



SIDEWALK VENDING CHECKLIST

City of Oceanside
Financial Services Department

BEFORE YOU APPLY

Prior to applying for a Sidewalk Vending Business License, you must do the following:

- ☐ Review the City Code Chapter 15 Article V – Sidewalk Vending.
- ☐ Apply for and obtain a California Department of Tax and Fee Administration (CDTFA) seller's permit indicating an Oceanside location.
- ☐ Apply for and obtain the applicable health permits from the San Diego County Department of Environmental Health if selling food.
- ☐ Provide proof of commercial liability insurance of not less than \$1,000,000 which names the City as an additional insured.
- ☐ File a Fictitious Business Name Statement, if applicable.
- ☐ Identify a location / route per regulations outlines in City Code Chapter 15 Article V, and take photos of location and prepare a diagram of proposed location with vending device set up.

CONTACTS

- ☐ California Department of Tax & Fee Administration (CDFTA) (858) 385-4700
- ☐ San Diego County of Environmental Health (858) 505-6900
- ☐ County Clerk (fictitious name filing) (760) 940-6858

Once you have completed the above, you may apply for an Oceanside business license for sidewalk vending. For questions or assistance, please call Business License at (760) 435-3878.

Applications may be filed by mail or in person at:

City of Oceanside
Attn: Central Cashier
300 N Coast Highway
Oceanside, CA 92054



BUSINESS LICENSE APPLICATION

City of Oceanside
Financial Services Department

PLEASE INDICATE:

- ☐ New Business
- ☐ Home Occupation
- ☐ Additional Information
- ☐ Change of Owners
- ☐ Change of Business Address
- ☐ Change of Business Name
- ☐ Add/Change Business Description

Please mail completed applications with payment to:

300 N Coast Hwy, Oceanside CA 92054

Make checks payable to City of Oceanside

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

BUSINESS INFORMATION

MAILING ADDRESS:**BUSINESS LOCATION:**

Business Name / DBA: _____ Business Address: _____
In care of: _____
Mail Address: _____
SIC Code (4 digit): _____ Corp. Name: _____ Corp. Phone: _____
City Start Date _____ State Lic. # & Type _____ Health Permit _____ ☐ Sole Prop
Hrs. of Operation _____ to _____ Tax ID _____ ABC License # _____ ☐ Partnership
Of Employees _____ Seller's Permit _____ Contractor # & Class _____ ☐ Corporation
Bus. Phone: _____
Bus. Email: _____
LLC

Business Location Property Owner/Management Co: _____

CIRCLE ONE

Address of Owner/Management Co: _____

Contact Info of Owner/Management Co: _____

PHONE EMAIL

Business activity must be described in detail: _____

SIZE OF FACILITY (sq. ft.) _____

BUSINESS OWNERSHIP INFORMATION

Owner/Pres: _____ Owner/Pres: _____
Home Address: _____ Home Address: _____
Email: _____ Email: _____
Home/Cell Phone: (____) _____ Home/Cell Phone: (____) _____
SSN: _____ Birth Date: _____ SSN: _____ Birth Date: _____
DL# _____ DL State: _____ DL# _____ DL State: _____

(Contractors Only) Bid Amount: _____ Fees: _____

DECLARATIONS

I certify that in the performance of any business activities for which this license is issued, I shall not employ a person in any manner so to become subject to the Worker's Compensation laws of California. If I should become subject to the Worker's Compensation laws I shall forthwith comply with the provision of section 3700 of the labor code. I further declare under penalty of perjury under the laws of California that the above information is true and correct to the best of my knowledge.

TITLE PRINT NAME

SIGNATURE OF OWNER OR AUTHORIZED AGENT*

DATE

* If signing as Authorized Agent, letter of authorization must be attached.

License No. BL-

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AB 783, Single-User Restrooms, effective January 1, 2024

Under Business and Professions Code section 16000.2, you are hereby notified that Section 118600 of the Health and Safety Code requires you to identify all single-user toilet facilities in your business as all-gender toilet facilities on compliant signage.

SB 748, Disability Access and Information, effective January 1, 2024

This bill requires a city, county, or city and county, in a separate document formatted as specified, to provide to that applicant a statement that the business may be subject to liability for failure to meet the legal obligation to comply with state and federal disability access laws, and information on how to obtain a CAsp inspection, as specified.

AB 2164, Disability Access CAsp Funding, effective January 1, 2023

This bill requires a city or county issuing a business license to collect a \$4.00 CAsp fee for funding of certification and awareness for accessibility requirements and resources. This law removed the sunset provision of AB-1379 and the collected amount to become permanent.

