

Street Vending

POSITION

With street vending decriminalized in California, BOMA/GLA retains its concerns about health, public safety, and the impact on adjacent commercial properties and businesses.

As such, BOMA/GLA:

- Supports the development of local permitting processes for street vendors that hold them to rigorous health standards, require they obtain all necessary business licenses, and limit the concentration of street vendors within the confines of State law.
- Supports increasing funds for local oversight of street vendors to ensure their full compliance with the law once local permitting processes are finalized.
- Supports the creation of a single point of contact within cities for reporting vendors not in compliance with the local permitting program.
- Support expedited enforcement of local permitting regulations so that the playing field is fair and understood by all parties.
- Supports the creation of a streamlined permitting process and programs to encourage mobile vendors to move into brick-and-mortar locations.
- Opposes efforts to provide street vendors with leniencies not afforded to stationary businesses.
- Support municipalities creating a system that standardizes input from adjacent property owners and businesses when considering permits for a street vendor.
- Supports the creation of mediation processes within municipalities to resolve disputes with street vendors and adjacent property owners and businesses.

BACKGROUND

In 2018, the California State Legislature passed SB 946, the Safe Sidewalk Vending Act — which decriminalized street vending in public spaces. The law allows cities to issue fines or repeal operating licenses for street vendors that violate the law. However, cities and municipalities

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Position Statement

cannot prohibit or regulate vendors without an existing licensing system, which some jurisdictions still have to develop.

The California State Legislature further relaxed requirements for street vending in 2022 with the passage of SB 972. SB 972 reduced barriers for food vendors to obtain a health permit. The legislation relaxes equipment requirements and provides allowances for local health departments to consider alternative compliance pathways.

At the same time, it is harder than ever for a business to move into a brick-and-mortar location. With dozens of permits often required for a restaurant or vendor to move into a fixed location, there is an environment that encourages street vending at the expense of investing in brick-and-mortar locations.

BOMA/GLA has been engaged on this issue for years, providing the deep concerns commercial property owners and managers held about the complete decriminalization of street vending – especially without a standard permitting process in place.

Now that street vending has been legalized and is proliferating at a massive pace along commercial corridors, BOMA/GLA's focus has shifted towards pushing for fair permitting and oversight of street vendors, ensuring as much property owner input in the permitting process, and working with municipal departments and city councils to seek avenues to mediate issues with street vendors.

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