



SIDEWALK VENDING PERMIT CHECKLIST

Development Service Department • 777 B Street Hayward, CA 94541

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

A sidewalk vendor must obtain a Sidewalk Vending Permit and City of Hayward Business License prior to operating on public property/in the public right-of-way within the city. Sidewalk vendors may only use a non-motorized conveyance such as a pushcart, stand, pedal-driven cart or wagon to sell their products. 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 HMC Section 10-1.2735 (m).

Obtaining a Sidewalk Vending Permit

Below are the steps and required materials for obtaining a Sidewalk Vending Permit, presented in the order we recommend. Please note that the applicable steps depend on the type of sidewalk vendor.

1. Review City of Hayward Sidewalk Vending Ordinance

Review [Chapter 6, Article 16](#) of the City of Hayward Municipal Code – Sidewalk Vending Ordinance.

2. Obtain Mobile Food Facility Permit

If handling or selling food, apply for and obtain a [Mobile Food Facility Permit](#) with Alameda County Department of Environmental Health.

3. Obtain Seller's Permit

If selling merchandise, apply for and obtain a [Seller's Permit](#) with the California Department of Tax and Fee Administration. The permit shall designate "City of Hayward" as a location or sublocation.

4. Draft a Site Plan

All stationary sidewalk vendors are required to complete a Site Plan detailing the location of the proposed public sidewalk or other pedestrian path where they intend to operate on. Roaming sidewalk vendor do not need to complete a Site Plan. The Site Plan must demonstrate compliance with the operational and locational requirements summarized [here](#).

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

5. Apply for a Sidewalk Vending Permit

Select the appropriate Sidewalk Vending Permit based on the type of vendor (roaming or stationary) and the items you plan to sell (food and/or merchandise). Register for an [Hayward e-Permits Portal](#) account to submit your Sidewalk Vending Permit application online. See below for the list of available Sidewalk Vending Permits.

- Stationary Sidewalk Vendor – Food Sales Sidewalk Vending Permit
- Stationary Sidewalk Vendor – Merchandise Sales Sidewalk Vending Permit
- Stationary Sidewalk Vendor – Food and Merchandise Sales Sidewalk Vending Permit
- Roaming Sidewalk Vendor – Food Sales Sidewalk Vending Permit
- Roaming Sidewalk Vendor – Merchandise Sales Sidewalk Vending Permit
- Roaming Sidewalk Vendor – Food and Merchandise Sales Sidewalk Vending Permit

Complete the online application and upload all required submittal materials. Visit the [e-Permit Portal help page](#) for e-Permits how-to guides, video tutorials and more.

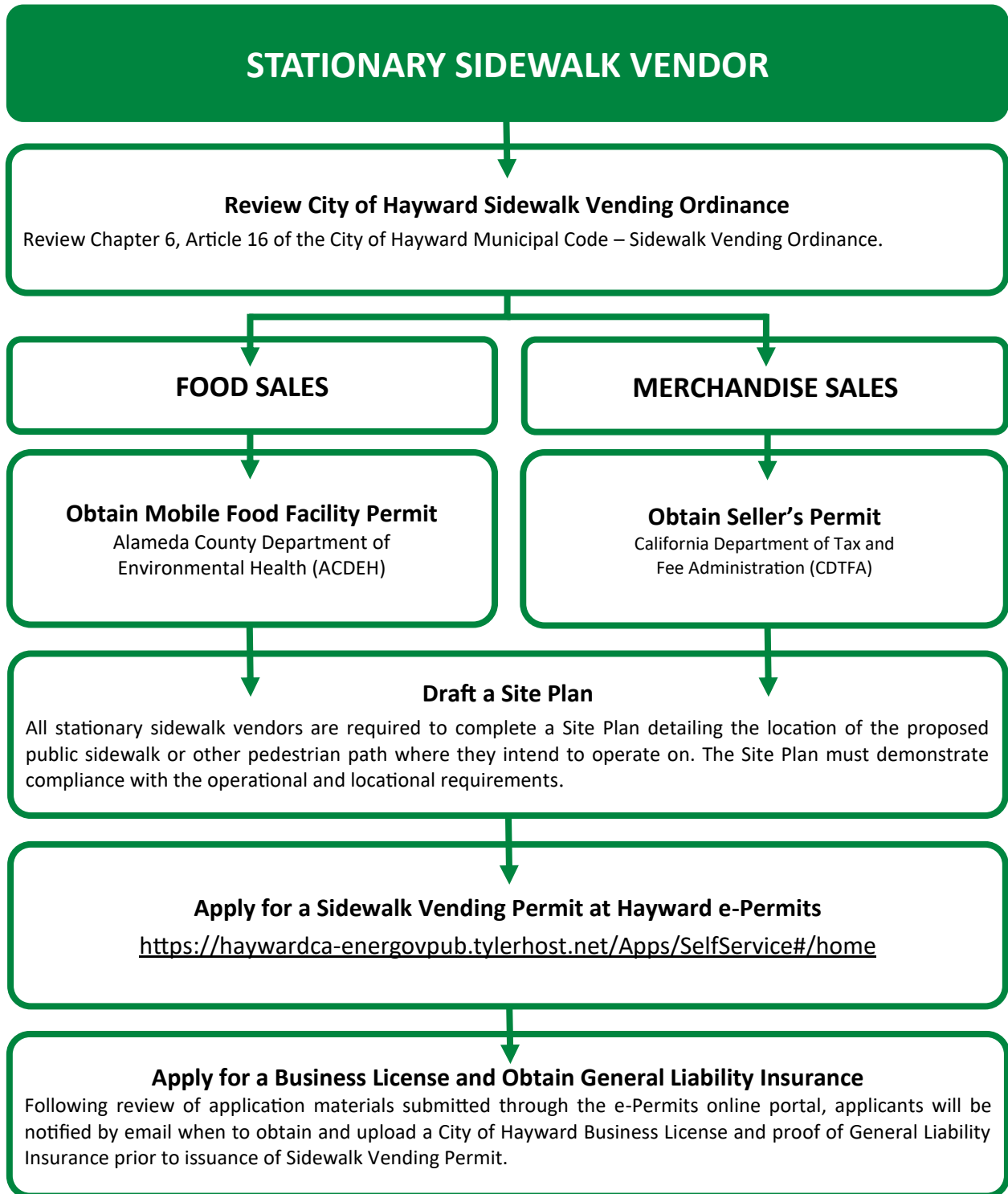
6. Apply for a Business License and Obtain General Liability Insurance

Following a review of application materials submitted through the e-Permits online portal, applicants will be notified by email when to obtain and upload a [City of Hayward Business License](#) and [General Liability Insurance](#) prior to the issuance of the City of Hayward Sidewalk Vending Permit.

