



**CITY OF OAKLAND**  
**APPLICATION FOR MOBILE VENDING PERMITS (2017)**

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031  
Zoning Information: 510-238-3911  
www.oaklandnet.com/planning

**Mobile Vending Applications are submitted to Counter 15 during the following hours:**  
10 - 11 a.m. / 2 - 3 p.m. Monday, Tuesday, Wednesday, Thursday, Friday  
Application Period: June 5 – July 7, 2017

**1. TYPE OF APPLICATION**

**Mobile Vending Permits for Individual Vendors**

- Type 1: Individual vendor on private property
- Type 2: Individual vendor on sidewalks
- Type 3: Individual vendors on public street right-of-way
  
- Truck or Trailer       Pushcart       Stationary cart       Food Bike

**2. GENERAL INFORMATION**

**APPLICANT / VENDOR NAME:** \_\_\_\_\_

**BUSINESS NAME (DBA):** \_\_\_\_\_

**VENDING ADDRESS:** \_\_\_\_\_

**NEAREST ADDRESS (IF VENDING FROM THE PUBLIC RIGHT OF WAY/ STREET OR SIDEWALK)** \_\_\_\_\_

**ASSESSOR'S PARCEL NUMBER (IF VENDING FROM PRIVATE PROPERTY):** \_\_\_\_\_

**DAYS OF WEEK / HOURS OF OPERATION:** \_\_\_\_\_

*To Be Completed By Staff*

CONFIRMATION OF FOOD VENDING PROGRAM AREA:  **Inside**       **Outside**

**FEES<sup>1</sup>:**      ENFORCEMENT FEE: \$ \_\_\_\_\_

APPLICATION FEE: \$ \_\_\_\_\_

NOTIFICATION FEE: \$ \_\_\_\_\_

**TOTAL FEES DUE:** \$ \_\_\_\_\_

<sup>1</sup>Fees are subject to change without prior notice. The fees charged will be those that are in effect at the time of application submittal. All fees are due at submittal of application.

### 3. APPLICANT AND PROPERTY OWNER INFORMATION

Original signatures or clear & legible copies are required.

Applicant / Vendor /: \_\_\_\_\_

Applicant / Vendor / Mailing Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Numbers: \_\_\_\_\_

E-mail: \_\_\_\_\_

#### *Vending from Private Property*

Attach lease, or letter of authorization from property owner.

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of food vending permits as determined by the Planning Director. I further certify that I am the owner in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature above.

I understand that approval of this application does not confer any form of permanent land use entitlement to the person, group, entity or property associated with this permit. I also understand that the food vending permit cannot be transferred or conveyed from the permit applicant, or otherwise assigned to another person or entity, without written permission from the Director of City Planning, or his or her designee.

I understand that the Applicant and/or Owner phone number listed above will be included on any public notice for the project.

I agree to abide by all local, state and federal requirements, including, by not limited to, those relating to minimum wage and sick leave.

**I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT ALL THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.**

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Date

#### 4. OTHER REQUIRED INFORMATION

Previous City of Oakland Permits

FV # \_\_\_\_\_ FC # \_\_\_\_\_

DMV Vehicle Registration

Registered Owner: \_\_\_\_\_

License Plate #: \_\_\_\_\_ Expires: \_\_\_\_\_

Driver's License / Photo ID

Number: \_\_\_\_\_ Expires: \_\_\_\_\_

Current Oakland Business Tax Certificate (if applicable)

Account Number: \_\_\_\_\_ Expires: \_\_\_\_\_

Alameda County Environmental Health Certificate

Account Number: \_\_\_\_\_ Vehicle Number: \_\_\_\_\_

Expires: \_\_\_\_\_

Commissary (where food vending facility(s) will be stored and serviced) or Commercial Kitchen

Name: \_\_\_\_\_ Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

- Proof of Commissary or commercial kitchen approval from Alameda County Department of Environmental Health;
- Proof of a valid lease between the facility operator(s) and a commercial kitchen or commissary;
- For a commissary in Oakland, proof of a valid City of Oakland Business Tax Certificate and Zoning Clearance.

## **5. REQUIRED NOTICING**

*Per O.M.C. 5.51.110 (B), Applicants are required to send notice of the proposed food vending operation to all persons shown on the last available equalized assessment roll as owning real property in the City, when located within three hundred (300) feet of the vending site; except that the notice area shall be limited to within:*

- one hundred (100) feet for vending sites located on Telegraph Avenue, between West MacArthur Boulevard and Alcatraz Avenue; and
- two hundred (200) feet for vending sites located on Leimert Boulevard between Clemens Road and Oakmore road; and
- two hundred (200) feet of the lot at the Southeast corner of the intersection of Mountain Boulevard and Werner Court.

