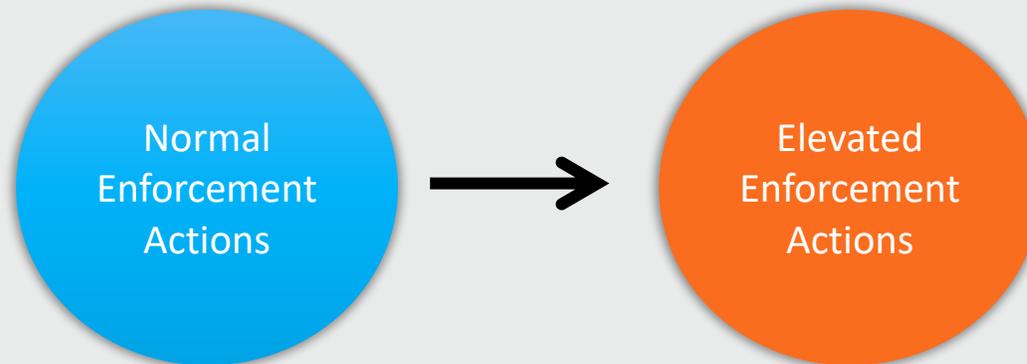
Vendors selling food or merchandise **on a sidewalk or pedestrian path** – Protected by SB 946 from criminalization



Vendors selling food or merchandise but **on other places such as a median or street** – May not be protected by SB 946



Vendors **engaged in activities that is a risk to public safety** (i.e. threat of violence, risk of death or injury) or breaking other laws – Not protected by SB 946



Enforcement Strategy Framework



Vendors selling food or merchandise **on a sidewalk or pedestrian path** – Protected by SB 946 from criminalization

	Health	Business License
 <p>Normal Actions</p>	<ul style="list-style-type: none"> • Education • Issue cease and desist orders and Notices of Violations (NOVs) • Conduct Health Department Office Hearings • Discard food for smaller operations when its safe to do so 	<ul style="list-style-type: none"> • Education • Issue NOVs (multiple before citations) • Issue administrative citations
 <p>Elevated Actions</p>	<ul style="list-style-type: none"> • Discard food and impound equipment through Complaint Response Team (CRT)* - an interdepartmental team to address larger operations that could pose safety hazards during enforcement activities <p><i>* Not yet available - operating procedures for CRT currently in meet and confer with union over staff safety concerns.</i></p>	<ul style="list-style-type: none"> • Impound Equipment with interdepartmental support* <p><i>* Not yet available - requires operational procedures, which is currently being developed</i></p>

Less visible to community as vendors typically remain; however, this process helps to build up a case as well as provide education and opportunities for compliance



- No Police Citations
- No Business License Misdemeanor Citations
- No City Prosecutor Referral

Enforcement Strategy Framework, continued



Vendors selling food or merchandise but **on other places such as a median or street**
 – May not be protected by SB 946

	Health	Business License
 <p>Normal Actions</p>	<ul style="list-style-type: none"> • Education • Issue cease and desist orders and Notices of Violations (NOVs) • Conduct Health Department Office Hearings • Discard food for smaller operations when its safe to do so 	<ul style="list-style-type: none"> • Education • Issue NOVs (multiple before citations) • Issue administrative citations
 <p>Elevated Actions</p>	<ul style="list-style-type: none"> • Discard food and impound equipment through Complaint Response Team (CRT)* - an interdepartmental team to address larger operations that could pose safety hazards during enforcement activities 	<ul style="list-style-type: none"> • Impound Equipment with interdepartmental support*
	<p><i>* Not yet available – operating procedures for CRT currently in meet and confer with union over staff safety concerns</i></p>	<p><i>* Not yet available – requires operational procedures, which is currently being developed</i></p>
	<p>Possible Police Citations Possible Business License Misdemeanor Citations Possible City Prosecutor Referral Possible City Attorney Nuisance Action</p>	

Less visible to community as vendors typically remain; however, this process helps to build up a case as well as provide education and opportunities for compliance