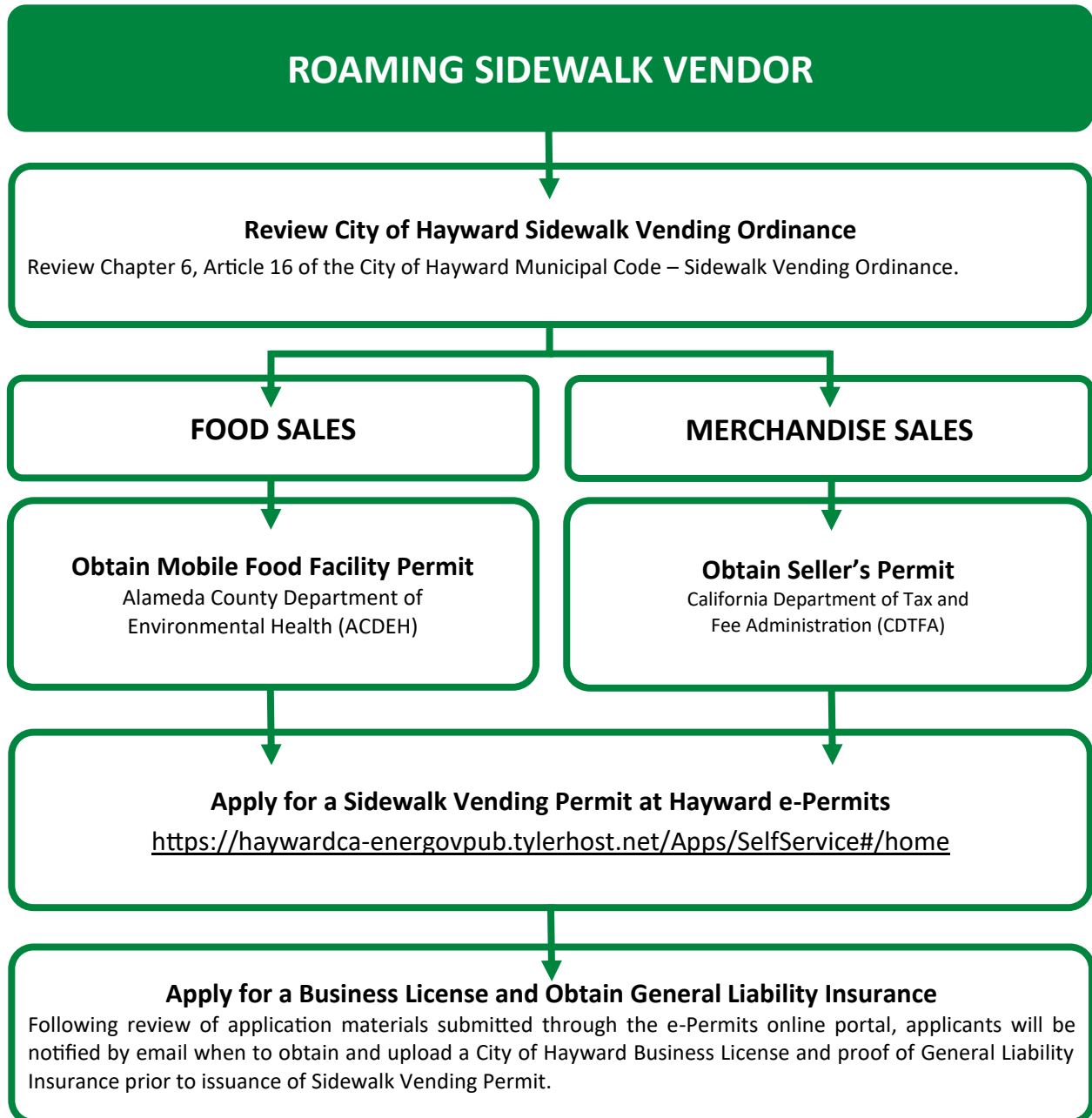
Contacts

<p>Mobile Food Facility Permit Alameda County Department of Environmental Health 1131 Harbor Bay Parkway, Alameda, CA 94502-6577</p>	<p>dehmobilefood@acgov.org (510) 567-6700 https://deh.acgov.org/operations/mff.page</p>
<p>Seller's Permit California Department of Tax and Fee Administration 1515 Clay Street, Suite 303 Oakland, CA 94612-1432</p>	<p>oaklandInquiries@cdtfa.ca.gov (510) 622-4100 https://www.cdtfa.ca.gov/taxes-and-fees/faqseller.htm</p>
<p>Business License City of Hayward Revenue Division 777 B Street Hayward, CA 94541-5007</p> <p>The Revenue Division is open to the public for in-person assistance and available via phone and email Monday - Friday 8 a.m. - 5 p.m.</p>	<p>businesslicense@Hayward-ca.gov. (510) 583-4600 https://hayward-ca.gov/services/city-services/apply-business-license</p>
<p>Sidewalk Vending Permit Hayward e-Permits Online portal where you can apply for your Sidewalk Vending Permit.</p> <p>Hayward e-Permits Help Center Your one-stop shop for Hayward e-Permits how-to guides, video tutorials, and more.</p>	<p>https://haywardca-energovpub.tylerhost.net/Apps/SelfService#/home</p> <p>https://www.hayward-ca.gov/epermits-help-center</p>
<p>Sidewalk Vending Inquiries City of Hayward Planning Division 777 B Street Hayward, CA 94541-5007</p> <p>Pease contact a Planner by emailing planning.division@hayward-ca.gov or calling (510) 583-4216. Alternatively, you can speak with a planner in person at the Permit Center, located at 777 B Street, 1st floor lobby.</p>	<p>https://www.hayward-ca.gov/your-government/departments/planning-division Permit Center Office Hours:</p> <ul style="list-style-type: none"> Monday through Thursday, 9 a.m. – 1 p.m. – Walk-ins welcome and virtual appointments available Monday through Thursday, 1 p.m. – 5 p.m. – By appointment only, in person and virtual Friday, 8 a.m. – 5 p.m. – Virtual appointments only

SIDEWALK VENDOR PERMIT PROCESS



SIDEWALK VENDOR PERMIT PROCESS



ARTICLE 16 SIDEWALK VENDORS

SEC. 6-16.10. TITLE.

This Article shall be known as the "Sidewalk Vendor Ordinance".

(Created by Ordinance 23-08, § 5, adopted October 17, 2023)

SEC. 6-16.20. PURPOSE.

Article XI, § 7 of the California Constitution confers local governments the authority to adopt ordinances and regulations designed to promote the public health, safety, and general welfare of their communities. The purpose of this Article is to protect against unsafe conditions and health, safety, or welfare concerns of the community that result from the operation of sidewalk vendors on public sidewalks or a pedestrian path, consistent with the provisions of Government Code §§ 51036—51039. The requirements set forth in this Article are intended to protect the public's health, safety, and welfare by ensuring that vendors on public property provide safe and sanitary conditions for consumers and the general public, are adequately insured, and are properly permitted with the City and licensed with other agencies.

(Created by Ordinance 23-08, § 5, adopted October 17, 2023)

SEC. 6-16.30 DEFINITIONS.

For the purpose of this Article, certain words and phrases are defined, and certain provisions shall be construed as herein set out, unless it shall be apparent from their content that a different meaning is intended:

"Roaming sidewalk vendor" means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

"Sidewalk vendor" means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path.

"Stationary sidewalk vendor" means a sidewalk vendor who vends from a fixed location.

(Created by Ordinance 23-08, § 5, adopted October 17, 2023)

SEC. 6-16.40 PERMIT REQUIRED.

- (a) Only sidewalk vendors with valid sidewalk vending permit issued by the City Manager, or his or her designee, may vend within the City's public right-of-way.
- (b) Applications shall include information required by the City including, but not limited to the following:
 - (1) The name, phone number, and mailing address of the applicant.
 - (2) Description of the merchandise and/or food offered for sale.
 - (3) If the sidewalk vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal and any owners of the company, partnership, or corporation.
 - (4) Whether the vendor intends to operate as a stationary sidewalk vendor or a roaming sidewalk vendor.