When the City has reviewed an application for completeness, and evaluated it using the priority procedure (see O.M.C. 5.51.110 and Administrative Guideline 4b), the City will provide the Applicant with property owner addresses and street addresses within the required radius of the proposed vending site location. The paper notices will be prepared by the City, and copying and delivery of the notice will be the responsibility of the Applicant. A “good faith” effort to contact business owners is also required (physically delivering notices to current businesses). Notification must be provided by mail or hand delivery, and be completed by the Applicant as indicated on the notice provided by the City.

## **6. OAKLAND FIRE DEPARTMENT (IF APPLICABLE)**

*Per O.M.C. 5.51.120, vehicles using gas for cooking require an inspection and Fire Clearance from the Oakland Fire Department, Fire Prevention Bureau (250 Frank H. Ogawa Plaza; (510) 238- 3851; Hours: Monday- Friday 8:00 a.m. – 4:00 p.m.)*

- Does not Apply (No cooking gas is used during operations).
  
- A Fire Clearance is required. A copy of the approved Fire Clearance is submitted with this application.

**7. LATE NIGHT VENDING (IF APPLICABLE)**

*Late night vending is between the hours of 10 p.m. and 3 a.m. It is only permitted in certain locations.*

Does not Apply (Not vending during late night hours).

Does Apply; vending during late night hours:

**Geographic Area permitted for late night vending (See OMC Chapter 5.51.150 and Admin. Guidelines):**

Downtown     Jack London District     Eastlake     Fruitvale

Previously permitted under a prior City of Oakland “FV” permit (2001-2017).

**Factors for approval of late night vending:**

The location’s proximity to homes and residences: \_\_\_\_\_

Any history of complaints, or Police calls for service against the vendor/applicant: \_\_\_\_\_

How many parking spaces for customer parking and queuing: \_\_\_\_\_

Will the vending operation create noise, odors, or crowds which could cause a public nuisance?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **8. INSURANCE (IF APPLICABLE)**

*Vendors in the public street or sidewalk right-of-way must show proof of general liability insurance (per O.M.C 5.51.090 (P) and Administrative Guidelines 4e). Evidence of insurance will be needed to be issued a final permit.*

**Does not Apply (Not vending from Public Right-of-Way).**

**Does Apply; submit Proof of Insurance:**

Vendors who operate in the public right-of-way (streets and sidewalks) must show proof of, and maintain adequate commercial general liability insurance, automobile liability insurance, and, worker's compensation insurance (if there are employees). The City of Oakland sets insurance requirements in "Schedule Q<sup>1</sup>" which are summarized here for reference:

- i. "Commercial General Liability insurance shall cover bodily injury, property damage and personal injury liability for premises operations, independent contractors, products-completed operations personal & advertising injury and contractual liability." And, vendor "shall provide insured status naming the City of Oakland, its Councilmembers, directors, officers, agents, employees and volunteers as insured's under the Commercial General Liability policy."
- ii. Vendor "shall maintain automobile liability insurance for bodily injury and property damage liability with a limit of not less than \$1,000,000 each accident."
- iii. Vendor "certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code, which requires every employer to provide Workers' Compensation coverage, or to undertake self-insurance in accordance with the provisions of that Code."

<sup>1</sup> <http://www2.oaklandnet.com/oakca1/groups/contracting/documents/form/oak023255.pdf>  
Mobile Vending Application (6/5/17.1)

## 9. VENDORS ON PUBLIC STREET RIGHT OF WAY (IF APPLICABLE)

*Vendors selling in pre-designated spaces in the public street right-of-way fill out this section. Each street vending location requires a separate application fee. If more than one application is received per location, the City will use a randomized lottery, with the vendors present, to issue the permits.*

Does not Apply (Not vending from Public Street Right-of-Way).

Does Apply:

Street Vending Location # \_\_\_\_\_

Preferred days of the week: \_\_\_\_\_

Preferred vending shifts:

- Breakfast (7 a.m. - 11 a.m.)
- Lunch (11 a.m. - 3 p.m.)
- Dinner (3 p.m. - 8 p.m.)