Enforcement Strategy Framework, continued



Vendors **engaged in activities that is a risk to public safety** (i.e. threat of violence, risk of death or injury) or **breaking other laws**
– Not protected by SB 946

Police	
	<ul style="list-style-type: none">• Education• Move Vendor along• In most cases, may be ideal to coordinate with interdepartmental team and address through available Business License and Health enforcement tools. This allows the city to lead with education first and track enforcement activities, communicate to stakeholders, and build up a case for any elevated enforcement actions, as necessary
	<ul style="list-style-type: none">• Citations can be issued if the elements supporting the violation of a law or elements of a crime are met• Citations and/or other Police action taken in accordance with law depending on the situation, if the elements supporting the violation of a law or elements of a crime are met, and/or if there is immediate risk of death or injury

If there is a risk to public safety (i.e. threat of violence or a violent crime occurring), residents can call 911 to request a call for service from the Long Beach Police Department. For non-emergency calls, the non-emergency number 562-435-6711 is available for residents to call. Dispatchers will respond to all of these calls according to normal existing processes for violations and dispatch Police with the priority level of the response depending on the specifics of the situation.

“Normal Actions” - Enforcement Activities

Enforcement visits will include the following types of activities and actions that are done over the course of multiple visits to build up a case:

- Staff will connect with the vendor and identify the violation. Staff will also provide the vendor with information on how to remedy the violation and become compliant
- Staff can provide vendor with an Official Inspection Report that includes a checklist of the violations observed
- Health Staff can issue Cease-and-Desist order and Notice of Violations with a mandatory Office Hearing; Business license can issue Notice of Violations and eventually can issue administrative citations
- Staff will request identification, which is a challenge to obtain at times
- Health staff may ask to discard food, which vendors can choose to voluntarily comply; or Health staff can discard when it is safe for employees to do so

“Elevated Actions” - Complaint Response Team

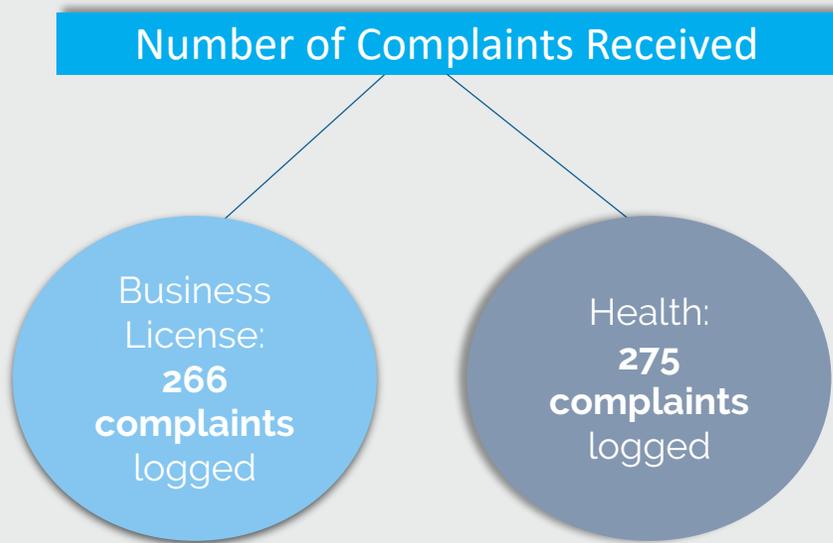
- A Complaint Response Team (CRT) is an **interdepartmental team to coordinate enforcement actions such as discarding food and impounding equipment** in situations that may pose safety concerns. The team includes the Police, Public Works, Health, Financial Management and PIO.
- CRTs are needed because some situations tend to be larger food and merchandise operations, with large equipment, extensive menu/merchandise, and large crowd/gathering, which can pose **safety hazards during enforcement activities** for both public and city employees.
- The last time food and equipment was impounded by CRT was on 9/26/23. There were verbal harassments, agitations from a drunk individual, threats made to an inspector by a customer. After this, the **CRT operations were put on hold.**
 - From February to September 2023, CRT operations had discarded food 47 times and impounded food equipment 17 times
- Staff have worked across the departments and the City's Safety Office to develop **standard operating procedures** and trainings to better equip staff and their safety.
- In April of 2024, IAM requested meet and confers for CRT operations. Staff is currently conducting these meetings. Once these meetings are concluded/resolved, staff will be trained and the City can reinstate CRT operations.