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- (5) The location(s) in the City where the stationary sidewalk vendor intends to operate:
 - (a) If the sidewalk vendor proposes to be a stationary sidewalk vendor, a description or site plan/map of the proposed location(s) where vending will take place; and
 - (b) Certification that the information is true to his or her knowledge and belief.
 - (6) A copy of a valid California Department of Tax and Fee Administration seller's permit, if applicable.
 - (7) A copy of a valid Mobile Food Facility Permit issued by the Alameda County Department of Environmental Health (ACDEH), if required.
 - (8) An agreement by the sidewalk vendor, in a form approved by the City Attorney, to indemnify and hold harmless the City, its officers, and employees, for any damage or injury arising from the sidewalk vending activities.
 - (9) Proof of a policy or policies of comprehensive general liability insurance, in an amount as approved by the City Attorney, against any injury, death, loss, or damage as a result of wrongful or negligent acts or omissions by the permittee, with an endorsement naming the City as an additional insured.
 - (10) Payment of a nonrefundable processing fee, if required, in an amount established by resolution of the City Council.
- (c) All sidewalk vendors are required to have a business license pursuant to Chapter 8 (Finance, Revenue and Taxation), Article 1 (Business Licenses) of the Hayward Municipal Code.
 - (d) A sidewalk vending permit shall be valid for a period of one (1) year from the date of issuance and shall be renewed annually.

(Created by Ordinance 23-08, § 5, adopted October 17, 2023)

SEC. 6-16.50 OPERATIONAL REGULATIONS.

- (a) It shall be unlawful for any person to operate as a sidewalk vendor or to engage in sidewalk vending activities in the City without first obtaining a sidewalk vending permit pursuant to Section 6-16.60 of this Article.
- (b) All sidewalk vendors must display their City-issued sidewalk vending permit and any other licenses issued by other agencies on the street-side portion of their pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance when operating in the public right-of-way.
- (c) Sidewalk vending activities in residential zoning districts may occur only between the hours of 9:00 a.m. and 7:00 p.m.
- (d) Sidewalk vending activities in nonresidential zones will be as restrictive as any limitations on hours of operation imposed on other businesses or uses on the same street, excluding those permitted to operate 24 hours.
- (e) If applicable, sidewalk vendors shall obtain and maintain a valid Mobile Food Facility (MFF) permit from the Alameda County Department of Environmental Health (ACDEH) during all sidewalk vending activities in the City. Sidewalk vendors shall display the MFF permit during vending operations and shall be made available to the City as part of the permit application or renewal process.
- (f) Each sidewalk vendor shall provide a trash receptacle for use by its customers and shall ensure proper disposal of customer trash. The trash receptacle must be large enough to accommodate customer trash so that public trash receptacles for use by the general public do not have to be used by customers.
- (g) Sidewalk vendors shall not dispose of customer or sidewalk vendor's trash in trash receptacles for public use.

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- (h) All sidewalk vendors shall immediately clean up any food, grease, or other fluid or item related to their sidewalk vending activities that are spilled or discharged on public property. Disposal of trash, food, grease or other materials to any storm drain, creek, or waterway is prohibited. Vendors shall not dump, drain, or discard any fouled, spoiled, or unused product, which includes draining ice coolers, drink containers and/or miscellaneous containers on the ground.
 - (i) All sidewalk vendors are responsible for ensuring that the surrounding sidewalk is kept clean and free of trash and debris associated with their vending operation.
 - (j) No sidewalk vendor shall vend in a manner that blocks or obstructs the access required by Americans with Disabilities Act of 1990, access to designated loading zones, and access to public utilities. Sidewalk vendors must at all times provide a clearance of not less than four (4) feet on all sidewalks or pedestrian areas so as to enable persons to freely pass while walking, running, or using mobility assistance devices.
 - (k) A sidewalk vendor operating on any sidewalk or public right-of-way must ensure that no obstruction is placed impeding entry to and exit from a business or residence or access to a public facility.
 - (l) Sidewalk vending of the following is prohibited:
 - 1. Alcoholic beverages;
 - 2. Adult-oriented materials, as defined in Section 6-10.02 of the Hayward Municipal Code;
 - 3. Tobacco, tobacco products, or electronic smoking devices;
 - 4. Cannabis or cannabis products;
 - 5. Weapons, including knives, guns, or explosive devices, as defined in Section 3-4.00 of the Hayward Municipal Code;
 - 6. Items that are not for immediate sale;
 - 7. Selling or offer to sell services, or engage in or offer to engage in any type of rental activity, including the rental of any goods or services;
 - 8. Pharmaceuticals; and
 - 9. Any other merchandise prohibited by federal, state, or local law from being vended.
 - (m) Sidewalk vendors shall comply with the noise standards provided in Chapter 4, Article 1 of the Hayward Municipal Code, as it is most currently in effect and as may be amended.
 - (n) Consistent with the Alameda County Department of Environmental Health limitations, no pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance used for sidewalk vending shall contain or use propane, natural gas, batteries, or other explosive or hazardous materials. A sidewalk vendor may not use an open flame on or within any pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance used for sidewalk vending.
 - (o) Any electrical, flashing, wind-powered, or animated freestanding signs are prohibited. Vending equipment may have signs attached to or painted on the vending equipment. The total sign area shall not exceed four square feet.
 - (p) Sidewalk vendors shall comply with all generally applicable federal, state, and local laws.

(Created by Ordinance 23-08, § 5, adopted October 17, 2023)

SEC. 6-16.60 LOCATION-SPECIFIC REGULATIONS.

- (a) To protect pedestrian safety and accommodate public street access, including parking and traffic, sidewalk vending shall be prohibited:
- (1) On any public property that does not meet the definition of a sidewalk, including, but not limited to, any street, roadway median, pedestrian islands, or bicycle lanes;
 - (2) City owned property including, but not limited to, parking structures and parking lots, unless otherwise authorized by the City;
 - (3) In any area that constricts passageway for pedestrians or vehicles to less than minimum required or obstructs traffic signals or regulatory signs;
 - (4) On any median strip or dividing section within public right-of-way areas;
 - (5) Within 18 inches from the edge of a curb;
 - (6) Within 15 feet from any fire hydrant, driveway or alleyway, or door/emergency exit;
 - (7) Within 20 feet of any mid-block crosswalk or storm drain;
 - (8) Within 25 feet of any bus stop, street corner, or street intersection;
 - (9) Within 100 feet of any emergency facility (fire station, police station, hospital) or public or private school on days when school is in session;
 - (10) Within 200 feet of any farmer's market or special event for the duration of the event;
 - (11) Within 200 feet of any freeway entrance or exit;
 - (12) Stationary sidewalk vendors shall not vend within 50 feet of another stationary sidewalk vendor;
 - (13) Stationary sidewalk vendors shall not vend within a park if the City has signed an agreement for concessions that exclusively permits the sale of food or merchandise by a concessionaire;
 - (14) Stationary vendors that have not signed an agreement for concessions shall not vend within 100 feet of a public park, unless otherwise permitted; and
 - (15) Sidewalk vendors are prohibited from entering or encroaching onto private property while engaged in sidewalk vending activities.

(Created by Ordinance 23-08, § 5, adopted October 17, 2023)

SEC. 6-16.70 PENALTIES AND ADMINISTRATIVE CITATIONS.

