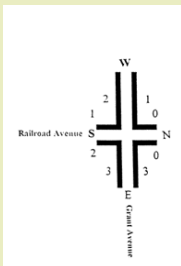


8. Vendor shall obtain a certificate of compliance from the county health department, as appropriate.
9. Vendor shall obtain a letter of agreement to use the site from the property owner if the property is not owned by the *vendor*.
10. Stationary vendors are permitted in the vicinity of Grant Avenue and Railroad Avenue along three corridors from the intersection. (see exhibit 'A') Grant Avenue east to Dutton Street on the north side of the street and to East Street on the south side of Grant; both sides of Railroad Avenue south to Baker Street; west on Grant Avenue three-hundred feet. No stationary vendors will be permitted north on Railroad Avenue, nor any permitted within fifty (50) feet of the high school campus.
11. In order to prevent the concentration of vending carts in a given area, that is not specifically designed for multiple stationary vendors. The number and location of stationary vendors shall be limited pursuant to Exhibit A set out at the end of this section.
12. Tables for customer use shall be prohibited unless vending carts are located in a given area that is specifically designed for such purpose such as a plaza, park or other public open space area with adequate restroom facilities.
13. The use of noise, moving signs for forms of advertisement other than signs shall be prohibited.
14. Stationary *vendor* permits may be revoked upon just cause.
15. The stationary *vendor* permit shall expire in one year and may be extended upon zoning administrator approval.
16. No stationary vendors or signs shall be located in the Caltrans right-of-way.
17. Stationary *vendor* permits shall automatically terminate if the use or operation ceases to exist or continue for two months without prior notice to the zoning administrator.
18. Stationary vendors shall only be permitted to sell seasonal produce, prepared foods, flowers and other similar disposable and perishable goods. No alcoholic beverages may be sold. Temporary sales by nonprofit organizations shall be exempt from the provisions of this section.

C. Process.

1. A conditional use permit shall be obtained from the zoning administrator to allow a stationary vending operation. The permit shall be processed in accordance with and subject to the standard use permit requirements contained in Chapter 17.20.
2. In addition to the use permit findings in Chapter 17.20, the planning commission must also make the following finding prior to taking action to approve a use permit for a stationary *vendor*:
 - a. That the proposed use shall be consistent with all applicable regulations contained in subsection B.

EXHIBIT "A"



RENEWALS

Permit renewal is required on an annual basis. An application for a renewal shall be received no later than 30 days prior to the expiration of the permit, or shall be processed as new applications. The City may review applications for renewal to determine that the applicant is in compliance, and that the required insurance is in effect.



Vending Stands Vending from a Motor Vehicle Stationary Vendors

Community Development
318 First Street
Winters, CA 95694
530-795-4910 ph
530-795-4935 fax
www.cityofwinters.org



How do I get a permit to be a Vendor?

APPLICATION—DEPARTMENTAL REVIEW—PLANNING COMMISSION—PERMIT

BACKGROUND

The City of Winters recognizes the right of its citizens to be relatively free from noise and obstruction when out and about in Winters. The City also recognizes the right of its citizens to purchase reliable products from responsible vendors without a fixed place of business. This informational hand-out seeks to balance those competing interests, and answer some frequently asked questions about obtaining and Vendor's Permit for the City of Winters

DEFINITIONS

A "Vendor" means any person, including an agent or employee of another, who sells or offers to sell food, beverages, goods, or merchandise on any public street or sidewalk from a stand, motor vehicle, or from his/her person.

PERMITS & PROCESS

Any vendor is required to obtain a Conditional Use Permit (CUP) before the commencement of business. First, the applicant completes an application for the CUP, fees are paid, notices are published and mailed, a hearing is held at the Planning Commission, and the application is either approved or denied. This process will take a minimum of one month to complete.

REGULATIONS

Regulations differ depending on the type of Vendor (Motor Vehicle, Stands, and Stationary). In all circumstances you will need to furnish the City of Winters proof of a public liability bond or insurance policy in an amount not less than \$300,000.00 for property damage and bodily injury liability, including injury resulting in death, caused by the applicant.

