

SIDEWALK VENDING APPLICATION REQUIREMENTS

AN APPLICATION FOR A SIDEWALK VENDING LICENSE SHALL INCLUDE THE FOLLOWING INFORMATION:

1. The applicant's name, current mailing address, and telephone number;
2. A copy of a valid California's driver's license or identification number, an individual taxpayer identification number, or a social security number. Such information is not a public record and will remain confidential as required by Government Code section 51038(c)(4);
3. If the vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal;
4. A description of the food and/or merchandise to be offered for sale and any vending equipment to be used (including the dimensions of the vending carts and mode of transportation);
5. A copy of a valid California Department of Tax and Fee Administration seller's permit, as required;
6. If a vendor of food, proof of all required approvals from the Los Angeles County Department of Public Health;
7. A description, map, or drawing of the location(s) in which the applicant proposes to operate;
8. A statement of the days and hours of proposed vending operations and whether the sidewalk vendor intends to operate as a stationary sidewalk vendor or a roaming sidewalk vendor;
9. Proof of comprehensive general liability insurance with minimum policy limits of one million dollars (\$1,000,000) per occurrence, combined single limit coverage, and one million dollars (\$1,000,000) in the aggregate 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. An agreement by the applicant to indemnify and hold harmless the City, its officers and employees, for any damage or injury caused to the City as a result of the sidewalk vending conduct or activity.
11. The applicant's certification that, to his or her knowledge and belief, the information contained in the application is true; and
12. Such other information as the Director deems necessary for the administration or enforcement of this article as specified on the required application form.

SIDEWALK VENDING OPERATING REQUIREMENTS

Stationary sidewalk vendors shall not operate in residential zones or in any park for which the city has entered an exclusive concessionaire agreement; they may only operate at the location(s) designated in a license issued pursuant to this article and only during the times set forth therein.

Roaming sidewalk vendors shall not operate within residential zones between the hours of 8:00 p.m. and 9:00 a.m., and shall not operate on any city block for more than one hour in any four-hour period.

NO SIDEWALK VENDOR SHALL OPERATE IN THE FOLLOWING LOCATIONS:

1. Any public property or park grounds, including, without limitation, trailheads, streets, alleys, and City-owned parking structures, except on a public sidewalk.
2. Within one block of a certified farmers' market or a swap meet, during the limited operating hours of these events.
3. Within one block of an area designated for a Special Event Permit for the limited duration of the permitted event.
4. Within one block of any public or private school grounds, between the hours of 8:00 a.m. and 5:00 p.m., on days that school is open to students.
5. Within twenty-five feet of any on-street valet loading zone, any City-designated passenger loading zone, or any taxicab stand.
6. On or within any roadway, median strip, or dividing section.
7. On private property without the consent of the property owner and a City-issued permit.
8. Within one hundred feet of another vendor.
9. Within one hundred feet of a driveway or entry to a fire station or police station.
10. Within three feet of the display window of any building abutting the sidewalk or parkway that interferes with the reasonable use of such window.
11. Within 25 feet of a train boarding platform or track.
12. Within five feet from any fire hydrant, fire call box, or other emergency notification device.
13. Within five feet of any electric utility cabinet, traffic signal control cabinet, communications cabinet.
14. Within 10 feet of a marked crosswalk or the curb return of an unmarked crosswalk.
15. Ensure that vending operations or locations are not located over a pull box, manhole, hand hole or any enclosure located in a public sidewalk or right-of-way;

16. Maintain an unobstructed pedestrian access route at sidewalk vending locations that is clear of any vending equipment or public obstructions including, but not limited to, street trees, news racks, bus benches, transit shelters, and curb lines. The minimum width of unobstructed routes must be suitable for the width of the sidewalk:
 - a. Five feet when the sidewalk is no greater than thirteen feet wide;
 - b. Six feet when the sidewalk is greater than thirteen feet but no greater than seventeen feet wide; and
 - c. Eight feet when the sidewalk is greater than seventeen feet wide.
17. Ensure that vending operations are not blocking and are at least five feet from the entrances to any buildings, driveways, or vehicle parking spaces.