- (a) Persons found vending in violation of this Article are subject to the following enforcement procedure:
- (1) For the first incident, a verbal warning will be given along with materials outlining the rules and regulations for sidewalk vending and the application process;
 - (2) For the second incident, a written warning will be issued specifying the provision of this Article that has been violated as well as materials outlining the rules and regulations for sidewalk vending and the application process;
 - (3) For the third incident, persons found in violation of this Article shall be subject to the Administrative Citation procedures found in Chapter 1, Article 7. Administrative Citations, of the Hayward Municipal Code, subject to the fines below:

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- (a) Persons that violate local regulations, other than operating without a permit, are punishable by an administrative fine not to exceed:
 - (1) One hundred dollars (\$100.00) for a first violation; or
 - (2) Two hundred dollars (\$200.00) for a second violation within one year of the first violation; or
 - (3) Five hundred dollars (\$500.00) for each additional violation within one year of the first violation.
 - (b) Persons vending without a sidewalk vending permit are punishable by an administrative fine not to exceed:
 - (1) Two hundred fifty dollars (\$250.00) for the first violation; or
 - (2) Five hundred dollars (\$500.00) for a second violation within one year of the first violation; or
 - (3) One thousand dollars (\$1,000.00) for each additional violation within one year of the first violation.
 - (c) All administrative citations will be accompanied by a notice advising the person of their right to request an ability-to-pay determination and the process for requesting an ability-to-pay determination.
- (b) Appeals. The appeals process contained in Chapter 1, Article 7 shall apply to citations issued under this Article as well as requests for an ability-to-pay determination. An administrative fine imposed pursuant to this Article need not be paid as a pre-requisite to requesting an appeal hearing or a hearing to determine ability-to-pay an administrative fine.

(Created by Ordinance 23-08, § 5, adopted October 17, 2023; Amended by Ordinance 24-06, § 1, adopted June 25, 2024)

SEC. 6-16.80 IMPOUNDMENT.

- (a) The city may impound vending devices, food, goods, and/or merchandise that:
 - (1) Reasonably appear to be abandoned on public property; or
 - (2) Are displayed, offered, or made available for rent or sale by a sidewalk vendor who: (A) operates in violation of this chapter; and (B) refuses to remove their vending device, food for sale and/or goods/merchandise for sale after being instructed to do so by a city enforcement official; or
 - (3) Are displayed, offered, or made available for rent or sale by a sidewalk vendor who: (A) does not possess a valid applicable Sidewalk Vending Permit; and (B) also refuses to remove their vending device, food for sale, and/or goods/merchandise for sale after being instructed to do so by a city enforcement official; or
 - (4) Is: (A) creating an imminent and substantial safety or environmental hazard by the location of the vending device or the nature of the goods being offered for sale; and (B) refuses to remove their vending device, food for sale, and/or goods/merchandise for sale after being instructed to do so by a city enforcement official.
- (b) The city may immediately dispose of impounded materials that are perishable or cannot be safely stored.
- (c) An aggrieved vendor may, within ten days, appeal the impoundment of their property by requesting an administrative hearing before a hearing officer appointed by the city pursuant to Chapter 1, Article 7 and if

successful in their appeal, may have their property returned without paying an impound fee. The appeal hearing shall be conducted pursuant to the administrative enforcement hearing procedure contained in Chapter 1, Article 7 in the Hayward Municipal Code. Any appeal fee paid by the sidewalk vendor shall be returned to the sidewalk vendor if they are successful on appeal.

- (d) An individual may recover impounded materials upon paying applicable impound fees and demonstrating proper proof of ownership.
- (e) The city council may by resolution adopt impound fees, which shall reflect the city's enforcement, investigation, storage, and impound costs.
- (f) Any unclaimed items will be considered abandoned and forfeited to the city after ninety days following impoundment.

(Created by Ordinance 24-06, § 1, adopted June 25, 2024)

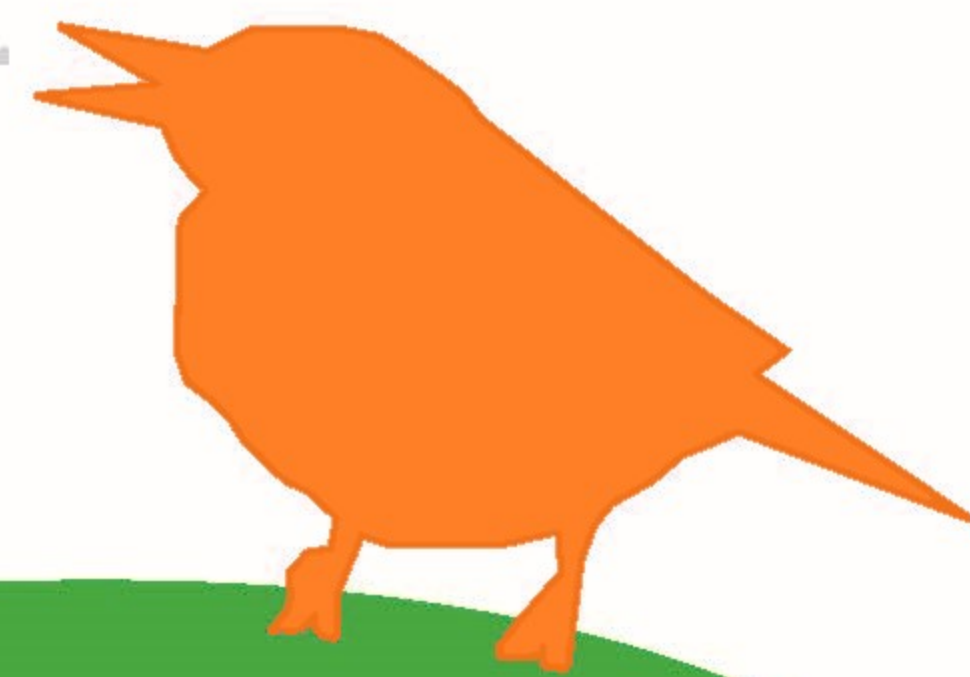
SEC. 6-16.90 CITY MANAGER AUTHORITY.

The City Manager, or their Designee, shall have the authority to establish administrative policies and regulations that may be necessary to implement the provisions of this Article.

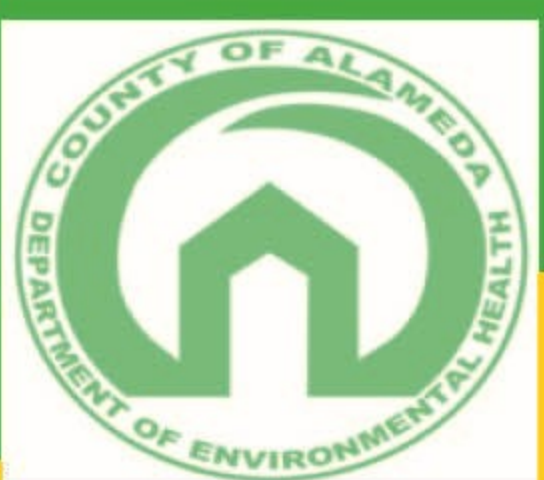
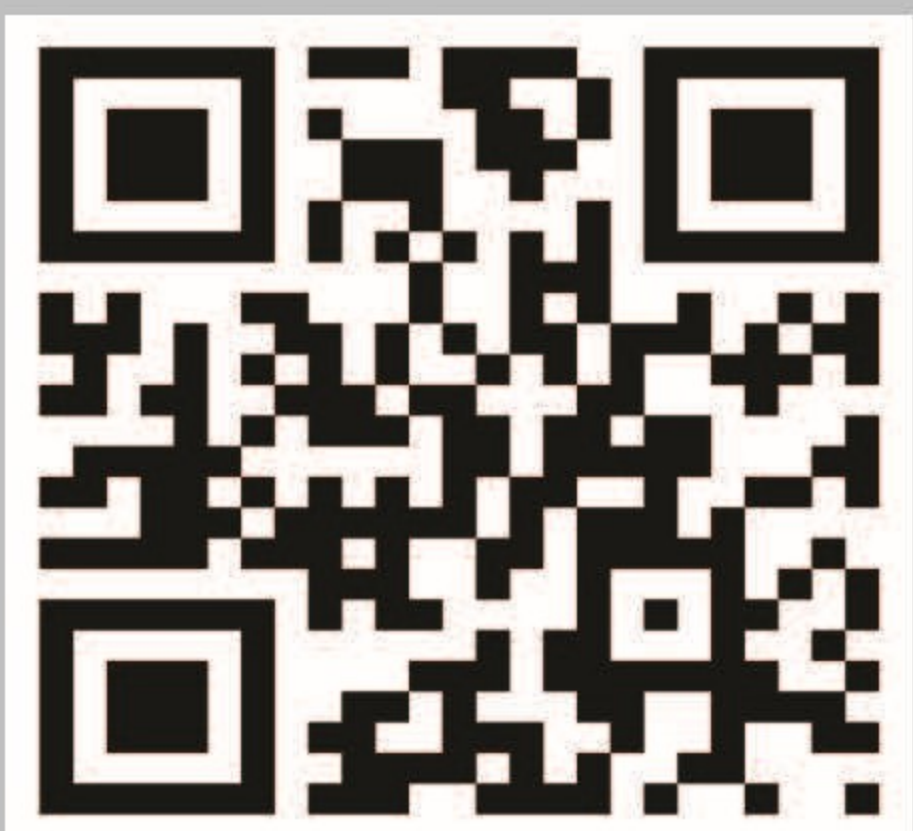
(Created by Ordinance 23-08, § 5, adopted October 17, 2023; Amended by Ordinance 24-06, § 1, adopted June 25, 2024)

