

Food Truck and Sidewalk Vendor Regulations



At a glance summary for mobile vendors

To review the full ordinance, please read Chapter 8.32 of the Carlsbad Municipal Code.

On March 21, 2019, a new city ordinance went into effect that regulates food truck and sidewalk vendors. The information provided in this booklet is intended to summarize this new ordinance to assist those wishing to conduct business in the City of Carlsbad. Please note that the following pages do not contain all requirements under the ordinance. Mobile vendors should review Chapter 8.32 of the Carlsbad Municipal Code to familiarize themselves with all requirements. The code is available on the city website and in the Office of the City Clerk, 1200 Carlsbad Village Drive.

PERMITTING AND LICENSING REQUIREMENTS

ALL MOBILE VENDORS MUST HAVE THE FOLLOWING:

City Business License

All mobile vendors must obtain a city business license and comply with all licensing requirements.

California Seller's Permit

All mobile vendors must possess a valid California Department of Tax and Fee Administration seller's permit that designates "City of Carlsbad" as a location or sublocation.

Insurance

All mobile vendors must acquire and maintain any insurance required by the city's risk manager, such as commercial general liability insurance, auto insurance or worker's compensation insurance. Submit copies of all existing insurance policies with your business license application.

FOOD PRODUCT VENDORS

In addition to the requirements listed above, vendors selling food products must also have:

San Diego County Public Health Permit

All mobile vendors who sell any form of food item are required to acquire and display a county public health permit at all times. Additional regulations apply to mobile food facilities.

San Diego County Food Handler Card

All food handlers are required to acquire a San Diego County Food Handler Card.

VEHICLES/CONVEYANCES

Vendors using a vehicle or conveyance must also have:

City Vending Equipment Permit

All mobile vendors who utilize a motorized or non-motorized vehicle, food truck, wagon, cart, stand, bike or other form of conveyance for vending activities must obtain a vending equipment permit from the city's finance department.

OPERATING RULES

ALL MOBILE VENDORS

- Mobile vendors must ensure the 10-foot immediate area around the vending space is kept clean and free of trash and must comply with all other city waste disposal requirements
- Sound-making devices or freestanding structures attached to or adjacent to vending activities (i.e., signs, umbrellas, ice chests, chairs, tables and blankets) are prohibited

Prohibited Vending Locations

- Any portion of the Sea Wall (west side of Carlsbad Boulevard between Pine and Tamarack avenues)
- Within:
 - 500 feet of any permitted special event, street fair or farmers' market
 - 100 feet of any vehicle entrance of any fire station, police department, hospital or health/safety emergency structure
 - 1/2 mile of any school while children are present or within 30 minutes of the school's opening, closing or recess

FOOD TRUCKS

In addition to the requirements for “ALL MOBILE VENDORS,” food truck vendors must also comply with the following:

Prohibited Operations

- Parking or standing for more than 60 minutes on any given public street or right-of-way
- Artificial lighting in conjunction with vending, unless approved by the California Department of Transportation

Prohibited Vending Locations

- Any street, alley, highway or public right-of-way with a speed limit greater than 25 mph, or within 100 feet of any intersection of same
- Any location that obstructs traffic signals or regulatory signs
- Any location without an unobstructed view 200 feet in each direction
- Within:
 - 100 feet of another food truck vendor
 - 25 feet of any intersection, driveway, building entrance, fire hydrant/fire escape or outdoor commercial dining/patio area



Ice Cream Trucks

- Ice cream trucks are required to have mandatory caution signage (see CMC 8.32.100(F))

SIDEWALK VENDORS

In addition to the requirements for “ALL MOBILE VENDORS,” sidewalk vendors must also comply with the following:

Hours Allowed

Residential areas	8 a.m. to sunset
Commercial areas	8 a.m. to 10 p.m.

Prohibited Operations

- Utilizing non-motorized vending equipment larger than 6 feet long x 4 feet wide
- Operating longer than 60 minutes at a time in any residential area
- Leaving vending equipment or merchandise unattended
- Attaching vending equipment to or making contact with public signs/structures
- Selling to individuals traveling within motor vehicles on a public street

Prohibited Vending Locations

- In or on any alley, beach, pier, square, street, street end, parking lot or parking space
- Any location that blocks pedestrian or vehicle access or that obstructs traffic signals, intersections, driveways or any building entrance. *Note: Sidewalk clearances must be a minimum of 36 inches per the Americans with Disabilities Act.*
- Within:
 - 18 inches of the curb
 - 50 feet of another sidewalk vendor
 - 10 feet of an outdoor dining or patio area
 - 15 feet of any loading zone or area designated for disabled persons, any intersection, driveway, building entrance or fire hydrant

SIDEWALK VENDORS IN PARKS AND RECREATION AREAS—ADDITIONAL REQUIREMENTS

Prohibited Operations

- Vending to sports participants or spectators in a manner that puts their health, safety or welfare at risk

Prohibited Vending Locations

- Anywhere within a park other than on sidewalks or paved/marked pedestrian pathways
- On any space that adversely affects the public's use and enjoyment of natural resources or recreational opportunities or that contributes to an undue concentration of commercial activity

VIOLATIONS

Any violation of the vending and soliciting ordinance by any person holding both a valid business license and vending equipment permit (if required) is subject to:

1. An administrative citation and \$100 fine for a first violation
2. An administrative citation and \$200 fine for a second violation
3. An administrative citation and \$500 fine for a third and each subsequent violation

Any person vending without a valid business license or vending equipment permit (if required) is subject to the following penalties in lieu of the administrative fines set forth above:

1. An administrative citation and \$250 fine for a first violation
2. An administrative citation and \$500 fine for a second violation within one year of the first violation
3. An administrative citation and \$1,000 fine for a third violation within one year of the first violation
4. An administrative citation and \$1,000 fine for each subsequent violation within one year of the first violation and impoundment of vending equipment

*Any food truck vendor, owner and/or operator who violates the vending and soliciting ordinance or business licensing ordinance may alternatively be charged with an infraction.

**The issuance of four or more administrative citations or verifiable municipal code violations concerning vending equipment permit requirements within a 12-month period shall result in revocation of all vending equipment permits.

Reporting a violation

- Contact Code Enforcement by calling **760-602-2703** or emailing codeenforcement@carlsbadca.gov. Complaints may be made 24/7; we will respond to your complaint during business hours.
- County health permit complaints may be filed by calling **858-505-6903**.

Exemptions may apply. Please refer to Carlsbad Municipal Code Chapter 8.32 for the full ordinance.

To obtain a permit or locate additional information about these rules,
visit www.carlsbadca.gov/finance or call 760-602-2495.