Enforcement Data - Complaints

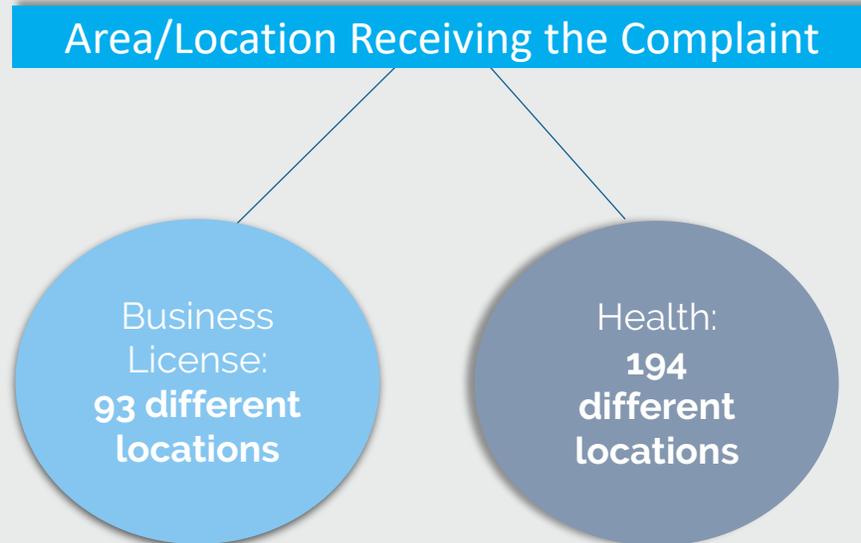
Data between 2/26 – 10/4

- **Complaints since February 26 (when the Ordinance went into effect)**

Complaints can be made by emailing/calling Business License (562-570-6211, FM-SidewalkVending@longbeach.gov), Health (562-570-4132, HE-Sidewalkvending@longbeach.gov) or through the Go Long Beach app