Are you thinking of starting a mobile or temporary food business?
Then you are invited to the Info Session Day!

Come to our FREE Info-session, on the
first Wednesday of the month from 10:00 - 11:00 AM
at the Alameda County Department of
Environmental Health, 1131 Harbor Bay Parkway,
Alameda, Room 106



Scan Code to go to our website



CA SENATE BILL 972

COMPACT MOBILE FOOD OPERATORS with 25 square feet or less of display area from which only prepackaged, nonpotentially hazardous food and/or whole raw uncut produce is sold are exempt from a permit issued by the Alameda County Department of Environmental Health.

COMPACT MOBILE FOOD OPERATORS ARE EXEMPTED FROM POSSESSION OF A DEPARTMENT OF ENVIRONMENTAL HEALTH PERMIT IF OPERATING IN THE MANNER STATED AND SHOWN BELOW

Food items sold are fit for human consumption and free of dirt and any vermin.

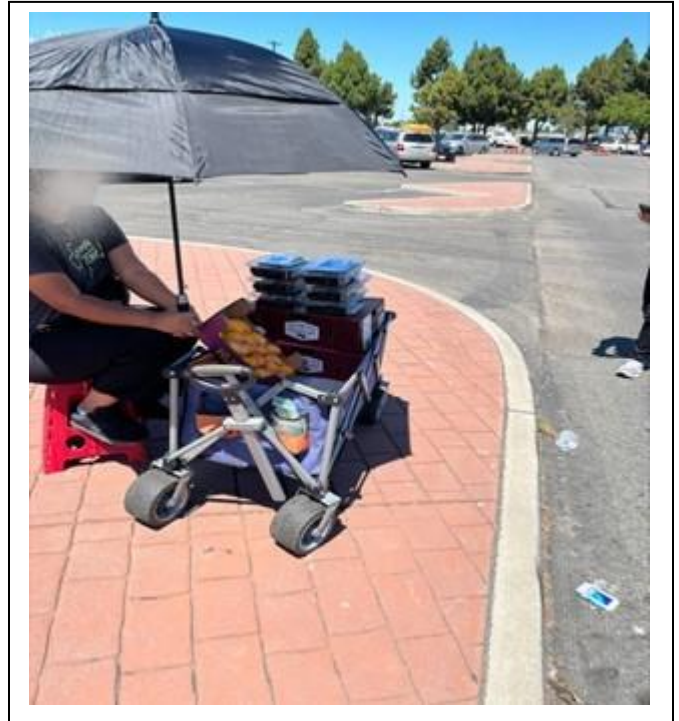
Food items that require labels are compliant with labeling requirements.

Food items are stored 6 inches off the ground.

The facility is subject to complaint-based inspection and/or impoundment.

There is a Person-In-Charge for ensuring compliance with the above requirements.

Contact dehmobilefood@acgov.org with any questions.



Note: This List is provided as a reference and does not constitute an endorsement.

LIST OF MOBILE FOOD FACILITY MANUFACTURERS	
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SIDEWALK VENDOR ORDINANCE

SUMMARY OF OPERATIONAL AND LOCATIONAL REGULATIONS

Development Services Department • 777 B Street Hayward, CA 94541

<https://www.hayward-ca.gov/services/permits/ab-2011-and-sb-6>

Sidewalk Vendor Regulations - Below is a summary of the operational and locational regulations applicable to sidewalk vendors found in [Chapter 6, Article 16 – Sidewalk Vendors](#) of the Hayward Municipal Code (HMC).

OPERATIONAL REGULATIONS	
1.	<u>Sidewalk Vending Permit Required.</u> It shall be unlawful for any person to operate as a sidewalk vendor or to engage in sidewalk vending activities in the City without first obtaining a sidewalk vending permit.
2.	<u>Display of Sidewalk Vending Permit and Other Licenses/Permits.</u> All sidewalk vendors must display their City-issued sidewalk vending permit and any other licenses issued by other agencies on the street-side portion of their pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance when operating in the public right-of-way.
3.	<u>Hours of Operation in Residential Zoning Districts.</u> Sidewalk vending activities in residential zoning districts may occur only between the hours of 9:00 a.m. and 7:00 p.m.
4.	<u>Hours of Operation in Nonresidential Zoning Districts.</u> Sidewalk vending activities in nonresidential zones will be as restrictive as any limitations on hours of operation imposed on other businesses or uses on the same street, excluding those permitted to operate 24 hours.
5.	<u>Mobile Food Facility Permit for Food Vendors.</u> If applicable, sidewalk vendors shall obtain and maintain a valid Mobile Food Facility (MFF) permit from the Alameda County Department of Environmental Health (ACDEH) during all sidewalk vending activities in the City.
6.	<u>Trash Receptacles Required.</u> Each sidewalk vendor shall provide a trash receptacle for use by its customers and shall ensure proper disposal of customer trash. The trash receptacle must be large enough to accommodate customer trash so that public trash receptacles for use by the general public do not have to be used by customers.
7.	<u>Disposal of Trash in Public Receptacles Prohibited.</u> Sidewalk vendors shall not dispose of customer's or sidewalk vendor's trash in trash receptacles for public use.
8.	<u>Cleaning of Materials.</u> All sidewalk vendors shall immediately clean up any food, grease, or other fluid or item related to their sidewalk vending activities that are spilled or discharged on public property. Disposal of trash, food, grease, or other materials to any storm drain, creek, or waterway is prohibited. Vendors shall not dump, drain, or discard any fouled, spoiled, or unused product, which includes draining ice coolers, drink containers, and/or miscellaneous containers on the ground.
9.	<u>Surrounding Sidewalk to be Kept Clean and Free of Debris.</u> All sidewalk vendors are responsible for ensuring that the surrounding sidewalk is kept clean and free of trash and debris associated with their vending operation.
10.	<u>Compliance with Americans with Disabilities Act of 1990.</u> No sidewalk vendor shall vend in a manner that blocks or obstructs the access required by Americans with Disabilities Act of 1990, access to designated loading zones, and access to public utilities. Sidewalk vendors must at all times provide a clearance of not less than four (4) feet on all sidewalks or pedestrian areas so as to enable persons to freely pass while walking, running, or using mobility assistance devices.
11.	<u>Impeding Entries to Buildings Prohibited.</u> A sidewalk vendor operating on any sidewalk or public right-of-way must ensure that no obstruction is placed impeding entry to and exit from a business or residence or access to a public facility.

