



**COUNTY** *of* **VENTURA**  

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**Resource Management Agency**

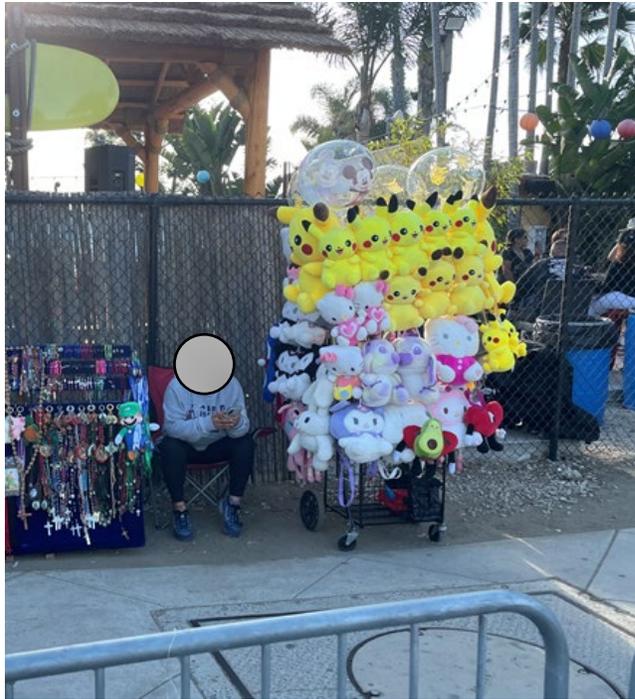
# Sidewalk Vending Ordinance

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DOUG LEEPER

CODE COMPLIANCE DIRECTOR

RESOURCE MANAGEMENT AGENCY



# Safe Sidewalk Vending

## Health and Public Safety



ROADSIDE & TRAFFIC SAFETY

ADA & PEDESTRIAN ACCESS

FIRE AND HAZARDOUS MATERIALS

UNSANITARY CONDITIONS

FOOD SAFETY

# Highlights of Proposed Ordinance



**Purpose** – To regulate sidewalk vendors to enhance entrepreneurship while securing the protection of public health, safety, and welfare in accordance with State law.

**Scope** – What vending is, where it is allowed/not allowed and how vending may/may not be conducted.

**Permits** – Application information and fee(s).

**Enforcement** – Administrative fines and/or impoundment of goods and/or equipment.

# Board Direction



On April 9, 2024, the Board adopted the Sidewalk Vending Ordinance.

Code Compliance was directed to perform a County-wide evaluation to determine the potential scope of the issue.

Code Compliance began its education and evaluation phase of the program in mid-May.

# Amendments to the Ordinance

- Notice of Violation amended to Administrative Citation\* to be consistent with State law.
- Appeal process for Administrative Citations established.
- Impound storage time reduced from 90 to 30 days before disposal.

\*The Administrative Citation will still provide the right to request an “Ability to Pay” determination as required by State law.



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# Evaluation & Education

Staff surveyed 770 miles of public right-of-way, noting the presence of 170 vendor operations.