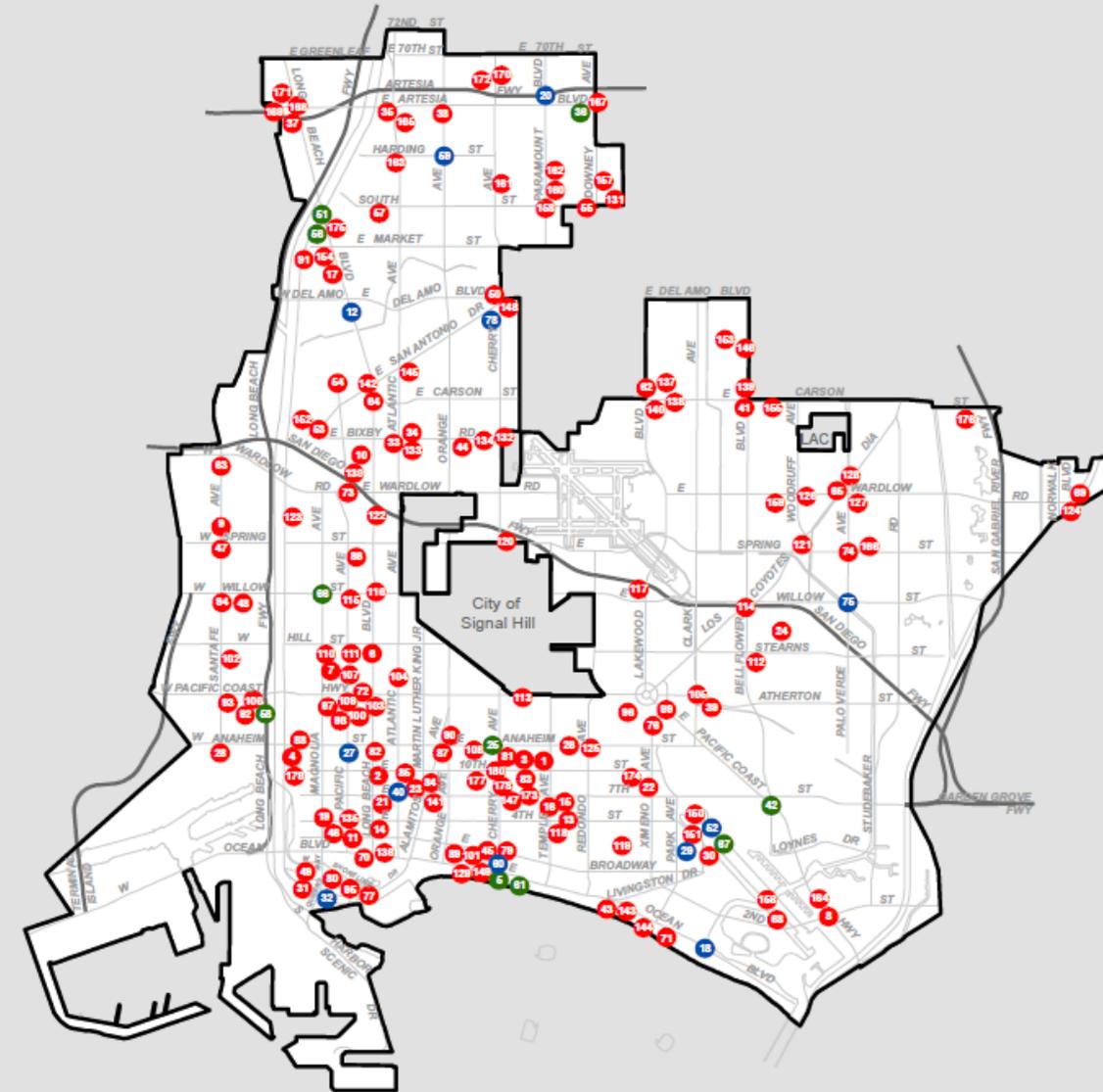
These figures reflect complaints tracked separately by both Business License and Health, likely including duplicates, and cannot be combined. Complaints often cite multiple issues, requiring separate enforcement actions and departmental tracking. As of 8/20, staff have implemented a coordinated tracking method to provide a total citywide complaint figure moving forward.



Currently tracked separately by department but working on a technology system to merge data together

Not all complaints specify specific issues but some common issues that are noted include ADA compliance, blocking pedestrian right-of-way, taco vendors, noise-related disturbances, and food safety concerns

Map of Locations That Have Received Complaints



Disclaimer
 This map from the City of Long Beach is intended for informational purposes only. While reasonable effort has been made to ensure the accuracy of the data, the City assumes no liability or damages arising from errors or omissions. This map is provided without warranty of any kind. No part of this map may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying or recording system.

Legend

- Food
- Non-Food/Merchandise
- Not Specified

- **Enforcement actions since February 26**

Health

- 53 Cease and Desist and Notices of Violations issued
- 2 Office Hearings held
- 0 instances of discarding food
- 0 instances of impoundment

Discarding food and impounding equipment will start again via CRT operations with successful conclusion of meet and confer meetings

