

## Chapter 3.68 - MOBILE FOOD VENDORS

### 3.68.010 - Authority.

Chapter 3.68 is adopted pursuant to the authority granted to the City of Manhattan Beach by Section 22455 of the California Vehicle Code, which permits local authorities to regulate the type of vending and the time, place and manner of vending from vehicles upon the street in order to promote public safety.

(§ 2, Ord. 2157, eff. March 23, 2012)

### 3.68.020 - Definitions.

For purposes of this chapter, the following words or phrases shall have the following meanings:

- A. "Food or food products" means any type of edible substance or beverage.
- B. "Mobile food vendor" means person that operates or assists in the operation of a vending vehicle.
- C. "Vend" or "vending" means to sell, offer for sale, display, barter, exchange, or otherwise give food or food products from a vending vehicle.
- D. "Vendor" means a person who vends, including an employee or agent of a vendor.
- E. "Vending vehicle" means any self-propelled, motorized device or vehicle by which any person or property may be propelled or moved upon a highway, excepting a device moved exclusively by human power, such as a vending cart operated by a sidewalk vendor pursuant to Chapter 6.24, or which may be drawn or towed by a self-propelled, motorized vehicle, from which food or food products are sold, offered for sale, displayed, bartered, exchanged or otherwise given.

(§ 2, Ord. 2157, eff. March 23, 2012; amended by § 2, Ord. 18-0025, eff. Feb. 1, 2019)

### 3.68.030 - Mobile food vendors in the right of way.

A mobile food vendor may locate its vehicle in the public right-of-way as long as the mobile food vendor adheres to the following standards and conditions:

- A. The vending vehicle is in full compliance with all parking and Vehicle Code provisions which apply to the location at which it is parked.
- B. The vending vehicle does not obstruct pedestrian or vehicular traffic.
- C. Vending is prohibited on the exposed street and/or traffic side of the vending vehicle.
- D.

The mobile food vendor shall not distribute any item from the vending vehicle in a manner that causes any person to stand in that portion of the street that is between the vehicle and the center of the street.

- E. The mobile food vendor shall not encroach onto a public sidewalk with any part of its vending vehicle or any other equipment or furniture related to the operation of its business.
- F. The mobile food vendor shall not keep, maintain or operate any vending vehicle upon any public street within three hundred feet (300') of the nearest property line of any property on which a school building is located between the hours of 7:00 a.m. and 5:00 p.m. of any school day. This prohibition will not apply if the school principal gives the mobile food vendor written permission to park on school property. The mobile food vendor shall provide a copy of that authorization to the City within five (5) days of its receipt.
- G. The mobile food vendor has a valid business license from the City.
- H. The mobile food vendor has a valid permit, certificate or other required approval from the Los Angeles County Department of Health.
- I. All food products sold or provided from the vending vehicle shall comply with all applicable food labeling requirements established by the State of California and the mobile food vendor must obtain all required permits, including without limitation, health permits, to sell or provide such items.
- J. No mobile food vendor shall engage in vending unless he or she maintains a clearly designated litter receptacle in the immediate vicinity of the vending vehicle, marked with a sign requesting use by patrons. Prior to leaving the location, the mobile food vendor shall pick up, remove and dispose of all trash generated by the mobile food vendor's operation located within a twenty-five-foot (25') radius of the mobile food vendor's location.
- K. The vending vehicle shall not operate within twenty-five feet (25') of any street intersection controlled by a crosswalk, traffic light, or stop sign.

(§ 2, Ord. 2157, eff. March 23, 2012)

#### 3.68.040 - Compliance with state and local laws.

- A. Mobile food vendors shall comply with all applicable state and local laws.
- B. This chapter is not intended to be enforced against pedestrian food vendors or against food vendors who operate human powered push carts and other non-self-propelled vehicles. Such vendors may be regulated by other chapters in this Code of by other state or local laws.

(§ 2, Ord. 2157, eff. March 23, 2012)