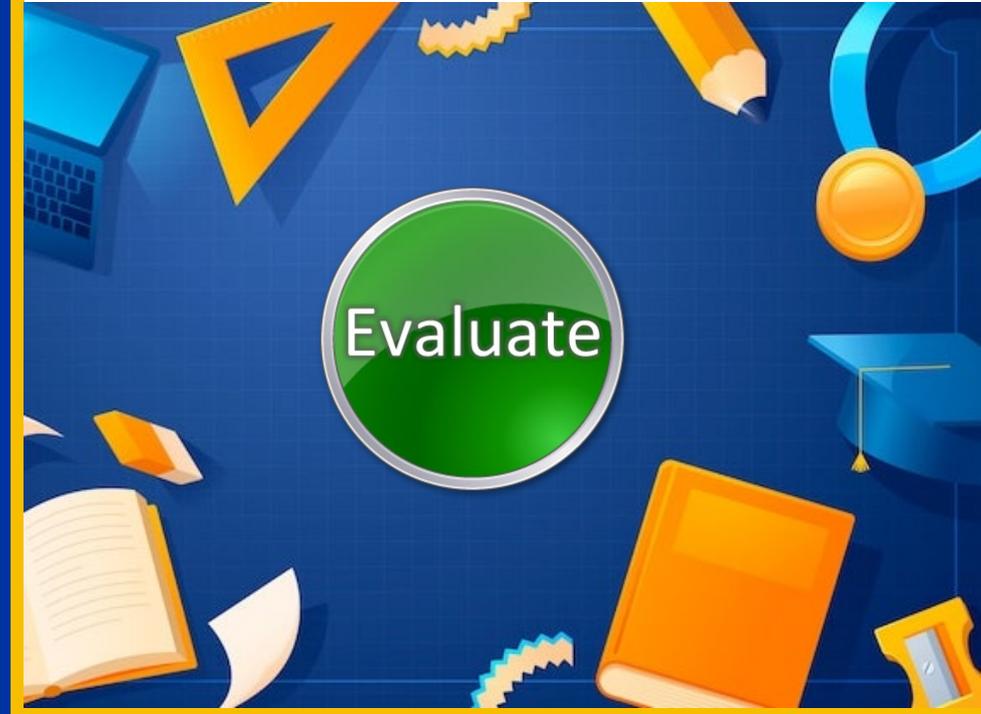
Of the 170 operations noted, 100 were found to be consistently operating from week to week.

60 vendors were vending food related items.

Approximately 15 were *configured* in a way that might allow permitting under the Ordinance.

None of the vending *locations* observed would be permissible under the Ordinance.

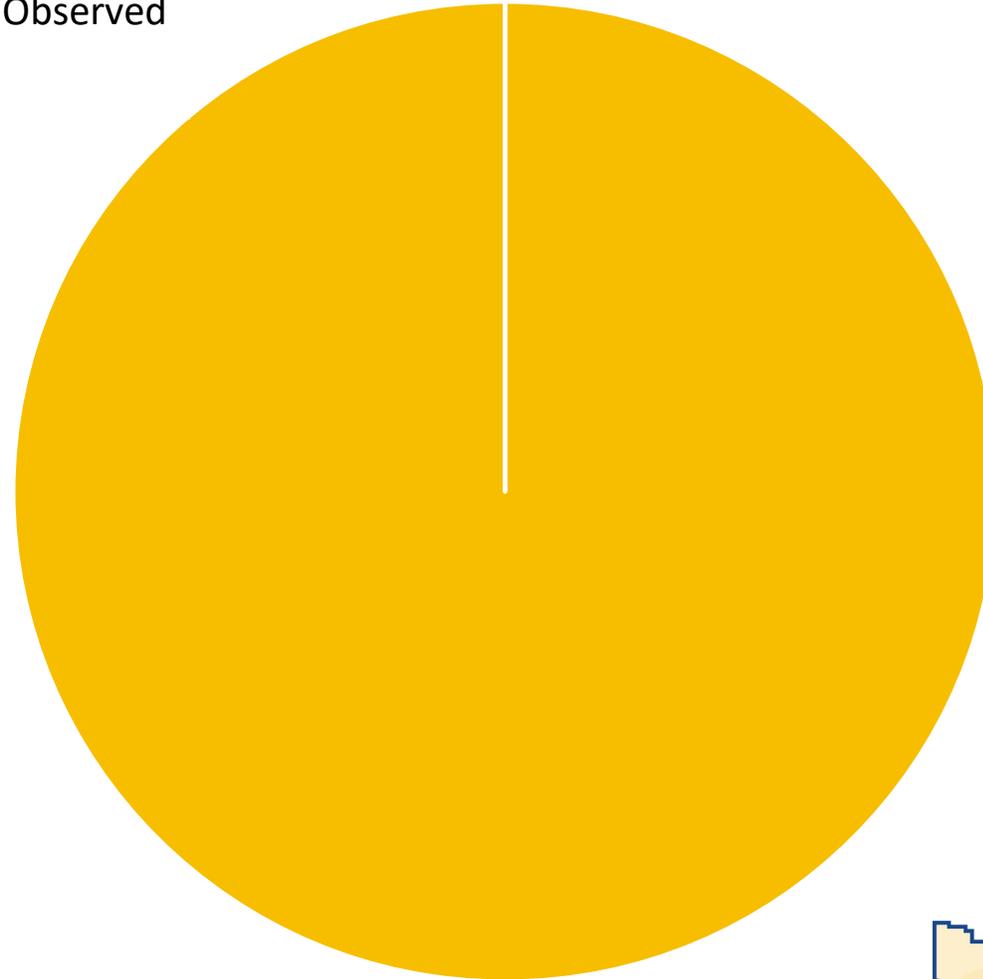
Most vending locations identified were on unpaved road shoulders, dangerously close to traffic.