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.ccda.ca.gov



SIDEWALK VENDING APPLICATION SUPPLEMENT

City of Oceanside
Financial Services Department

In accordance with Chapter 15 Article V Section 15.65 of the Oceanside City Code applicants are required to provide the following information:

EMPLOYEE INFORMATION

NAME: _____

NAME: _____

ADDRESS: _____
NUMBER STREET SUITE NO.

ADDRESS: _____
NUMBER STREET SUITE NO.

CITY STATE ZIP

CITY STATE ZIP

PHONE: _____

PHONE: _____

OPERATION INFORMATION

Total number of sidewalk vending devices to operate within the City of Oceanside:

NUMBER OF STATIONARY DEVICES: _____

NUMBER OF ROAMING DEVICES: _____

LOCATION(S): _____

PATH(S): _____

DIMENSIONS: _____

DIMENSIONS: _____

PLEASE ATTACH PICTURES OF VENDING DEVICE(S), ACCESSORIES AND INTENDED LOCATION(S)/PATH(S)

DESCRIPTION OF MERCHANDISE OR FOOD FOR SALE: _____

IF SELLING FOOD (PLEASE CIRCLE ONE):

DESCRIPTION OF ANY ACCESSORIES OR STRUCTURES TO BE USED:

PREPARED ON SITE? YES NO

REQUIRES HEATING ELEMENT? YES NO

TYPE OF HEATING ELEMENT: _____

I have obtained and provided proof of commercial liability insurance of not less than \$1,000,000 which names the City of Oceanside as an additional insured (CIRCLE ONE): YES NO

DECLARATIONS

I have read Oceanside City Code Chapter 15, Article V, and understand that the Business License is subject to revocation if any regulations are violated. I declare under penalty of perjury under the laws of California that the above information is true and correct to the best of my knowledge.

TITLE

SIGNATURE

DATE



Sidewalk Vendors Agreement

City of Oceanside
Financial Services Department

License # _____

Operating conditions.

All sidewalk vendors are subject to the following operating conditions when conducting sidewalk vending activities:

- a) All food or merchandise shall be stored inside or affixed to the sidewalk vending device or carried by the sidewalk vendor. Food or merchandise shall not be stored, placed, or kept on any public property
- b) The sidewalk vending business license shall be displayed conspicuously at all times on the sidewalk vending device or on the sidewalk vendor's person
- c) Sidewalk vending devices shall not be left unaccompanied on any public property;
- d) All sidewalk vending devices shall not touch, lean against, or be affixed to any building, structure, tree, pole, or other object
- e) All signage and advertising related to the sidewalk vendor shall be affixed to the sidewalk vending device only
- f) Electrical, flashing, or animated signs are prohibited
- g) Sidewalk vending devices shall not be stored on public property and must be removed when not in active use
- h) All sidewalk vendors shall be subject to inspection by any city official charged with enforcing the laws related to sidewalk vending activities
- i) The use of propane, natural gas, or batteries may only be used in a manner approved by the City
- j) Sidewalk vendors shall immediately clean up any food, grease, fluids, trash, or other materials related to the sidewalk vending business on public property
- k) Sidewalk vendors must maintain a minimum four (4) foot clear accessible path free from all obstructions
- l) Sidewalk vendors are prohibited from transactions with persons located inside motor vehicles
- m) Amplifiers and/or sound making devices are prohibited
- n) Freestanding signs, tables, chairs shade structures, or other furniture at or near the sidewalk vending area are prohibited
- o) All sidewalk vendors must ensure that all required insurance is in effect prior to conducting any sidewalk vending activities and maintained during the duration of their business license.

Prohibited activities and locations.

- a) Sidewalk vendors shall not engage in any of the following activities:
 - 1. Renting merchandise to customers
 - 2. Displaying or selling alcohol, marijuana, cannabinoid products, adult oriented material, tobacco, tobacco products, electronic cigarettes and accessories, vape accessories, vape oils, or any tobacco or drug paraphernalia