SIDEWALK VENDING IS PROHIBITED ON THE FOLLOWING PORTIONS OF THE SPECIFIED STREETS:

1. North San Fernando Boulevard between Magnolia Boulevard and East Olive Avenue, and South San Fernando Boulevard between East Olive Avenue and East Angeleno Avenue.
2. East Orange Grove Avenue between North First Street and Third Street.
3. West Magnolia Boulevard between North Buena Vista Street and North Screenland Drive where the public sidewalk is 10 feet in width or less.
4. Riverside Drive between North Hollywood Way and Clybourn Avenue.

GENERAL REQUIREMENTS:

1. The Vending Cart may not exceed six feet in length by four feet in width by five feet in height.
2. Maintain and ensure compliance with all state and local permits necessary for the proposed vending operation;
3. Keep the information furnished to the City current;
4. Carry a license issued pursuant to this article at all times when operating in the City, and present the license for inspection at the request of any City staff member or law enforcement officer;
5. Ensure that equipment used in connection with sidewalk vending operations are not stored or left unattended in public spaces or in any portion of the public right-of-way. (Equipment or objects left in public spaces or in the public right-of-way overnight, or outside the hours of permitted vending operations, will be considered discarded and may be seized or disposed of by the City in accordance with Section 5-3-211 of the Burbank Municipal Code);

6. Ensure that signs, tables, chairs, shade structure, fences, or other furnishings not approved for use in a sidewalk vending license are not used in vending operations;
7. Do not use any horns, music, lights, visual media, or any sound amplifying device unless expressly approved in the vending license;
8. Do not sell or offer for sale lottery tickets, alcohol, cannabis, adult oriented material, tobacco or electronic cigarette products, or any living animal;
9. Do not operate in the City between 12:00 a.m. and 6:00 a.m. If the City's zoning allows any businesses on a particular street block to remain open until 2:00 a.m., then sidewalk vendors are prohibited from operating between 2:00 a.m. and 6:00 a.m. on that particular street block;
10. Do not use or attach any water lines, electrical lines, or gas lines during vending operations;
11. Ensure that sidewalk vending equipment does not physically alter or otherwise damage the underlying sidewalk;
12. Comply with all applicable food labeling requirements established by state and local laws;
13. Maintain vending operations in sanitary condition, including ensuring proper recycling and disposal of any waste produced as a result of said operations. (Vendors must operate with their own waste containers to allow the proper recycling or disposal of trash, food, or liquids generated by their operations and must leave their operations' area clean by closing time);
14. No operations that produce smoke, vapors, or noxious odors within 20-feet of an openable window, vent or intake duct;
15. No equipment that produces a flame, spark or heat is allowed within the City's Very High Fire Hazard Severity Zone (Map will be provided).
16. No operation of generators or equipment containing wet cell batteries;
17. Cease vending operations in any park one hour prior to park closure.

PENALTIES: A VIOLATION OF THIS ARTICLE IS PUNISHABLE ONLY BY AN ADMINISTRATIVE FINE ACCORDING TO A FEE SCHEDULE ADOPTED BY RESOLUTION OF THE CITY COUNCIL



City of Burbank
Building & Safety Division
150 N. Third Street
Burbank, California 91502

Insurance Requirements for Sidewalk Vendor License

For purposes of issuing a Sidewalk Vendor Business License, Burbank Municipals Code Section 3-4-2703(I) requires applicants to furnish the City evidence of comprehensive general liability insurance on an occurrence basis, in the form of (A) Certificate of Insurance and (B) Additional Insured Endorsement, prepared by their insurance company/agency, with information as indicated below:

1. Company Affording Coverage
2. Named Insured
3. Policy Number
4. Effective and Expiration Dates
5. Signature of insurance agent or representative of the company affording coverage
6. The City of Burbank, its officers, employees, agents, and representatives named as Additional Insured
7. Cancellation to read "Should any of the above described policies be cancelled or modified before the expiration date thereof, the issuing company will mail 30 days written notice to the Certificate Holder."

(A) CERTIFICATE OF INSURANCE preferably in the Accord form (see sample) shall contain, among other information, the following:

- a. Minimum coverage limits of:
\$1,000,000 per occurrence and \$1,000,000 aggregate General Liability (Applicable to all Permits)
- b. The CERTIFICATE HOLDER must be listed as:
City of Burbank
P.O. Box 6459
Burbank, CA 91510-6459

(B) ADDITIONAL INSURED ENDORSEMENT naming the City of Burbank as additional insured, in either the Form prepared by the City Attorney or the insurance company Standard Form **CG 20 12** or **CG 20 26**, applicable for the issuance of Permits (see forms samples attached herewith)

Both items **(A)** and **(B)** must be submitted. If either item is lacking or is not in the appropriate form, your liability insurance will not be on file with the City of Burbank, and the License applied for will not be issued.