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## VENDOR DATA COLLECTED

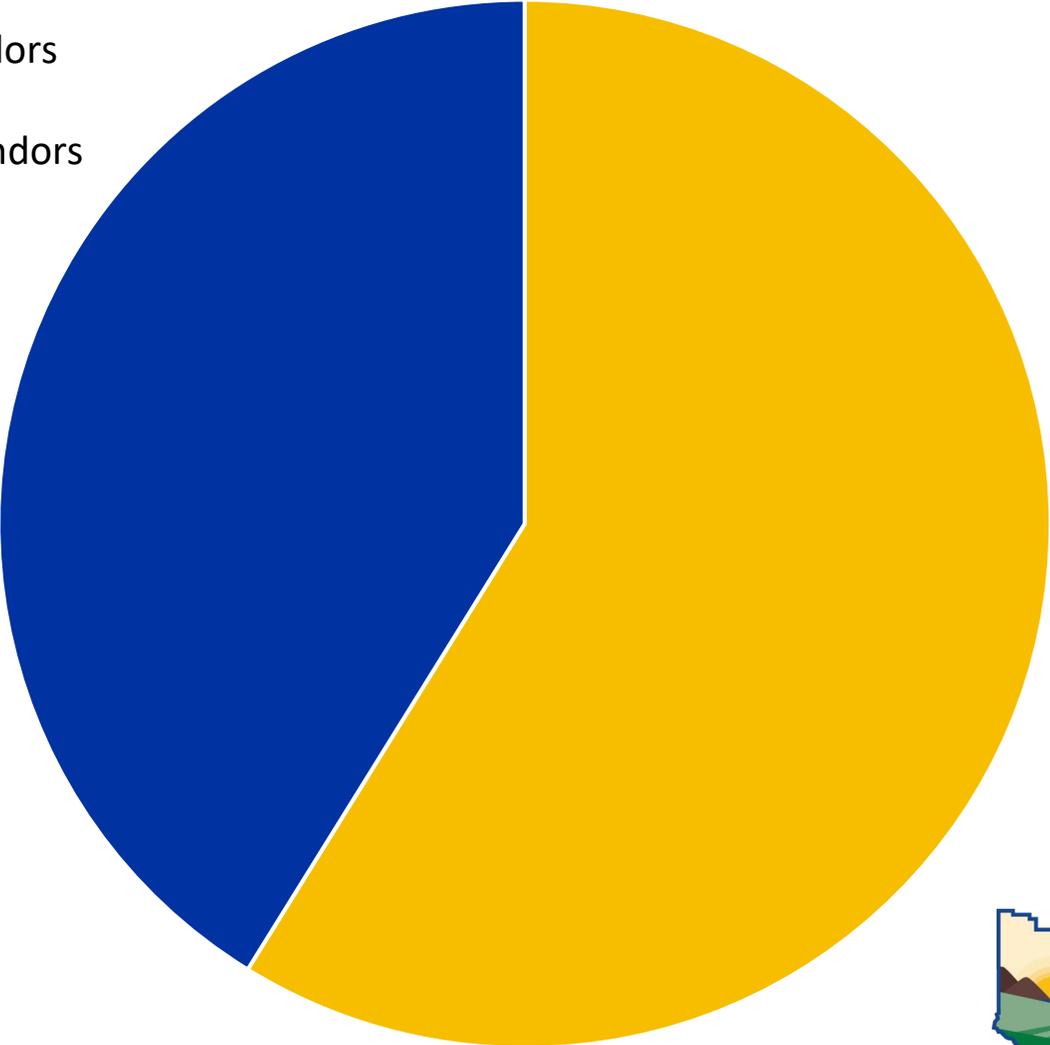