Sidewalk Vendors Agreement

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3. Using an open flame on any sidewalk vending device except as approved by the City
 4. Using an electrical power source owned by the City
 5. Conducting sidewalk vending activities between 10:00 p.m. and 7:00 a.m.
 6. Blocking or impeding the path of any pedestrians, including ingress to or egress from adjacent property
 7. Advertising any product or service that is not related to the merchandise or food-item being offered for immediate sale
 8. Placing sidewalk vending devices outside of any sidewalk or pathway
- b) Sidewalk vending activities are prohibited at the following locations:
1. Within one hundred (100) feet of the Oceanside Beach
 2. The Oceanside Municipal Pier;
 3. Pier Plaza;
 - a. For purposes of this chapter, the Pier Plaza area is defined by area bounded by to the west by the easterly curb line of the strand, bounded to the east by the westerly curb line of N. Pacific Street, bounded to the south by the northerly curb line of Mission Ave, and bounded to the north by the northerly side of the Oceanside Beach Community Center.
 4. Any public property that does not meet the definition of a sidewalk or pedestrian pathway;
 5. Pacific Street Linear Park;
 - a. For purposes of this chapter, Pacific Street Linear Park is defined by area bounded by:
 1. The Strand to the west; Pacific Street to the east; Seagaze Drive to the north; and 121 South Pacific Street to the south; and
 2. The westernmost portion of sidewalk and parkway along North Pacific Street bounded by Wisconsin Avenue to the south and Sportfisher Drive to the north.
 6. Tyson Street Park
 7. The Oceanside Harbor
 8. Oceanside Harbor Village
 9. The Oceanside Civic Center Plaza Complex
 - a. For purposes of this chapter, the Oceanside Civic Center Plaza Complex is defined as area bounded by Coast Highway, Civic Center Drive, Nevada Street, and Pier View Way.
 10. Any median strip
 11. Within five hundred (500) feet of any public or private school or daycare facility beginning one (1) hour before classes commence that day until one (1) hour after classes end that day.
 12. Within one hundred 100 feet of:
 - a. A police station
 - b. A fire station

Sidewalk Vendors Agreement

City of Oceanside
Financial Services Department

- c. A certified farmer's market or swap meet including the Oceanside Farmer's Market and Sunset Market during its operational hours
 - d. An area designated for a special event permit during its operational hours
 - e. Another sidewalk vendor
 - f. A public or private school or child day-care facility
 - g. Any park in which the operator of the park has signed an agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire
13. Within twenty-five (25) feet of:
- a. A fire hydrant
 - b. An automated teller machine
 - c. A driveway, alley, or entrance to a parking lot or parking garage
 - d. The intersection of a street and a sidewalk
 - e. A crosswalk
 - f. A freeway entrance
 - g. An outdoor dining or patio dining area
- c) Stationary sidewalk vendors are prohibited from operating in areas that are zoned exclusively residential.

I have read and understand the "Sidewalk Vendors" Agreement and agree to comply with all the regulations as stated. I understand that the Business License is subject to revocation if any of the "Sidewalk Vendors" regulations are violated.

Business Name: _____

Owner Signature: _____

Date: _____

PREVENTION OF GENDER-BASED DISCRIMINATION: BUSINESS ESTABLISHMENTS' LEGAL OBLIGATIONS

The [Gender Tax Repeal Act of 1995](#) (Act) prohibits a business from discriminating based on a person's gender for prices of similar or like-kind goods and services. However, the Act does not prohibit price differences based on the amount of time, difficulty, or cost of providing the services.

In addition to prohibiting discrimination based on a person's gender, the Act **requires certain businesses** to clearly and conspicuously disclose to customers in writing the pricing for each standard service provided. The posting requirement applies to:

- Barbers and hair salons
- Tailors or businesses providing aftermarket clothing alterations
- Dry cleaners and laundries providing services to individuals

These businesses must follow **specific posting requirements**. The price list must:

- Clearly and completely display pricing for every standard service, which means the 15 most-frequently requested services.
- Use a font 14-point boldface or larger.
- Be posted in an area conspicuous to customers.

The business establishment must also provide a customer with a **complete written price list** upon request.

In addition, the business establishment **must display in a conspicuous place at least one sign**—printed in no less than 24-point boldface type—that states:

CALIFORNIA LAW PROHIBITS ANY BUSINESS ESTABLISHMENT FROM DISCRIMINATING, WITH RESPECT TO THE PRICE CHARGED FOR SERVICES OF SIMILAR OR LIKE KIND, AGAINST A PERSON BECAUSE OF THE PERSON'S GENDER. A COMPLETE PRICE LIST IS AVAILABLE UPON REQUEST.

Business establishments **may be fined \$1,000** for failing to correct within 30 days a violation of any of the requirements after receiving a written notice. The 30-day correction period only applies to posting violations and not to discriminatory pricing violations.

In addition, according to Civil Code section 52(a), a business may be liable for any amount determined by a jury, or a court sitting without a jury, up to three times the amount of actual damage but no less than \$4,000, plus any attorney's fees. However, an action under this section does not prohibit an aggrieved party from seeking any other available remedy or procedure.

OTHER PROVISIONS

This Act does not change or affect provisions of the Health and Safety Code, the Insurance Code, or other laws that govern a health care service plan, or insurer underwriting or rating practices.

To read the full text of the [Gender Tax Repeal Act of 1995](#) (Civil Code section 51.6), visit the California Legislative Information website at <https://leginfo.legislature.ca.gov>.

