



## SIDEWALK VENDOR FREQUENTLY ASKED QUESTIONS

Development Service Department • 777 B Street Hayward, CA 94541

<https://www.hayward-ca.gov/content/sidewalk-vending-ordinance-update>

### **What is a sidewalk vendor?**

According to State law and the City's Sidewalk Vendor Ordinance, a sidewalk vendor is a person who sells food or merchandise on a sidewalk or pedestrian path. It does not apply to food trucks or anything with a motor.

### **What is the City's Sidewalk Vendor Ordinance?**

The City's Sidewalk Vendor Ordinance are all the laws in the City that apply to sidewalk vending. The laws are found in the Hayward Municipal Code. The [Sidewalk Vendor Ordinance](#) was adopted on October 17, 2023, and became effective November 17, 2023.

### **Does a sidewalk vendor need a permit to operate in the City of Hayward?**

Yes, all sidewalk vendors must obtain a Sidewalk Vending Permit prior to operating on public property/in the public right-of-way within the City. A business license issued by the City of Hayward is also required. Additional permits issued by the County of Alameda Department of Health and/or the State of California may also be required, depending on the types of items sold.

### **How do I apply for a Sidewalk Vending Permit?**

All Sidewalk Vending Permit applications shall be submitted directly through Hayward e-Permits. For more information and resources please refer to the Sidewalk Vending Guide available here: <https://www.hayward-ca.gov/services/permits/sidewalk-vending-permit>. All applications are reviewed for compliance with the City of Hayward Sidewalk Vending Ordinance Municipal Code. Required materials to apply include:

- City of Hayward Business License
- Mobile Food Facility Permit issued by Alameda County Department of Environmental Health (ACDEH) (if applicable)
- Seller's Permit issued by the California Department of Tax and Fee Administration (if applicable)
- Proof of general liability insurance
- Site Plan (if a stationary sidewalk vendor).

### **What is the cost of obtaining a Sidewalk Vending Permit?**

The fee for the Sidewalk Vending Permit is \$0. However, Sidewalk Vendors shall be responsible for City of Hayward Business License fees and applicable Mobile Food Facility Permit and Seller's Permit fees.

### **Are there different types of Sidewalk Vendors?**

Yes. There are two types of sidewalk vendors: roaming sidewalk vendors and stationary sidewalk vendors.

- Roaming Sidewalk Vendor - A sidewalk vendor who moves from place to place and stops only to complete a transaction.
- Stationary Sidewalk Vendor – Sidewalk vendor who vends from a fixed location.

### **Do I need a permit to sell food on private property?**

Yes. You will need a Food Vendor Permit and not a Sidewalk Vendor Permit. Motorized vehicles such as food trucks are not subject to a Sidewalk Vending Permit but instead must obtain a Food Vendor Permit to operate within certain zoning districts and subject to compliance with all the regulations in the Hayward Municipal Code. For more information on the FVP please visit: <https://www.hayward-ca.gov/services/permits/food-vendor-permit-fvp>.

**When does Sidewalk Vending Permit expire?**

The Sidewalk Vending Permit is valid for a one (1) year period, beginning from the date of permit issuance.

**What if I don't obtain a Sidewalk Vending Permit?**

Vendors found operating without a current Sidewalk Vending Permit will be forced to cease vending and be subject to fines up to \$1,000.00.

**Can some of my equipment be on the private property next to the sidewalk?**

No. The sidewalk vending permit only allows vending on the sidewalk and not on private property.

**How can I file a complaint about a sidewalk vendor?**

To submit a complaint about a sidewalk vendor please email [community.preservation@hayward-ca.gov](mailto:community.preservation@hayward-ca.gov) or call 510-583-4143. For health and safety complaints (i.e. food safety concerns) please contact Alameda County Department of Environmental Health (ACDEH) by phone at (510) 567-6700 or by using the General Complaint Form available here: <https://deh.acgov.org/complaint-form.page?>