

January 28, 2025

Item # 6




Approve Introduction of an Ordinance Amending Article IV (“Stadium Pilot Program”) of Chapter 5.05 (“Solicitors and Peddlers”) of the City Code to Make the Stadium Pilot Program Permanent

Item #6 - RTC 25-1087

January 28, 2025

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Background

- January 2019 – SB 946 limits local enforcement authority against illegal sidewalk vendors
- April 18, 2023 – RTC 23-211 summarized limits imposed by SB 946 and recommended a pilot program focused on Levi’s stadium
- July 18, 2023 – First reading to Adopt Ordinance No. 2062
 - Create a Limited-Term Pilot Project Regulating Vending Surrounding Levi’s Stadium on Event Days
- August 22, 2023 – Second reading to Adopt Ordinance No. 2062
- August 25, August 30 and September 16 – Educational efforts occurred at Levi’s events
- September 21, 2023 – Ordinance effective and Pilot Program began
- January 31, 2024 – Program expired and considered repealed
- March 19, 2024 – Expired Pilot Program extended with slight modification

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POST MEETING MATERIAL

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Pilot Program Outline

The Pilot Program has included:

- Amendments to Chapter 5.05 and 9.05.165 of City Code
- Area footprint for Ordinance implementation
- Communication plan to vendors prior to implementation and during the pilot period
- Enforcement plan
- Potential partnerships with other enforcement agencies and stakeholders
- Modifications to the existing permitting process
- Pilot Program fee and tax waiver up to \$30,000
- Post-pilot-program considerations and future updates to Council

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Community Flyer

Sidewalk Vending Pilot Program (Pursuant to Senate Bill 946)



Who is affected?

Vendors covered by SB 946 sell food or merchandise on a sidewalk or other pathway from a non-motorized conveyance, such as a pushcart or stand.

Pilot Program

Beginning 9/21/23, sidewalk vendors are restricted in the locations where they can set up their pushcart or stand near Levi's Stadium.

See reverse for map.

Permit Requirements

A business permit and solicitor/peddler permit are required to conduct this type of business in the City of Santa Clara.

Details at www.SantaClaraCA.gov/SidewalkVending

Permit Fee Waiver

The City has waived certain permit fees on a first come, first served basis to sidewalk vendors during the pilot program.

Questions?

For food truck, ice cream truck, scooter/Jour soliciting or sidewalk vendor inquiries, call the Santa Clara Police Department at 405-615-1567.



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Pilot Program - Prohibited Vending Areas



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Pilot Program Review

- 29 major events have occurred since the Pilot Program inception
- Distributed multi-lingual educational flyers to vendors
- Identified “supply vans” for early intervention and education
- Issued compliance admonishments to unpermitted vendors
- Issued administrative citations to unpermitted vendors
- Significant positive impact on compliance
 - Yet, steady stream of new vendors each event



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Proposed – Prohibited Vending Areas



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Staff Recommendation

- The staff recommendation is to approve an amended Ordinance as follows:
 - 1) Remove the sunset date to make the Ordinance permanent (but subject to modification by amendment, of course)
 - 2) Modify to adjust City Code Section 5.05.430 Time, Place or Manner restrictions to read:
 - (b) (7) “Old Glory Lane east of Great America Parkway”
 - (b) (8) “East bound Old Glory Lane (from Old Ironsides Drive to Great America Parkway)”
 - 3) To the same section, add (c) to read, “No sidewalk vendor shall exceed an operational space of 10’ by 10’. All food, merchandise, equipment, and other accessories related to sidewalk vending must fit within the defined operational space.”
 - 4) Waive first reading and approve introduction of an Ordinance amending Article IV (“Stadium Pilot Program”) of Chapter 5.05 (“Solicitors and Peddlers”) of the Santa Clara City Code to make the Pilot Program permanent as the “Stadium Area Sidewalk Vending” Ordinance

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