- 170 Vendors Located/Observed



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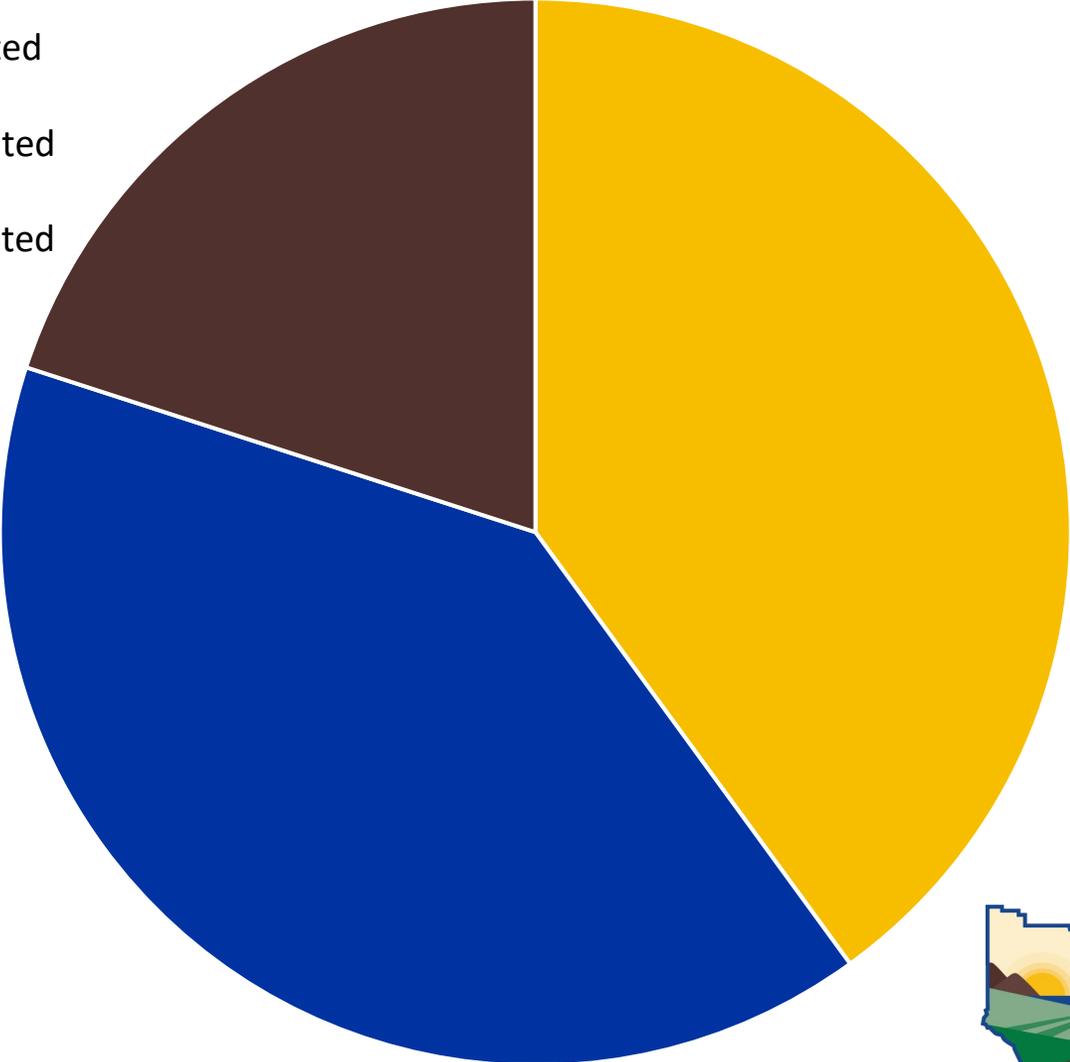
# VENDOR DATA COLLECTED

