



## **MOBILE VENDING FAQs**

### **Who does the Mobile Vending Ordinance apply to?**

Mobile vendors are governed by Mountain View City Code Chapter 15, Article II. Mobile vendors are defined broadly and include “any person who, on or along any street or sidewalk, or operating any vehicle or other mobile unit on private property, sells or offers for sale any goods, wares, merchandise, services, food, or other things of value from a cart, stand, or other structure, from his/her person or from a vehicle or other mobile unit, and includes the person who engages in such vending operations as an agent or employee.” Mobile vendors do not include outdoor retail sales of adjacent businesses or catered events, which are subject to Chapter 15, Article I, of the City Code.

The Mobile Vendor Ordinance is available at the Finance and Administrative Services Department located at City Hall.

### **What is required to operate as a Mobile Vendor in Mountain View, and how much does it cost?**

From the Finance and Administrative Services Department located at City Hall, you must obtain a **business license**. The annual business license tax is based on the number of employees plus the State’s AB 1379 fee (currently \$4.00 per year through 2023). In addition, a **Mobile Vendor Permit** is required, and the permit fee is changed each calendar year. Mobile Vendor Permits are issued on a calendar year basis.

You must complete a Mobile Vendor Permit application, available at the Finance and Administrative Services Department or online at [www.mountainview.gov/depts/fasd/forms.asp](http://www.mountainview.gov/depts/fasd/forms.asp) and provide **proof of Commercial General Liability Insurance in the minimum amount of \$2,000,000 and Automobile Liability Insurance in a minimum amount of \$1,000,000**. Your proof of Liability Insurance must include the owner’s name, location of the business, and list the City of Mountain View, its Council, boards, commissions, officers, employees, volunteers, and agents as additional insureds. If you have a blanket additional insured endorsement, you must provide a copy of the declarations or information pages of the insurance policies. If the certificate of insurance denotes additional insured status in the description section, you must also provide the specific additional insured endorsement or page of the policy that provides blanket additional insured status. **If you are required to obtain Workers’ Compensation insurance**, you must also provide a certificate of insurance with California statutory Workers’ Compensation limits of coverage. Please note that if you are not required to obtain Workers’ Compensation insurance, you will need to complete the attestation box regarding Workers’ Compensation insurance on the City’s Mobile Vendor application. **Please note that the City will not accept additional insured endorsements contingent on a contract.**

You must obtain a **retail sales tax license**, issued by the California State Board of Equalization, and that must include as a location the City of Mountain View. Please call 408-277-1231 or visit [www.boe.ca.gov](http://www.boe.ca.gov) for more information. You must obtain your retail sales tax license prior to obtaining your Mobile Vendor Permit.

If you are a Mobile Food Vendor, meaning that you are a mobile vendor that sells or offers for sale “food, drink, confectionery, or condiment, whether simple or compound, and all substances and ingredients used in preparation thereof,” you must obtain a **health permit** issued by Santa Clara County Department of Environmental Health. Please call 408-918-3400 or visit [www.sccgov.org/portal/site/deh](http://www.sccgov.org/portal/site/deh) for more information. You must obtain your County-issued health permit prior to obtaining your Mobile Vendor Permit.

It is also your responsibility to obtain any **additional local, State, or Federal permits** that are required to legally operate your business.

The business license, mobile vending permit, insurance certificate, and County-issued health permit (if applicable) must all denote the same name of the mobile vendor.

## Mobile Vending FAQs (*Continued*)

### **What are the operational regulations that a Mobile Vendor must comply with?**

#### Generally Applicable Regulations

- Allowed between the hours of 7:00 a.m. and 10:00 p.m.
- Mobile Vendor Permits must be prominently displayed.
- May not obstruct the sidewalks or traffic.
- May not vend in parks or playgrounds except as provided in Chapter 38 of the City Code.
- Shall maintain a clean vending area and properly dispose of trash.
- Mobile Food Vendors shall adequately store waste and provide waste containers for customers.
- If parked for more than one hour, Mobile Food Vendors shall have access to a restroom facility within 200'.
- All vendors shall comply with applicable local, State, and Federal laws.

For a complete list of generally applicable Mobile Vendor regulations, see Section 15.23 of the City Code.

#### Private Property Regulations

- Property owner must provide written consent.
- Operation is limited to up to three (3) vendors operating on any individual property at the same time.
- Operations shall not exceed four (4) hours within a 24-hour period. The total number of hours is not calculated by vendor.
- Shall not operate on vacant lots.
- Shall not operate in City-owned parking lots or structures without written consent from the City.
- Shall not operate upon or immediately adjacent to single-family homes or duplexes.
- Shall not consume more than 25 percent of available parking spaces or 10 parking spaces, whichever is greater.

For a complete list of Mobile Vendor regulations on private property, see Section 15.24 of the City Code.

#### Public Streets and Rights-of-Way

- Shall operate at least 15' from any driveway or fire hydrant.
- Shall operate at least 100' from any bus stop, intersection, or primary school facility.
- Shall vend only on the same side of the street as the park if operating within 100' of a park.

For a complete list of Mobile Vendor regulations on public property, see Section 15.25 of the City Code.

### **What do I need to hold a Mobile Vending Special Event or operate after-hours?**

To hold a special event on private property with more than three (3) Mobile Vendors, operate on private property in excess of four (4) hours, or vend after-hours (between 10 p.m. and 7 a.m.), you must obtain a Temporary Use Permit (TUP) from the Planning Division located at City Hall.

### **What happens if I do not comply with Mountain View's City Code requirements?**

Failure to comply with the City's Mobile Vending requirements may result in suspension or revocation of your Mobile Vending Permit. You may also be subject to penalties, including, but not limited to, an administrative citation for penalties up to \$500 per violation per day and/or criminal penalties. The City may also pursue other legal remedies available under the law. For more information, see Section 15.22 of the City Code regarding suspension or revocation of a Mobile Vendor Permit and Section 15.14 regarding penalties for violations.