<p>12. <u>Prohibited Items for Sale.</u> Sidewalk vending of the following items is prohibited:</p> <ul style="list-style-type: none"> a. Alcoholic beverages; b. Adult-oriented materials, as defined in Section 6-10.02 of the Hayward Municipal Code; c. Tobacco, tobacco products, or electronic smoking devices; d. Cannabis or cannabis products; e. Weapons, including knives, guns, or explosive devices, as defined in Section 3-4.00 of the Hayward Municipal Code; f. Items that are not for immediate sale; g. Selling or offer to sell services, or engage in or offer to engage in any type of rental activity, including the rental of any goods or services; h. Pharmaceuticals; and i. Any other merchandise prohibited by federal, state, or local law from being vended.
<p>13. <u>Compliance with City's Noise Standards.</u> Sidewalk vendors shall comply with the noise standards provided in Chapter 4, Article 1 of the Hayward Municipal Code.</p>
<p>14. <u>Use of Propane, Natural Gas, Batteries, Explosive Materials, and Open Flame Prohibited.</u> Consistent with the ACDEH limitations, no pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance used for sidewalk vending shall contain or use propane, natural gas, batteries, or other explosive or hazardous materials. A sidewalk vendor may not use an open flame on or within any pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non- motorized conveyance used for sidewalk vending.</p>
<p>15. <u>Signage.</u> Any electrical, flashing, wind-powered, or animated freestanding signs are prohibited. Vending equipment may have signs attached to or painted on the vending equipment. The total sign area shall not exceed four square feet.</p>
<p>16. <u>Compliance with All Laws.</u> Sidewalk vendors shall comply with all generally applicable federal, state, and local laws.</p>

LOCATIONAL REQUIREMENTS	MINIMUM DISTANCE
1. Any public property that does not meet the definition of a sidewalk, including, but not limited to, any street, roadway median, pedestrian islands, or bicycle lanes	PROHIBITED
2. City owned property including, but not limited to, parking structures and parking lots, unless otherwise authorized by the City	PROHIBITED
3. In any area that constricts passageway for pedestrians or vehicles to less than minimum required or obstructs traffic signals or regulatory signs	PROHIBITED
4. On any median strip or dividing section within public right-of-way areas	PROHIBITED
5. Within edge of a curb	18 inches
6. From any fire hydrant, driveway or alleyway, or door/emergency exit	15 feet
7. From any mid-block crosswalk or storm drain	20 feet
8. From any bus stop, street corner, or street intersection	25 feet
9. From any emergency facility (fire station, police station, hospital)	100 feet
10. From any public or private school on days when school is in session	100 feet
11. From any farmer's market or special event for the duration of the event	200 feet
12. From any freeway entrance or exit	200 feet
13. Between stationary sidewalk vendors	50 feet
14. Stationary sidewalk vendors vending within a park where the City has signed an agreement for concessions that exclusively permits the sale of food or merchandise by a concessionaire	PROHIBITED
15. From a public park where stationary vendors have not signed an agreement for concessions	100 feet
16. Entering or encroaching onto private property	PROHIBITED



STATIONARY SIDEWALK VENDOR SITE PLAN

Development Service Department

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

A stationary sidewalk vendor sells from a fixed location, while a roaming sidewalk vendor moves around and only stops to complete a sale. All stationary sidewalk vendors are required to provide a Site Plan detailing the proposed location(s) where they intend to operate on. The Site Plan must demonstrate compliance with the operational and locational regulations applicable to sidewalk vendors found in Chapter 6, Article 16 – Sidewalk Vendors of the Hayward Municipal Code (HMC).

In the space below, draw a diagram and/or attach photos of your vending location. Include measurements of distances between the vending equipment and easily identifiable points. Use a separate form for each proposed location.

CERTIFICATION I hereby certify that the information presented on this form is true and correct to the best of my knowledge and belief.

Name

Signature

Date



SIDEWALK VENDOR GENERAL LIABILITY INSURANCE REQUIREMENTS

Development Service Department • 777 B Street Hayward, CA 94541

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

All sidewalk vendors shall obtain and upload proof of General Liability Insurance with the Sidewalk Vending Permit application. The General Liability Insurance is required to have the following:

- Certificates evidencing comprehensive general liability insurance policy or policies, in a form acceptable to the City Attorney and issued by an insurance company or companies authorized to do business in the State of California.
- The City of Hayward, its officers and employees shall be named as additional insureds on said policy or policies.
- The policy limits of said insurance policy or policies shall be not less than one million dollars (\$1,000,000.00) combined single limit for both death/bodily injury and property damage, or equivalent.
- The policy or policies shall also contain a provision that no termination, cancellation, or change of coverage of insured or additional insured shall be effective until after thirty (30) days' notice thereof has been given in writing to the Director.



City of Hayward Business License Application

777 B Street, Hayward, CA 94541-5077
P. (510) 583-4600 F. (510) 583-3644
BusinessLicense@hayward-ca.gov
www.hayward-ca.gov

Office Use Only

☐ New ☐ Change ☐ Exempt

Today's Date: ____/____/____

Date Business Started in Hayward: ____/____/____

Business Location (No PO Boxes):

Business Name: _____

Street Address: _____

City, State, Zip: _____

Telephone: _____

Is this a residence? ☐ YES ☐ NO

Mailing Address (if different):

ATTN: _____

Street Address: _____

City, State, Zip: _____

Telephone: _____

Email: _____

Check here to receive renewals by email : ☐

OWNER INFORMATION (Required by § 19286.8 of the Revenue and Taxation Code):

Per AB 2184, you may protect your residential address by providing a different Service of Process address in accordance with Sections 16000.1(a)(2) and 16100.1(a)(2) of the Business and Professions Code. To do so, please fill out the section on the back or bottom of this form

Ownership Type:

☐ Individually Owned

SSN/ITIN: _____

☐ Partnership ☐ LLC ☐ Corporation

FEIN: _____

Other ID No. _____

Business Owner/Corporation Head Information

☐ Owner/CEO

☐ Partner Name

Name: _____

Street Address: _____

City, State, Zip: _____

Telephone: _____

BUSINESS TYPE - Describe in detail the nature of the business to be conducted:

Is this business:

☐ Commercial/Residential Rental ☐ Storage/Warehouse (No Sales) ☐ Wholesale

☐ Retail ☐ New Items ☐ Used Items ☐ Gold Items ☐ Manufacturing ☐ Office

☐ Service ☐ Food Sales or Manufacturing ☐ Other: _____

Average number of people working in Hayward (including the Owner): _____

Will the business include the sale, manufacture, or distribution of any of the following products?