- 100 Repeat Vendors
- 70 One-Time Vendors



# VENDOR DATA COLLECTED

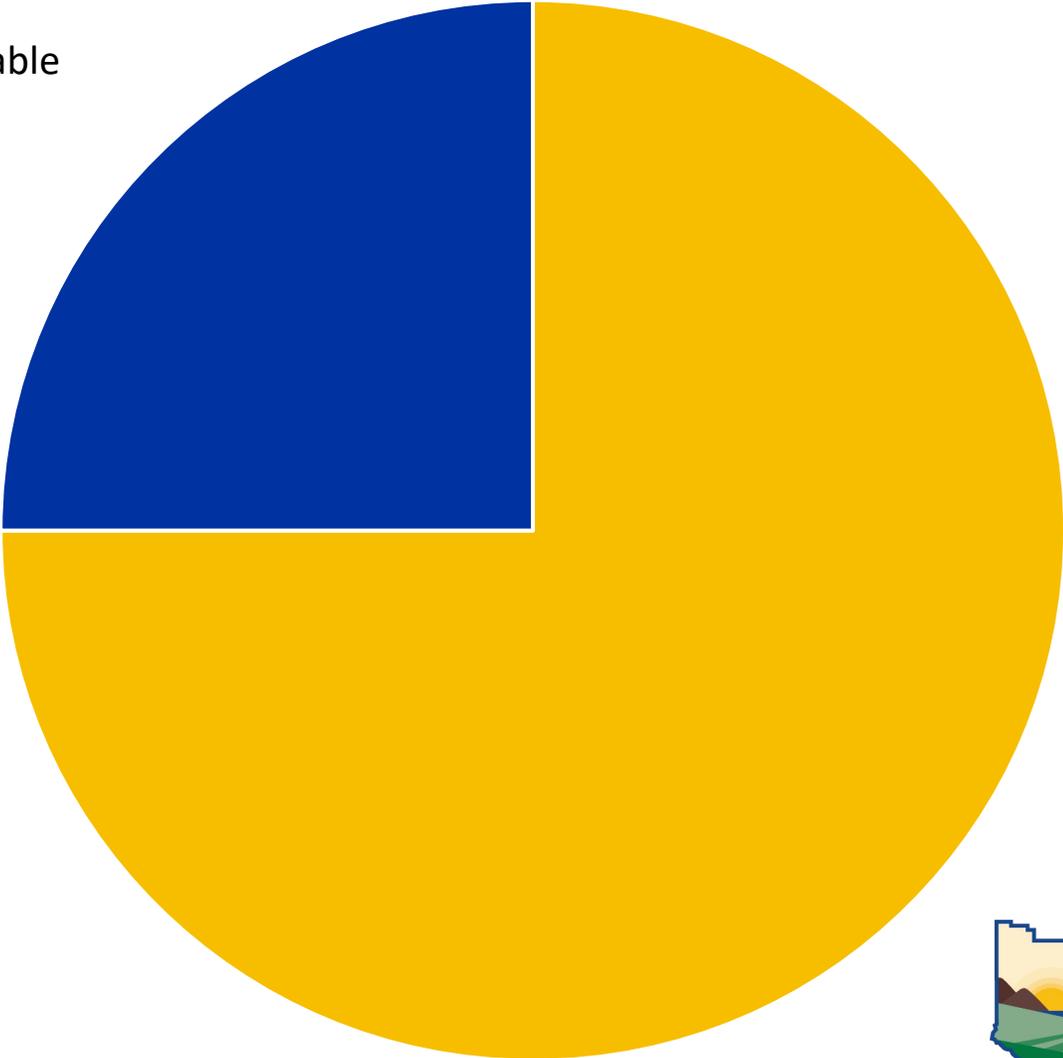
- 40 Non-Food Related
- 40 Large Food Related
- 20 Small Food Related



