

RESOLUTION NO. 25-0123

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL AMENDING THE CITY'S COMPREHENSIVE FEE SCHEDULE TO INCLUDE MOBILE VENDING BUSINESS PERMIT FEES AND AN APPEAL FEE FOR DENIAL OR REVOCATION OF THE PERMIT

RECITALS

A. At the October 21, 2025, City Council Meeting, the Manhattan Beach City Council introduced Ordinance No. 25-0011 to amend Manhattan Beach Municipal Code Chapter 3.68 related to mobile vending businesses, and scheduled a Second Reading of the Ordinance for November 4, 2025.

B. If adopted, Ordinance No. 25-0011, would establish a Mobile Vending Business Permit ("Permit") process which involves staff time in reviewing the Permit application, ensuring compliance with the operating requirements of the Mobile Vending Program, performing a fire inspection and issuing the Permit.

C. Proposed Section 3.68.030 (Permit Application) of Ordinance No. 25-0011 requires that any person applying for a Mobile Vending Business Permit pay a non-refundable application fee in an amount established by resolution of the City Council.

D. The City of Manhattan Beach ("City") is empowered to impose reasonable fees, rates, and charges for municipal services. Periodically, the City Council determines that fees, rates, and charges should cover the costs reasonably borne or a substantial portion of the actual costs of the goods and services provided by the City.

E. The City Council adopts and amends the Comprehensive Fee Schedule periodically to ensure consistency with the City's Municipal Code and compliance with State law and transparency in cost recovery.

F. Ordinance No. 25-0011 requires that any mobile vendor that wants to appeal a denial of a permit application or revocation of a permit must file an appeal and the applicable appeal fee with the City Clerk within 15 days following notice of the decision.

BASED ON THE FOREGOING, THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City Council hereby finds that the proposed Mobile Vending Business Permit Fee and related Re-Review/Resubmittal Fees and Appeal Fee do not exceed the cost to the City for providing the services and determines that the proposed fees cover the costs reasonably borne or a substantial portion of the actual costs of the goods and services provided by the City. The City Council hereby approves the fee

analysis for the Mobile Vending Business Permit Fees and related Re-Review/Resubmittal Fees and Appeal Fee included in the staff report, and adopts the methodology for calculating and collecting the fees established therein. A copy of the fee analysis shall be on file with the City Clerk and available during regular City business hours for public inspection.

SECTION 2. The City Council hereby approves the Mobile Vending Business Permit Fees and related Re-Review/Resubmittal Fees and Appeal Fee for Denial or Revocation of the Permit as set forth in Exhibit A and amends the City's Comprehensive Fee Schedule to include said fees. The City Council also hereby authorizes and directs the Finance Director to make all necessary administrative revisions and updates to the City's Comprehensive Fee Schedule to be consistent with Council's direction in this Resolution.

SECTION 3. Proposed Municipal Code Section 3.68.050 (Permit Expiration and Renewal) provides that the Mobile Vending Business Permit renewal period shall run concurrently with the City issued business license. Thus, the initial Mobile Vending Business Permit application period will begin on February 1, 2026, and have a deadline to file and pay all related application fees by April 30, 2026, with a new permit required each anniversary thereafter.

SECTION 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or any part hereof is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion of this Resolution, or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared invalid or unconstitutional.

ADOPTED on November 4, 2025.

AYES:

NOES:

ABSENT:

ABSTAIN:

DAVID LESSER
Mayor

ATTEST:

LIZA TAMURA
City Clerk

EXHIBIT A

Approved Mobile Vending Business Permit Fees and
Appeal Fee for Denial or Revocation of the Permit
to be added as an Amendment to Citywide Comprehensive Fee Schedule

Exhibit A - Amendment to Comprehensive Fee Schedule

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CITYWIDE FEES

Row #	Category	Description	Current Fee/Charge	Notes	Full Cost	Subsidy %	Proposed Fee	Net Change	% Change	Annual Quantity
436	Mobile Vending Business Permit Fee	Cost Recovery for staff time in reviewing the permit application, ensuring compliance with the operating requirements of the Mobile Vending Program, performing a fire inspection and issuing the permit pursuant to Ordinance No. 25-0011 and Resolution No. 25-0123.	New		\$518.75	0%	\$518.00	\$518.00	New	6
437	Re-review/Resubmittal Fee for Mobile Vending Permit - Finance Department	Upon incomplete application, review of resubmitted Mobile Vending Business Permit materials. Fee is assessed per occurrence of incomplete application (Resolution No. 25-0123).	New		\$46.44	1%	\$46.00	\$46.00	New	N/A
438	Re-review/Resubmittal Fee for Mobile Vending Permit - Risk Management	Upon incomplete application, review of resubmitted insurance coverage or Indemnification and Hold Harmless Agreement. Fee is assessed per occurrence of incomplete application (Resolution No. 25-0123).	New		\$47.35	1%	\$47.00	\$47.00	New	N/A
439	Re-review/Resubmittal Fee for Mobile Vending Permit - Community Development	Upon incomplete application, review of resubmitted Mobile Vending Business Permit materials. Fee is assessed per occurrence of incomplete application (Resolution No. 25-0123).	New		\$115.27	0%	\$115.00	\$115.00	New	N/A
440	Re-review/Resubmittal Fee for Mobile Vending Permit - Fire Department	Re-inspection of Mobile Vending Truck following non-compliant results from initial inspection. Fee is assessed per occurrence of re-inspection (Resolution No. 25-0123).	New		\$83.59	1%	\$83.00	\$83.00	New	N/A
441	Appeal Fee for Denial or Revocation of Mobile Vending Business Permit	Appellants must deposit a fee of \$500 in connection with filing an appeal of a Mobile Vending Business Permit denial or revocation pursuant to Ordinance No. 25-0011. Following determination of appeal, remaining actual costs billed based on fully burdened hourly rates of staff involved in appeal process. Pursuant to Section 3.68.070 MBMC (Appeals), a mobile vendor whose permit was denied or revoked may appeal a decision of the Director to deny or revoke the mobile vending business permit may appeal the Director's decision to a Hearing Officer. The appeal and the applicable appeal fee shall be filed with the City Clerk within fifteen (15) days following the date of the Director's decision (Resolution No. 25-0123).	New		N/A	N/A	\$500.00 Deposit, plus Actual Costs	N/A	N/A	N/A