



RULES AND REGULATIONS FOR FOOD VENDORS

All food vendors are required to review and agree to the following rules and regulations before participating in an event organized by the City of Hayward:

BEFORE THE EVENT, ALL FOOD VENDORS ARE REQUIRED TO:

- **Review this document, sign where indicated, and return an original copy with all requested documentation to the City's Economic Development Division by [].** Please call 510.583.4236 with any questions.
- Acquire a seller's permit through the California State Board of Equalization and submit a copy with this form. [For more information, please contact the California Board of Equalization at 510.622.4100 or 1.800.400.7115.](#)
- Obtain a Hayward business license or nonprofit exemption and submit a copy with this form. Please contact the City's Revenue Department at 510.583.4600 for more information.
- Ensure that tent setup and features comply with California State Fire Marshall Codes. Please contact the City's Fire Department at 510.583.4900 for more information. Submit with this form confirmation from the Fire Department that you understand and agree to comply with their requirements.
- Ensure that the vendor meets any and all requirements including permits, if applicable, related to the Building Code including but not limited to: accessibility or electrical requirements (restrooms, parking, path of travel, generators, electrical wiring and protection, barriers, etc..).
- Obtain and keep in force, including set up and tear down of the event, a Commercial General Liability Insurance policy with limits equal to or greater than \$1,000,000 per occurrence. Submit with this form BOTH a copy of the CERTIFICATE OF INSURANCE evidencing coverage and an ADDITIONAL INSURED ENDORSEMENT naming the City of Hayward, its directors, agents or employees as additional insured. Please contact the City Attorney at 510.583.4450 for more information.
- Obtain the health permit issued by [Alameda County for temporary event food vendors](#) and submit a copy with this form. For more information, please contact Chris Ogbu at 510.567.6754.
- Obtain written permission from the City's Economic Development Division prior to using any of the City's logos for promotional purposes. Please call 510.583.4236 to request permission. Submit confirmation of permission with this form.
- Obtain a [temporary permit from the state's Alcohol Beverage Control \(ABC\)](#) if planning to sell or distribute alcohol at the event. For more information, please contact the ABC office in Oakland at 510.622.4970. Submit a copy of your approved ABC permit with this form.



AT THE EVENT, ALL VENDORS ARE REQUIRED TO:

- Display all necessary permits and/or licenses.
- Keep booth area clean and deposit trash in the receptacles provided at designated locations.
- Provide their own signage. No handwritten signage will be permitted.
- Guarantee that no portion of booth space is subletted or apportioned to anyone else during the event.
- Agree to allow the City of Hayward to take photos of their booth and product free of charge. Photos taken may be used for City of Hayward marketing purposes.
- Use only food service ware that is reusable, recyclable, or compostable.
- Avoid use of polystyrene (use of polystyrene or Styrofoam food service ware is prohibited).
- Pursuant to [Chapter 11, Article 5](#) of the Hayward Municipal Code) **all non-stormwater discharges to the City's storm drain system are prohibited.** Any knowledge of a confirmed or non-confirmed release of non-stormwater materials must be reported to the City and subsequently the spill must be abated. Violators of the Chapter 11, Article 5 of the Hayward Municipal Code (see link above) are subject to sanctions of the federal Clean Water Act and state law, including the Porter-Cologne Act, and municipal law, and may be subject to the sanctions of those laws including civil and criminal penalty. Please contact Elisa Wilfong, the City's Water Pollution Control Administrator, at 510.881.7960 for more information.
- All vendors parking on-site (City Hall Plaza) must have an approved oil drip pan under their vehicles at all times.
- Vendor must provide their own canopy, equipment, tables, and chairs and generators. All canopies must meet California State Fire Marshall Codes and be identified with official CA. State Flame Retardant seal. If you need a canopy that complies with the [California State Fire Marshall Codes](#) please 916.445.8200 or go to:
- Comply with all fire codes, laws, ordinances, and regulations pertinent to health, fire prevention and public safety. Failure to comply with any of the above may result in expulsion from the event, participation of future events, no refund of permitting or licensing fees and fines/penalties and/or citations as per the Master Fee Schedule.

ALSO, PLEASE NOTE:

- City Events are rain or shine. There are no refunds of permitting or licensing fees due to weather.
- The City of Hayward does not guarantee vendor sales. Vendors keep 100% of gross revenue.
- Each vendor is responsible for his/her own equipment and merchandise. The City of Hayward will not be liable for any lost, stolen, or misplaced merchandise or equipment at the event.

I have read the rules and regulations in this form and I agree to comply with the conditions set forth.

Signature

Date

Printed Name & E-mail



Waiver of Liability and Indemnity Agreement

In consideration of participation in this program and the use of the City’s facilities and premises, and to the maximum extent permitted by law, THE UNDERSIGNED SHALL, at his/her own expense, indemnify and defend, and hold harmless the City of Hayward and its officers, officials, employees, agents and volunteers from and against any and all liability, loss, damage, fines, expenses and costs (including, without limitation, claims expenses, attorney’s fees, costs and fees of litigation) of every nature, whether actual, alleged or threatened, arising out of or in connection with the participation of the undersigned and the undersigned employees, in the program. In addition, the undersigned RELEASES, WAIVES, DISCHARGES, AND COVENANTS NOT TO SUE THE CITY OF HAYWARD, its officers, employees and agents (“the City”) for any loss or damage, and any claim or demands therefore arising out of or in connection with the participation of the undersigned and the undersigned’s employees, in the program, whether caused by the negligence of the City or otherwise, while the undersigned is in, upon, or about the premises or any facilities or equipment therein.

I have read and voluntarily sign this release and waiver of liability and indemnity agreement.

Signature

Date

Printed Name

Please submit completed forms and required documentation to:

Permit Center
Development Service Department, 1st Floor
777 B Street
Hayward, CA 94541
Tel: 510.583.4005



FOOD VENDOR CHECKLIST
(to verify completion of “Rules & Regs” form)

- Submitted on time (by **INSERT DATE**)
- Signature – page 2
- Signature – page 3
- Copy of seller’s permit from California State Board of Equalization
- Copy of Hayward business license
- Confirmation from Hayward Fire Department that complying with all their requirements
- Copy of Certificate of Insurance (\$1,000,000 per occurrence)
- Copy of Additional Ensured Endorsement naming City of Hayward, its directors, agents or employees as additional ensured
- Copy of health permit from Alameda County
- Written permission from the City’s Economic Development Division to use City logos for promotional purposes (if desired)
- Copy of ABC permit (if planning to sell or distribute alcohol)