Tobacco Products: ☐ YES ☐ NO Alcohol Products: ☐ YES ☐ NO Firearms: ☐ YES ☐ NO

Only answer this question if the business is a property rental:

Is there more than one address at location? ☐ YES ☐ NO If yes, number of units at location: _____

Do you own additional rental property in Hayward? ☐ YES ☐ NO

Contractor Information (if licensed under California Business and Professional Code §7033):

Contractor Name: _____ Classification: _____ Contractor License # _____

Number of Employees on the jobsite in Hayward: _____ Job Start/End Dates: _____

Please see other side

SERVICE OF PROCESS ADDRESS, PURSUANT TO AB2184 - AVAILABLE FOR PUBLIC INSPECTION

If you wish to protect your residential address with a different service of process address, please provide it here.

NOTE - if your service of process address is a post office box or private mailbox, it must comply with paragraph(2) of subdivision (b) of Section 17538.5 of the California Business and Professions Code.

Service of Process Address

Residential Address to protect ☐ Business Location ☐ Mailing Address ☐ Owner/Partner/Officer Address

I certify under penalty of perjury that the information provided on this form is true and correct. I understand that payment of this tax, its acceptance by the City, and the issuance of this Business Tax Receipt does not entitle me or the business on behalf of which I have signed this affidavit to carry on any business unless that business complies with all applicable laws.

Executed on _____ at _____
Date City and State

Signature

Print Name

Title

FOR OFFICE USE ONLY**REVENUE DIVISION**

VALID FROM _____ THROUGH _____

BUSINESS ACCOUNT # _____

BUSINESS TYPE CODE _____

NAICS NUMBER _____

Business Name Change ☐

Business Address Change ☐

Business Officer / Ownership Change ☐

Previous License # _____

NOTES: _____

Tax Paid: \$ _____

Penalty: \$ _____

Excise Tax Basis: \$ _____

Excise Penalty: \$ _____

SB1186 Fee: \$ _____

Technology System Fee: \$ _____

Application Fee: \$ _____

Maintenance: \$ _____

Planning: \$ _____

TOTAL TAX DUE \$ _____

PERMIT CENTER

USE _____

ZONING _____

AUP/CUP REQUIRED? ☐ Y ☐ N

IF YES, PROJECT # _____

NON-CONFORMING USE? ☐ Y ☐ N

OPEN CODE-ENFORCEMENT CASE? ☐ Y ☐ N

CODE-ENFORCEMENT HOLD? ☐ Y ☐ N

STAFF: _____

DATE/TIME: _____

NOTES: _____

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

The Division of the State Architect at www.dgs.ca.gov/dsa

The Department of Rehabilitation at www.dor.ca.gov

The California Commission on Disability Access at www.cdda.ca.gov



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ONLY COMPLETE THIS FORM IF THE BUSINESS IS LOCATED WITHIN HAYWARD CITY LIMITS

1. **Is the business:** ☐ New Activity at Location ☐ Same Activity at Location ☐ New Owner
2. **Did you obtain a Use Permit to operate this business:** ☐ Yes, # _____ ☐ No
3. **How many persons do you estimate will be working at the Hayward location?** _____
4. **Do you plan to install any new signage or modify an existing sign?** ☐ Yes ☐ No
5. **What materials, if any, will be stored outside buildings**

6. **Property Owner Information**
Name: _____ Telephone: _____
Street Address: _____ City, State, Zip: _____
7. **Private Patrol or Alarm Company (if applicable):**
Name: _____ Telephone: _____

Note: All alarm users are required to obtain an Alarm User's Permit from the Hayward Police Department.
Call (510) 293-7158 to receive information about the City's Alarm Ordinance.
8. **Persons other than Business Owner to contact in case of emergency (24 hour contact):**
Name: _____ Telephone: _____
Name: _____ Telephone: _____
9. **Persons other than Property Owner to contact in case of emergency (24 hour contact):**
Name: _____ Telephone: _____
Name: _____ Telephone: _____
10. **Does your business require a state or federal permit or certification?**
☐ Yes ☐ No ☐ Unknown If Yes, indicate what is required _____
11. **What are your planned hours of operation?**
M: _____ Tu: _____ We: _____ Th: _____ F: _____ Sa: _____ Su: _____

12. Does the building where the business will operate have a fire sprinkler system? ☐ Yes ☐ No

13. Will your business operate any of the following places of assembly or care facilities?

- | | |
|--|---|
| <input type="checkbox"/> Day Care (9 or more children) | <input type="checkbox"/> Restaurant/Banquet Hall (more than 49 patrons) |
| <input type="checkbox"/> Care home | <input type="checkbox"/> Not Applicable |

14. Will flammable or combustible liquid be:

- | | |
|---|--|
| <input type="checkbox"/> Stored, handled or used | <input type="checkbox"/> Stored in tanks on premises |
| <input type="checkbox"/> Used in cleaning or dipping operations | <input type="checkbox"/> Not Applicable |

15. Will your business have any of the following on-site storage?

- | | |
|--|--|
| <input type="checkbox"/> Rack or pallet storage over 12' in height | <input type="checkbox"/> Area of storage over 2,500 square feet |
| <input type="checkbox"/> Free-standing storage over 15' in height | <input type="checkbox"/> Plastics in racks or pallet storage over 6' in height |
| <input type="checkbox"/> Not Applicable | |

16. Will any of the following processes occur in the facility?

- | | |
|---|---|
| <input type="checkbox"/> Vehicle repair | <input type="checkbox"/> Combustible fiber generation or storage |
| <input type="checkbox"/> Spray painting | <input type="checkbox"/> Liquefied Petroleum Gas storage or use |
| <input type="checkbox"/> Welding | <input type="checkbox"/> Laboratory facility |
| <input type="checkbox"/> Tire-Capping or storage | <input type="checkbox"/> Dry-cleaning |
| <input type="checkbox"/> Dry Ovens | <input type="checkbox"/> Semi-conductor fabrication |
| <input type="checkbox"/> Wood working shop | <input type="checkbox"/> Electroplating/Metal Finishing |
| <input type="checkbox"/> Waste Handling/Recycling | <input type="checkbox"/> Process/Cook Goods and/or Utilize grease hoods |
| <input type="checkbox"/> Pharmaceutical manufacturing | <input type="checkbox"/> Not Applicable |

17. Will your business store, transport, or handle any of the following hazardous materials?

- | | | |
|---|--|---|
| <input type="checkbox"/> Acutely hazardous Materials | <input type="checkbox"/> Fertilizers | <input type="checkbox"/> Pesticides |
| <input type="checkbox"/> Carcinogens | <input type="checkbox"/> Flammable Gases | <input type="checkbox"/> Poisonous Gases/Liquids |
| <input type="checkbox"/> Combustible Liquids | <input type="checkbox"/> Flammable Liquids | <input type="checkbox"/> Radioactive Materials |
| <input type="checkbox"/> Compressed Gases | <input type="checkbox"/> Flammable Solids | <input type="checkbox"/> Reactive Materials |
| <input type="checkbox"/> Corrosives | <input type="checkbox"/> Hazardous Wastes | <input type="checkbox"/> Solvents |
| <input type="checkbox"/> Cryogenics | <input type="checkbox"/> Other Regulated Materials | <input type="checkbox"/> Toxic/Highly Toxic Materials |
| <input type="checkbox"/> Explosives | <input type="checkbox"/> Organic Coatings | <input type="checkbox"/> Unstable Materials |
| <input type="checkbox"/> Extremely Hazardous Substances | <input type="checkbox"/> Oxidizers | <input type="checkbox"/> Not Applicable |

18. Will the business:

- ☐ Use water for any purpose other than landscape irrigation and sanitary services
- ☐ Use well water or water from sources other than the City of Hayward
- ☐ Discharge cooling water of any type into the municipal sewer system
- ☐ Discharge any waste other than from domestic sanitary services into the municipal sewer system

If any of the boxes are checked, explain: _____

19. Affidavit

I certify under penalty of perjury that the information provided on this form is true and correct. I understand that payment of this tax, its acceptance by the City, and the issuance of this Business Tax Receipt does not entitle me or the business on behalf of which I have signed this affidavit to carry on any business unless that business complies with all applicable laws. The payment of a license tax, and its acceptance by the City, and the issuance of such license to any person does not entitle the holder thereof to carry on any business unless he has complied with all of the requirements of the municipal Code and all other applicable laws, nor to carry on any business in any building or on any premises designated in such license in the event that such building or premises are situated in a zone or locality in which the conduct of such business is in violation of any law. I understand that home based businesses must comply with the requirements of the City of Hayward Municipal Code §10-1.3500.