Street Vending Location # \_\_\_\_\_

Preferred days of the week: \_\_\_\_\_

Preferred vending shifts:

- Breakfast (7 a.m. - 11 a.m.)
- Lunch (11 a.m. - 3 p.m.)
- Dinner (3 p.m. - 8 p.m.)

Street Vending Location # \_\_\_\_\_

Preferred days of the week: \_\_\_\_\_

Preferred vending shifts:

- Breakfast (7 a.m. - 11 a.m.)
- Lunch (11 a.m. - 3 p.m.)
- Dinner (3 p.m. - 8 p.m.)

*For additional street vending locations, use additional pages from the application form*

## 10. SCHOOLS WAIVER OF BUFFER DISTANCE (IF APPLICABLE)

*Vendors selling within 300 feet of a school, between the hours of 6 a.m. to 6 p.m., Monday through Friday, must show proof of approval from the Oakland Unified School District Nutrition Services, which will confirm that food sales comply with healthy nutritional guidelines. Waiver for Charter or Private schools are approved by their supervising entity<sup>2</sup>.*

Does not Apply (Not vending within 300 feet of a School).

Does Apply:

Name of OUSD School: \_\_\_\_\_

Address of OUSD School: \_\_\_\_\_

The following Charter schools are served by OUSD Nutrition Services, and vending within 300' of these schools requires this waiver:

- ASCEND (530 18th St.)
- Bay Tech (8251 Fontaine St.)
- Community School for Creative Education (2111 International Blvd.)
- Envision (1515 Webster St.)
- KIPP (1700 Market Street)
- Learning Without Limits (2035 40th Ave.)
- Oakland School for the Arts (530 18th St.)

*I, the undersigned, have attached a copy of my menu, which shows that customers will be able to buy "healthy foods," including, but are not limited to: Fruits; Non-fried vegetables; dairy foods; food made from nuts, seeds, legumes, cheese; foods made from whole grains (defined as 51% or more); foods which do not contain trans-fat. Beverages for sale in this definition include: water; 100% fruit or vegetable juice; nonfat and 1% milk (including nonfat chocolate milk); and non-dairy milk, such as soy. I understand that no sugar-sweetened beverages are in this definition. I understand that no candy or soda are considered "healthy" under these guidelines.*

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

OUSD Nutrition Services review:

- Time of day when food vending is prohibited (i.e. lunch): \_\_\_\_\_  
(this is to be completed by OUSD Nutrition Services)

Approve waiver

Deny Waiver

More Information

OUSD Signature: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>2</sup> See list of approved Charters: [http://www.ousdcharters.net/uploads/4/1/6/1/41611/charter\\_schools\\_updated11.7.2016.pdf](http://www.ousdcharters.net/uploads/4/1/6/1/41611/charter_schools_updated11.7.2016.pdf)

## 11. RESTAURANT WAIVER OF BUFFER DISTANCE (IF APPLICABLE)

*Per O.M.C. 5.51.050 (B) (3), Vendors selling within these buffer distances of a café or restaurant (open during the same hours as the vendor), measured from the front door of the restaurant, must show a signed waiver from the restaurant owner(s) within the buffer distances.*

Three hundred (300) feet for vending sites in the permitted area; with the exception of:

- One hundred (100) feet for vending sites located on Telegraph Avenue, between West MacArthur Boulevard and Alcatraz Avenue; and
- Two hundred (200) feet for vending sites located on Leimert Boulevard between Clemens Road and Oakmore road; and
- Two hundred (200) feet of the lot at the Southeast corner of the intersection of Mountain Boulevard and Werner Court.

**Does not Apply (Not vending within 300 feet of a restaurant or cafe).**

**Does Apply:**

Café / Restaurant #1 Name \_\_\_\_\_

Address \_\_\_\_\_

Owner Name: \_\_\_\_\_

*For the owners of a restaurant or café within a buffer distance of a site where a food vendor is seeking a permit to vend food: With my signature, I recognize this application from a food vending business to sell from a location that is within a buffer distance established by the Oakland City Council in O.M. C. 5.51.050 (B). Further, with my signature, I waive the buffer distance, as permitted in 5.51.050 (B)(3), and the food vendor will apply to the City for a permit.*

**Owner Signature:** \_\_\_\_\_

Café / Restaurant #2 Name \_\_\_\_\_

Address \_\_\_\_\_

Owner Name: \_\_\_\_\_

*For the owners of a restaurant or café within a buffer distance of a site where a food vendor is seeking a permit to vend food: With my signature, I recognize this application from a food vending business to sell from a location that is within a buffer distance established by the Oakland City Council in O.M. C. 5.51.050 (B). Further, with my signature, I waive the buffer distance, as permitted in 5.51.050 (B)(3), and the food vendor will apply to the City for a permit.*