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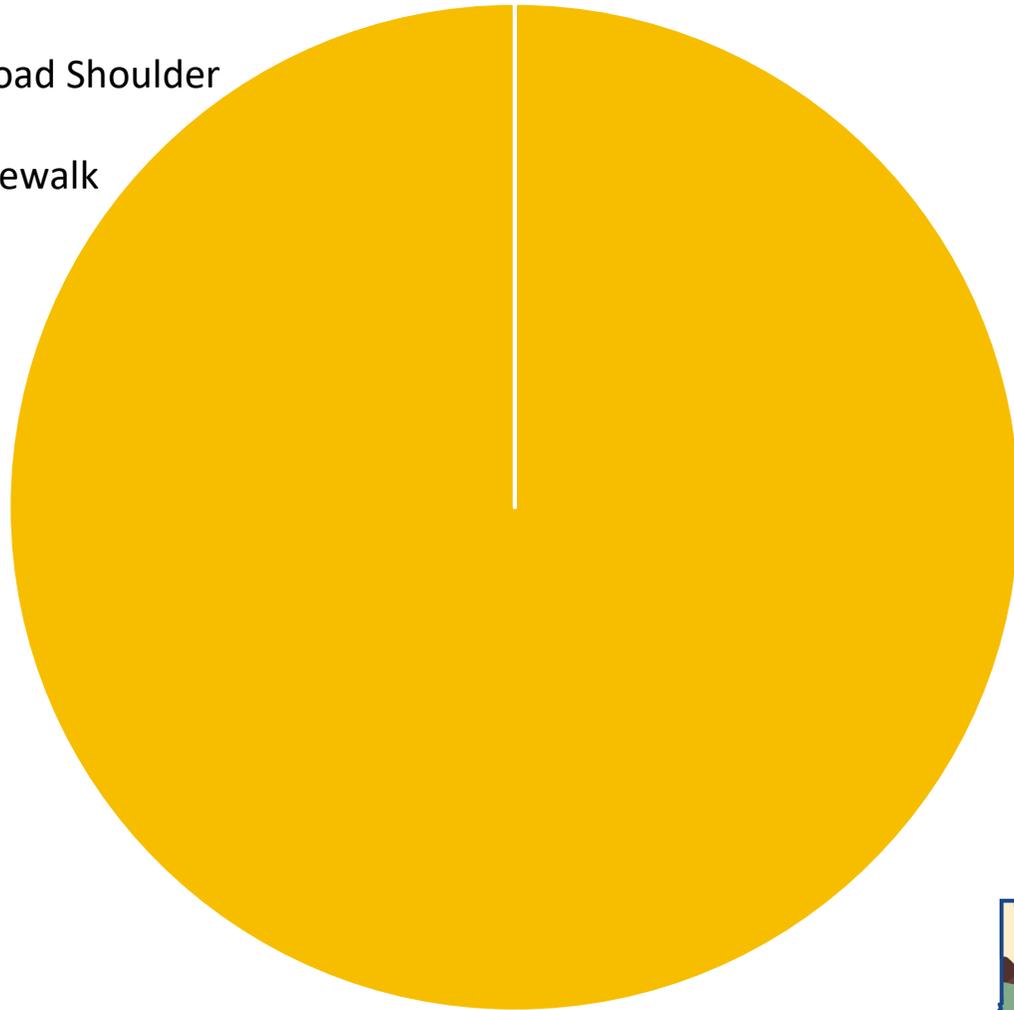
VENDOR DATA COLLECTED