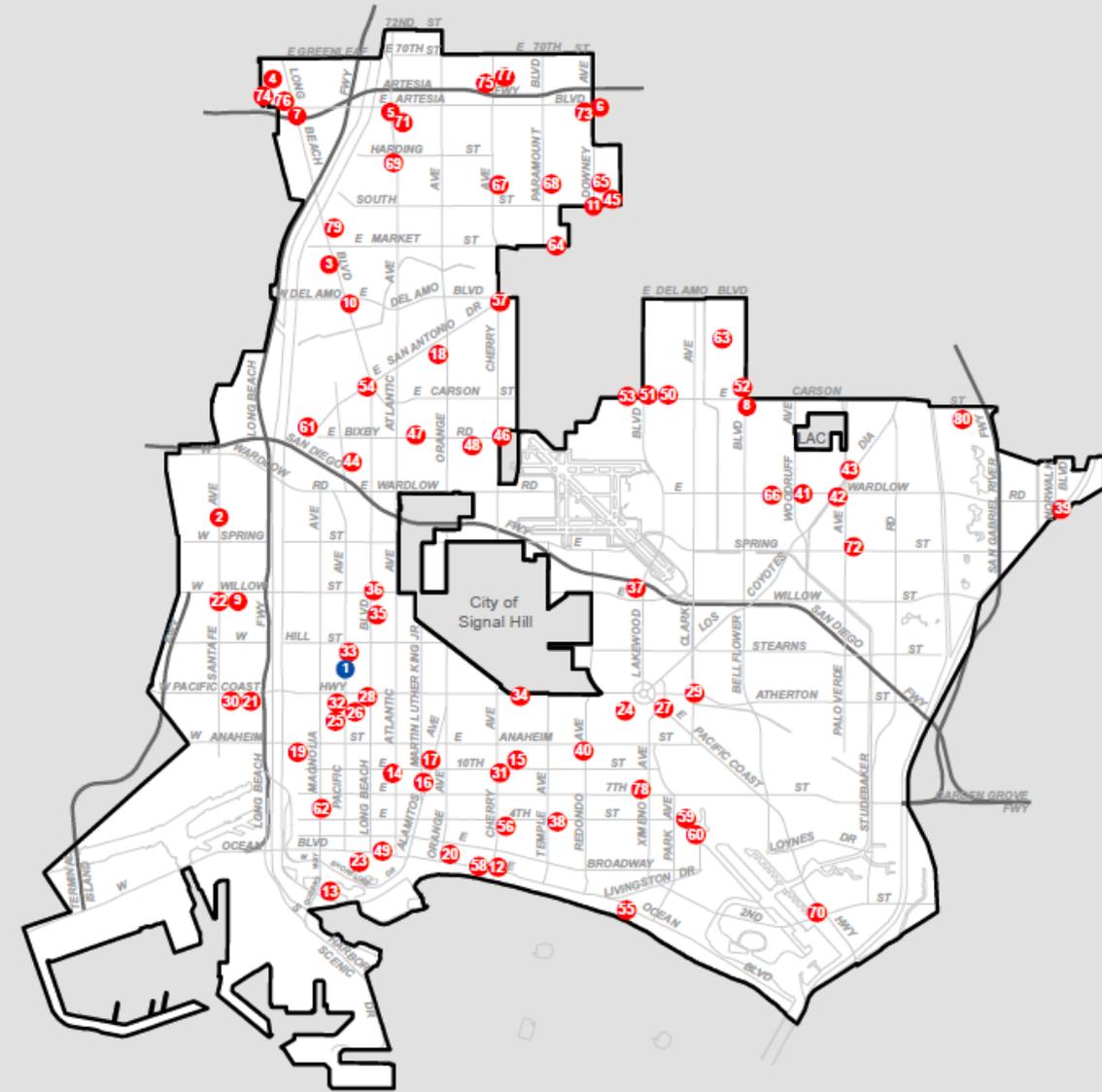
- **Enforcement actions since July 24** (when enforcement of the ordinance began)

Business License

- 24 Notices of Violations issued
- 0 administrative citations issued
- 0 instances of impoundment

Issuing administrative citations for sidewalk vendors is a new operation within Business License. Operational procedures are being finalized and citations anticipated to begin in November for those that have received several NOV's

Map of Locations Where Enforcement Actions Have Taken Place



Disclaimer
 This map from the City of Long Beach is intended for informational purposes only. While reasonable effort has been made to ensure the accuracy of the data, the City assumes no liability or damages arising from errors or omissions. This map is provided without warranty of any kind. No part of this map may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying or recording systems.