MOTOR VEHICLE

The following rules and regulations shall be followed by each person using a vehicle for street vending:

- A. It shall be unlawful for any street vendor to sell or attempt to sell any commodity:
 1. By means of any outcry, sound, speaker or amplifier, or any instrument, or device which can be heard for a distance greater than three hundred (300) feet, or when passing a hospital, or a church or other place of worship during the hours when services are being held;
 2. Within five hundred (500) feet of any school or publicly owned property at any time unless a special use permit is approved by the community development department. A special use permit shall not be required for fundraising activities/special sales which are sponsored by the school district.
- B. It is unlawful for any such vendor to use, play or employ the use of, any sound, outcry, amplifier, loud speaker, radio, phonograph with a loud speaker or amplifier or any other instrument or device when the vehicle such vendor is using is stopped for the purpose of making a sale.
- C. The use by any such vendor of any outcry, sound, amplifier, loud speaker, radio, phonograph with a loud speaker or amplifier or any instrument or device which emits a loud sound shall be prohibited prior to nine a.m. or after seven p.m.
- D. It is unlawful for any vendor to:
 1. Exceed a speed of twelve miles an hour when cruising neighborhoods seeking sales or when attempting to make a sale;
 2. Make more than two stops in any one block to make any sale;
 3. Stop anywhere within twenty-five (25) feet of an intersection when making a sale or attempting to make a sale;
 4. Double park, or park in any manner contrary

- to any ordinance relating to parking when attempting a sale or when making a sale;
5. Make a U-turn on any block;
6. Drive a vehicle backwards to make or attempt any sale;
7. Sell to any person who is standing in the street;
8. Permit any person to hang on the vehicle or permit any person to ride in or on the vehicle except a bona fide assistant or assistants;
9. Remain standing or stopped at any place for a period of time exceeding ten (10) minutes;
10. Conduct business within twenty (20) feet of any handicapped parking space or access ramp;
11. Sell or attempt to sell along any particular route more than two times during a twenty-four (24) hour period. (Ord. 2003-04 § 9; Ord. 91-10 § 2 (part): prior code § 10-5.506)

STANDS

Vendors with stands must comply with the following regulations:

- A. Hours of Operation. Vendors shall be allowed to engage in the business of vending only between the hours of nine a.m. and seven p.m., Monday through Saturday. No vending from stands shall be permitted on Sundays and observed holidays, except by appointment and approval from the city of Winters police department.
- B. All vending stands must be removed from public property during non-vending hours.
- C. Vendor stands shall not:
 1. Exceed eight feet in length, eight feet in width, or eight feet in height;
 2. Impede access to the entrance of any adjacent building or driveway;
 3. Occupy more than half of the available sidewalk width or five feet of such sidewalk, whichever is less;
 4. Locate within twenty (20) feet of a fire hydrant, fire escape, bus stop, loading zone, handicapped parking space, access ramp, fire station driveway, or police department driveway.
- D. All trash and debris accumulating within fifty feet of a stand shall be collected by the vendor and

deposited in a trash container. (Ord. 91-10 § 2 (part): prior code § 10-5.507)

STATIONARY VENDORS

Vendors must comply with the following regulations:

A. This section is intended to address the community's concerns regarding the permitted location of stationary vendors in order to minimize adverse impacts on the community.

B. Regulations.

The following provisions shall regulate stationary vending stands and carts or other operations deemed similar by the zoning administrator, which operate on privately owned land not within enclosed buildings on permanent foundations or in a public right-of-way:

1. Hours of operation may be limited as determined by the zoning administrator.
2. All vending stands, carts, signs, refuse containers and other material set up or provided by the vendor must be removed from the vending site during non-vending hours.
3. Vendor stands shall not exceed eight feet in length, eight feet in width, or eight feet in height not including a sign which could project four feet beyond; nor shall stands impede access to the entrance of any adjacent building or driveway.
4. Stands shall not be located within twenty (20) feet of a fire hydrant, fire escape, bus stop, loading zone, handicapped parking space, access ramp, fire station driveway, or police department driveway.
5. If an existing trash container does not exist within twenty-five (25) feet of the stand, the vendor shall supply a trash container.
6. Vending stands shall be designed such they add to the aesthetic value of the vicinity. Design elements should include the use of umbrellas or other attractive shading devices, temporary landscaping, and attractively designed carts.
7. Signs for vending carts and stands shall be limited to one freestanding, non-illuminated sign not to exceed four feet in any dimension, to be placed within ten (10) feet of the cart, and one sign attached to the cart which is not more than three feet in any one dimension.