- 45 Non-permitable
- 15 Permitable



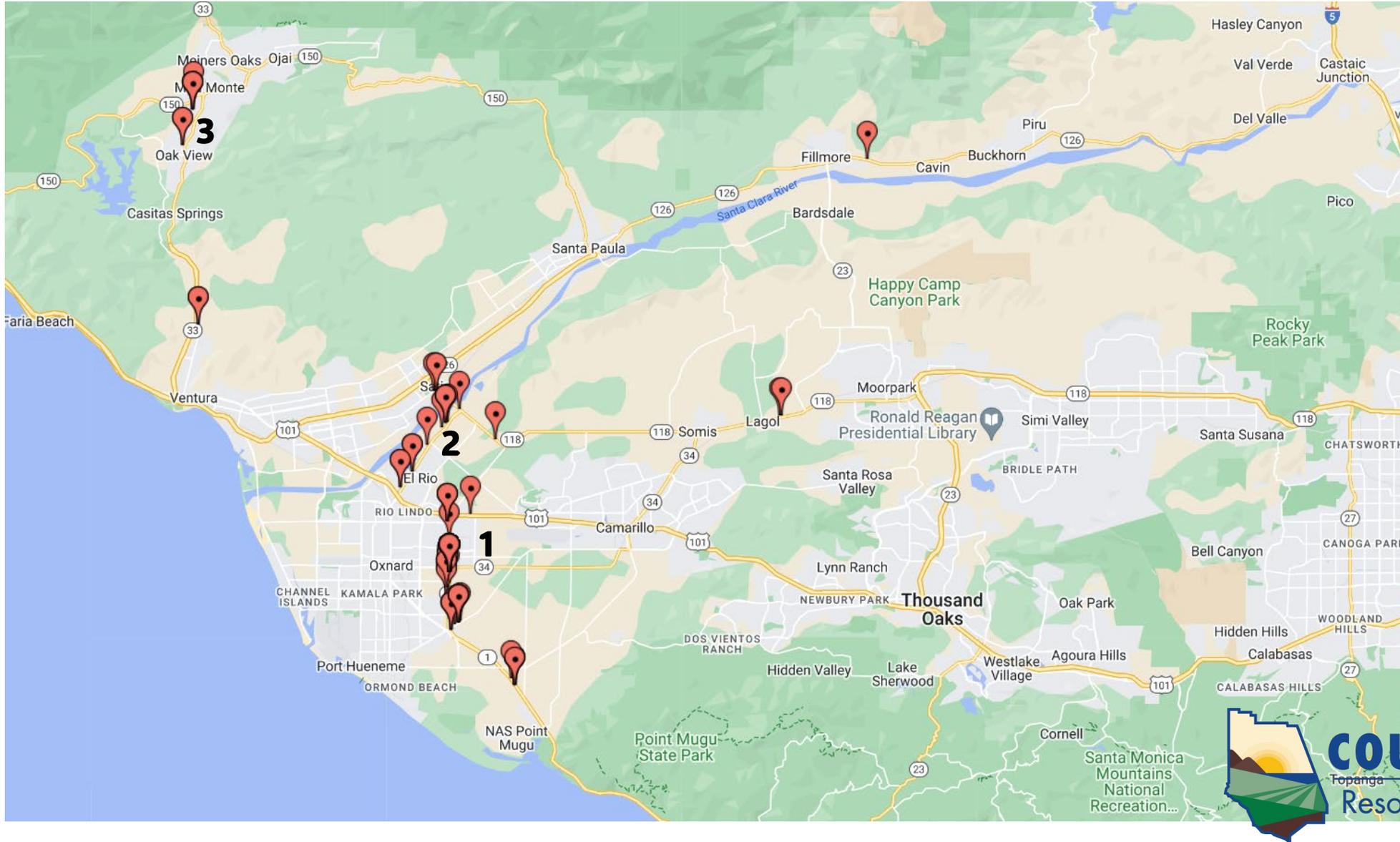
## VENDOR DATA COLLECTED

- 60 Located on Road Shoulder
- 0 Located on Sidewalk



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# PRIMARY AREAS VENDORS OBSERVED



## 3 Major Areas

1. Rice Road
2. Vineyard
3. Ojai Valley

Although there were vendors on CalTrans ROW, they were not included in the statistics or mapping.