Please Note: Items (A) and (B) are to be sent to Community Development Department by the Applicant's insurance company. Only Applicant's insurance company can add the City of Burbank as Additional Insured.

ADDITIONAL INSURED ENDORSEMENT
(Permits)

Insurance Company: _____

This endorsement modifies such insurance as is afforded by the provisions of Policy No. _____ relating to the following:

1. The City of Burbank, 275 East Olive Avenue, Burbank, CA 91502, its officers, employees, agents and representatives are named as additional insureds ("additional insureds") with regard to liability and defense of suits arising from the operations and uses performed by or on behalf of the named insured for which the City has issued a permit. This insurance does not apply to (a) "bodily injury", "property damage", "personal Injury" or "advertising injury" arising out of operations performed for the City; or (b) "bodily Injury" or "property damage" included within the "products-completed operations hazard."
2. With respect to claims arising out of the operations and uses performed by or on behalf of the named insured for which the City has issued a permit, such insurance as is afforded by this policy is primary and is not additional to or contributing with any other insurance carried by or for the benefit of the additional insureds.
3. This insurance applies separately to each insured against whom a claim is made or suit is brought except with respect to the company's limits of liability. The inclusion of any person or organization as an insured shall not affect any right which such person or organization would have as a claimant if not so included.
4. With respect to the additional insureds, this insurance shall not be cancelled, or materially reduced in coverage or limits except after thirty (30) days written notice has been given to the City of Burbank, Building & Safety Division, P.O. Box 6459, Burbank, CA 91510-6459.

(Completion of the following, including countersignature, is required to make this endorsement effective.)

Effective _____, **this endorsement forms a part of**

Policy No. _____ **(Must Match Policy Number Above)**

Issued to: _____
Named Insured

COUNTERSIGNED BY: _____

Printed Name: _____ **Title:** _____

Insurance Company Name: _____

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

PRODUCER

Insurance Company X
111 Alameda Ave.
Burbank, CA 91502

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURED

Company Y
112 Alameda Ave
Burbank, CA 91502

INSURER A:

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR/ADD'L LTR INSRD		TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS 				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO 				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS	
1. DESCRIPTION OF OPERATIONS: 2. LOCATIONS: 3. VEHICLES: 4. EXCLUSIONS ADDED BY ENDORSEMENT: 5. SPECIAL PROVISIONS:	

The City of Burbank, its officers, and representatives are named as additional insured.

CERTIFICATE HOLDER

City of Burbank
Public Works Department
ATTN: Permits
P.O. Box 6459
Burbank, CA 91510-6459

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL _____ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

HOLD HARMLESS AGREEMENT



TO: City of Burbank
275 E. Olive Ave.
Burbank, CA 91502

DATED: _____

PARTIES: CITY OF BURBANK,
a municipal corporation (hereinafter "City")

(Hereinafter "Applicant" – Must match name on application)

The Applicant desires to obtain a Business License for Sidewalk Vendor for the purpose of conducting sidewalk vending activity on public property in the City of Burbank. Pursuant to Burbank Municipal Code Section 3-4-2703(J), the Applicant agrees to indemnify and save harmless the City, its officers, agents, and employees, from any and all claims or demands related to injuries to persons, including death, or damage to property sustained by any person or persons, firm or firms, corporation or corporations, including the City, from any acts, omissions, or occurrences, arising from the use of public property or any property in the City of Burbank as a result of conducting sidewalk vending in the City of Burbank, and which may directly or indirectly arise from, grow out of, or be attributable to operations under the sidewalk vendor business license arising from any act of the Applicant, or any of its agents, contractors, servants, employees, licensees, customers, or invitees and from all costs, counsel fees, expenses, or liabilities incurred in or about any such claim, action, or proceeding brought thereon; and in case any action or proceeding is brought against the City by reason of any such claim, the Applicant, upon notice from the City, covenants to resist or defend at Applicant's expense such action or proceeding by counsel satisfactory to the City.

The Applicant shall be responsible for any damage to City property or other public property in the City, and shall promptly reimburse the City for repair or replacement as billed.

IN WITNESS HEREOF, the Applicant has executed this document on the day and year first written above.

By: _____

Title: _____