Signature

Print Name

Title



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 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?>



What is the difference between a Food Truck Vendor and a Sidewalk Vendor?

A **Food Truck Vendor** includes anyone who prepares and/or sells food or goods from a truck, vehicle, trailer or similar vehicle that is located on the street or on private property. A **Sidewalk Vendor** is a person who sells food or merchandise from a table or cart placed or pushed on a sidewalk, pedestrian path or park.

Can I sell food from a truck, car or trailer parked on the street?

City of Hayward regulations (City of Hayward Traffic Code Section 8.13) prohibit the sale of food or other goods from a food truck, car, trailer or similar vehicle when the vehicle is parked on the street or other public right-of-way unless permitted by Special Event Permit such as a Farmer's Market, Downtown Street Fair or other special event.

Can I sell food from a truck, car or trailer parked on private property?

Yes, you can sell food from a food truck or similar vehicle that is parked on private property if you obtain a Food Vendor Permit from the City of Hayward Planning Division. Food Vendor Permits are permitted within the Mission Boulevard & Industrial Zoning Districts and are otherwise prohibited (see map on reverse side of this flyer). You can check the zoning for a particular property on the City's website at <https://webmap.hayward-ca.gov> or by contacting the Planning Division at Planning.Division@hayward-ca.gov or 510-583-4216.

How do I apply for a Food Truck Vendor Permit?

Food Vendor Permit applications shall be submitted directly through Hayward e-Permits. All applications must include a site plan with enough detail to ensure consistency with the [Hayward Municipal Code Section 10-1.2735 \(m\), Food Vendor Permits](#). The initial application fee is \$700 and must be renewed annually (\$350 fee).

Can I sell food from a cart or table on the sidewalk?

Yes, with an approved Sidewalk Vendor Permit, you may sell food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path. *All sidewalk vendors are responsible for checking with Alameda County Department of Health (ACDEH) if a Mobile Food Facility (MFF) is required.*

How do I apply for a Sidewalk Vendor Permit?

All Sidewalk Vending Permit applications shall be submitted directly through Hayward e-Permits. Fixed vendors must provide a location and site plan with the application. All applications are reviewed for compliance with [Hayward Municipal Code Chapter 6, Article 16, Sidewalk Vendors](#).

There is no fee for the City of Hayward Sidewalk Vending Permit, however, Sidewalk Vendors are responsible for City of Hayward Business License fees and fees related to obtaining an Alameda County Mobile Food Facility Permit, a Seller's Permit and general liability insurance.



Food Truck Vendors



Sidewalk Vendors

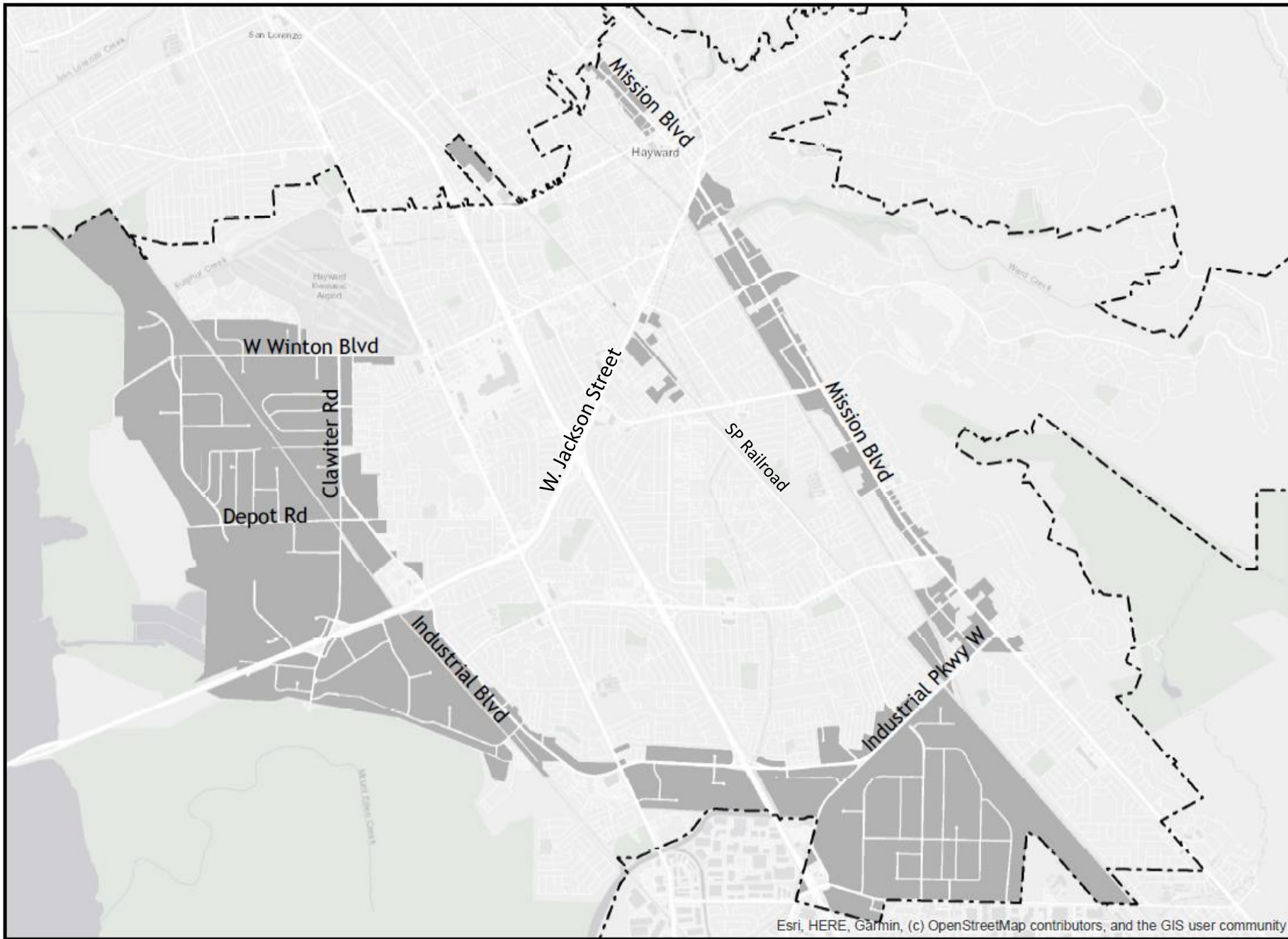
To submit a complaint about a sidewalk vendor or food truck please email community.preservation@hayward-ca.gov or call 510-583-4143. For health and safety complaints (i.e. food safety concerns) please contact Alameda County Department of Environmental Health (ACDEH) by phone at (510) 567-6700 or by using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

Updated April 2025



Food Truck Vendor Permit – Zoning Districts

0 0.5 1 Miles



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community