Legend

- Food
- Non-Food/Merchandise

Capacity, Complexities, and Considerations

• Staff Capacity and Hours

- Current staffing resources allow for a **complaint-based model** for enforcement
- Vacancies and staff safety concerns impact capacity

○ Business License



5 Budgeted License Inspectors with a Supervisor plus one administrative support position (+1 added in FY 25)
3 vacancies – recruitment in process, 2 anticipated to begin Nov/Dec

- Responsible for Sidewalk Vending Enforcement Operations, plus other enforcement operations, including complaints of illegal business activity, delinquent business license tax collection, and special event and entertainment permit code compliance
- Conduct enforcement activities with support from the Long Beach Police Department to ensure staff safety
- General work hours range from 8 to 10-hour days with scheduled overtime for weekend, special events, and evenings; **specifically for sidewalk vending**, shifts of enforcement operations are scheduled with Police approximately every other week and more frequently if scheduling/capacity allows

○ Health



11 budgeted District Health Inspectors (+2 added in FY 25)
6 vacancies – anticipated civil service approval of job bulletin in November

- Responsible for more than 2,600 food facility inspections **plus** foodborne illness/outbreak and complaint investigations, health sanitation visits, unpermitted food complaints, and special event inspections.
- General work hours range from 8 to 10-hour days with scheduled enforcement activities on an overtime model for weekends and special events; evening hours can be scheduled once CRT operations are available

- Partner with Police for late nights – education, coordinate with interdepartmental team on a case-by-case basis

Capacity, Complexities, and Considerations, continued

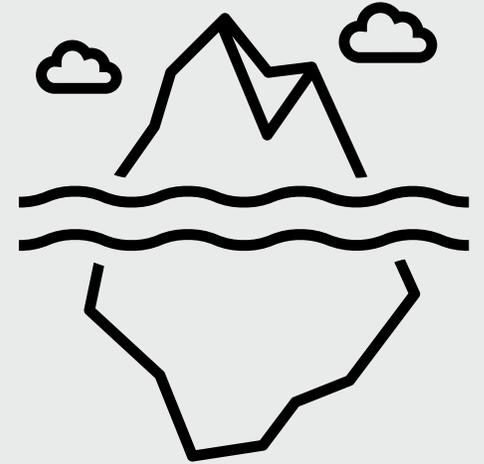
- **Enforcement Tools Effectiveness**

- Tools are limited by State law that has decriminalized sidewalk vending
- Previous Health Code tools are not available
 - Example: Many Taco vendors are more like a “pop-up restaurant” and not a CMFO. In their current set up, they would never be eligible for a CMFO Health Permit. However, Health Department is not able to refer many cases to the City Prosecutor as vendors are protected from criminal enforcement
- Administrative citations can be issued, and CRT will be an option once that is up and running. Staff is currently working with City Attorney's Office and City Prosecutor's Office to see what other options there might be
- Navigating State law with limited case studies
 - Example: City of LA settlement with Street Vendors

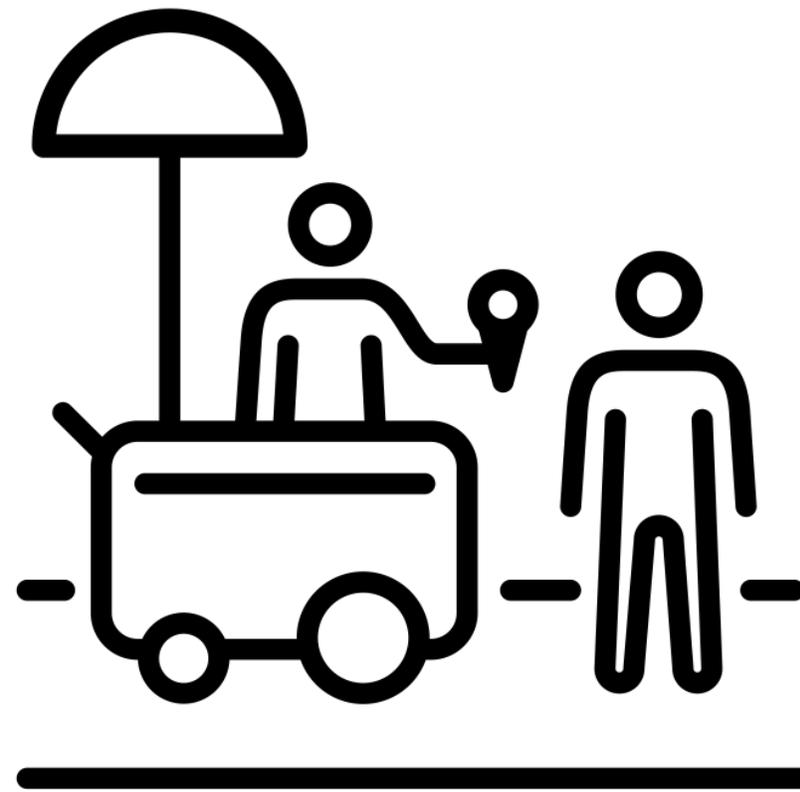
Capacity, Complexities, and Considerations, continued