**Owner Signature:** \_\_\_\_\_

Café / Restaurant #3 Name \_\_\_\_\_

Address \_\_\_\_\_

Owner Name: \_\_\_\_\_

*For the owners of a restaurant or café within a buffer distance of a site where a food vendor is seeking a permit to vend food: With my signature, I recognize this application from a food vending business to sell from a location that is within a buffer distance established by the Oakland City Council in O.M. C. 5.51.050 (B). Further, with my signature, I waive the buffer distance, as permitted in 5.51.050 (B)(3), and the food vendor will apply to the City for a permit.*

**Owner Signature:** \_\_\_\_\_

*For additional restaurants, use additional pages from the application form*

## 12. PARKS (IF APPLICABLE)

*Individual vendors selling in a City of Oakland Park in the Permitted Food Vending Area requires a separate and additional approval from the Oakland Parks and Recreation (OPR) Central Reservations office, to ensure no conflict with other Parks rentals or users.*

***Per Administrative Guideline 9:***

- The Park must be within the permitted vending area and located downtown, or Lakeshore Park (Lake Merritt).
- Any proposed vending location in a Park which is also within three hundred (300) feet of a school will be evaluated according to the OUSD “Healthy Food” guidelines (see Section 9, above).
- Vending inside Parks is limited to four (4) hours daily.
- The vending location in a Park should be oriented away from residences (some Parks are adjacent to residences); locations for vending should preferably be in the section of a Park which front onto a major street, when possible.
- Fees to OPR for food vending are those in the 2017-2018 Master Fee Schedule.

**Does not Apply (Not vending in a City of Oakland Park)**

**Park which vendor is applying to vend:** \_\_\_\_\_

**Days and Hours of proposed vending:** \_\_\_\_\_

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***OPR Review:***

**Approve application**

**Deny Application**

**More Information**

OPR Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## 13. SUBMITTAL PROCEDURE AND REQUIREMENTS

The following information and drawings must be included in the submittal package for your application. Planning staff reserves the right to require additional information as needed.

**The following items are required for ALL applications unless otherwise noted.  
Each and every item is required at the time of application submittal.  
APPLICATIONS WITH MISSING ITEMS WILL NOT BE ACCEPTED.  
Application fees are due at the time of application submittal.**

### **For Intake:**

#### **1. Completed Mobile Vending Application**

- This application form signed and completed. Original signatures or clear & legible copies are required.

#### **Vendor-Required Documents:**

- Photocopy of valid California Driver's License or valid ID for Applicant
- Photographs (showing different views) of the proposed site
- Photographs (showing different views) of the vending vehicle/truck
- Sample, photo, or rendering of all proposed signs
- The proposed menu of items to be offered at the food vending facility(s)
- Proof of all required approvals from the Alameda County Department of Environmental Health for the proposed food vending facility(s)
- Proof of CA Seller's Permit for Applicant
- Proof that the food vendor(s) has a valid City of Oakland Business Tax Certificate
- Late night vending details (See Section 7)
- Proof that within 200 feet of the vending site, the vendor has access to a restroom for themselves and their employees.
- Waiver from restaurant owners within buffer distance, if applicable (see Section 11)

#### **Site Plan and Map**

- If on private property: scaled or dimensioned **Site Plan** displaying two nearest street intersections and exact street address of vendor and depicting:
  - proposed location and arrangement of vendor/s;
  - Assessor's Parcel Number of the subject or nearest parcel,
  - any public seating or other site amenities, including chairs and tables, buildings, or other structures on site, paved areas, driveways, trash receptacles, garages, parking spaces, maneuvering aisles, and pavement striping;
- If in the public street or sidewalk right-of-way: location and dimensions of the proposed food vending facility(s), sidewalks, curb cuts, trash receptacles, and obstructions such as parking meters, telecommunication boxes, street trees, and light poles.

#### **For provisional permit:**

- Maintenance plan, including litter pickup and cleaning in the vicinity of the individual food vending facility
- Proof of Insurance, if applicable (see Section 8)
- Proof of Fire inspection and clearance (see Section 5)
- Approval from Oakland Parks and Recreation, if vending from a City of Oakland Park, (See Section 12)
- Waiver from school, within buffer distance, if applicable (see Section 10)
- Proof of mailed or delivered written notice (see Section 5)