Network: May 30, 2024 at 5:59:43 PM PDT  
Local: May 30, 2024 at 5:59:43 PM PDT  
N 34° 10' 8.752", W 119° 8' 11.318"  
2773-2795 E Pleasant Valley Rd  
Oxnard CA 93033  
United States



Network: May 18, 2024 at 4:30:57 PM PDT  
Local: May 18, 2024 at 4:30:57 PM PDT  
N 34° 19' 1.572", W 119° 17' 27.247"  
Shell Rd  
Ventura CA 93001  
United States



Network: May 23, 2024 at 6:31:18 PM PDT  
Local: May 23, 2024 at 6:31:18 PM PDT  
N 34° 11' 44.458", W 119° 8' 32.013"  
910 CA-1 N  
Oxnard CA 93033  
United States



Network: Jun 1, 2024 at 4:41:31 PM PDT  
Local: Jun 1, 2024 at 4:41:31 PM PDT  
N 34.188678°, W 119.142503° ±4.74m  
1275-1363 CA-1 S  
Oxnard CA 93030  
United States





# County-wide Collaboration/Task Force

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Work and coordinate with the local jurisdictions within the County for consistent enforcement and information sharing.

Shared GIS-based sidewalk vending tracking ability.

Communicate with adjacent counties and other jurisdictions throughout the State on information and identification of major violators, successful enforcement techniques/methods, and possible larger scale enforcement programs.

Involve, when appropriate, other law enforcement and investigative agencies, such as the District Attorney, Attorney General, State Franchise Tax Board, US Treasury/IRS Investigators.



# Sidewalk Vending Enforcement Team

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- (1) Senior Code Compliance Officer (FTE)
- (1) Code Compliance Officer III (contract)
- (1) Code Compliance Technician (contract)
- (1) Registered Environmental Health Specialist (dedicated, as needed- remote)
- (1) Fire Inspector (dedicated, as needed - possibly remote)
- (2) Sheriff Deputies (dedicated, as needed - keep the peace)
- (2) Contract haulers (load, transport, store and disposal)
- (1) Traffic Safety/Control Services contractor (when traffic, pedestrian, and staff safety is an issue)

**\$1.7 M budget for 20-month pilot program**



# Enforcement

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- Code Compliance Officers will work a 4/10 shift Thursday – Sunday afternoon/evening
  - 1<sup>st</sup> priority is to respond to complaints
  - 2<sup>nd</sup> priority is to make proactive contact with
    - Vendors in the most hazardous areas
    - Larger vendors
  - Investigate/Document
  - Issue Administrative Citations (& potentially parking citations)
  - Impound Equipment and merchandise if it presents a safety hazard
  - Inventory, store equipment, and non-perishable merchandise
  - Properly dispose of perishable merchandise and food items



# Enforcement

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- Code Compliance Technician
  - Process permit applications
    - 1.5+ hours per application with a proposed RMA permit fee of \$190.00
  - Log/process Administrative Citations (including appeal and ability to pay claims)
  - Log impound inventories
  - Release equipment – if claimed and fees paid
  - Notice to owners of pending disposal
  - Schedule pickup and disposal



# Enforcement

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- Time of Task estimate
  - Permit processing: 1.5 hours
  - Single individual vendor
    - 0.5 hours w/o impound
    - 1-1.5 hours w/ impound
  - Small vendor
    - 0.5-1 hours w/o impound
    - 1-2+ hours w/ impound
  - Large vendor
    - 2 hours w/o impound
    - 4+ hours w/ impound

# Recommendations

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- Resource Management Agency recommends that your Board
  - Adopt the amendments to the Sidewalk Vending Ordinance
  - Find that those amendments are exempt from the California Environment Quality Act
  - Approve the establishment of a Sidewalk Vending Permit Fee
  - Approve the addition of one regular full-time SR Code Compliance Officer position
  - Approve a 20-month pilot program to include a report back to your Board within the first year





# Questions?



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