• Other Complexities and Nuances

- Sidewalk Vending Ordinance Regulation is a Developing Operation
 - Operational procedures are still being developed and refined
 - Staff is committed to learning and adapting with more exposure and experience
- Workers may not be the business owners; some may be victims of labor trafficking; challenges with vendor identification
- Enforcement actions prone to be misunderstood by various stakeholders
 - i.e. Police citing a sidewalk vendor for a non-sidewalk vending violation, enforcement actions not immediately visible, differing perspectives on the level/process of enforcement actions to take
- Measured approach: education first, followed by warnings, and then more elevated actions
 - The goal is to help vendors come into compliance and thrive, while protecting community health and safety
 - As a result, enforcement actions are less immediately visible and escalate over time
 - For more immediate impact, Council would need to provide policy direction to accelerate enforcement, while recognizing current limitations in enforcement tools and resources



Next Steps



Continuing Data Communication and Transparency

- The City is committed to keeping vendors, businesses, the community, Mayor and City Council informed on the implementation of the sidewalk vending ordinance
- Staff plan to update and make available key data stats on the sidewalk vending website on a monthly basis
- Staff have begun discussions on revamping data collection methodology that would utilize available technology to streamline and modernize data collection and information sharing across both Business License and Health operations
- Staff have also begun working with Technology and Innovation Department to develop an automated data dashboard that will connect to departmental data collection systems to provide information to the public.

Continuing Education and Promoting Compliance

- Finalize and utilize the new education materials to continue vendor education and provide resources
- Continue to promote the free cart give-away program
- Move forward with complaint-based enforcement activities that lead with education and connection; building up a case for elevated actions



Exploring Business Partnerships and Opportunities

- On March 19, 2024, Council adopted an item to direct the City Manager to work with the Economic Development Department and other relevant City Departments and organizations to expand economic opportunities to including but not limited to sidewalk vending through encouragement of microbusiness concepts
- Some of the things being explored:
 - Encourage private partnerships between sidewalk vendors, shopping centers, private parcels
 - Facilitate and encourage Public-Private Partnerships among sidewalk vendors and City-owned assets
 - Reviewing permitting event types with internal partners and creating digestible infographics to educate on permitting process for type of event
 - Examining City fee structure for opportunities to incentivize activations
- More information on this will be reported out by Economic Development by December 2024



Evaluating and Adapting



- This is a young program with processes still being developed and implemented—we don't yet have a full year of data or experience.
- Significant progress has been made, but much work remains ahead.
- Interdepartmental team on sidewalk vending (with sub-teams on enforcement and data) will continue to meet and coordinate
- We will continue to learn, gather feedback, and adapt as more data and insights become available.

A nighttime photograph of a city skyline reflected in water. The sky is dark, and the city lights are bright, creating a vibrant reflection on the water's surface. The buildings are illuminated with various colors, including yellow, white, and blue. Palm trees are visible in the foreground, and the overall scene is a classic urban nightscape.

Thank you!

Grace H. Yoon, Deputy City Manager

Judeth Luong, Manager of Environmental Health

Tara Mortensen, Manager of Business Relations