

# MOBILE VENDING

A mobile vendor is a person who sells food or merchandise by means of a motorized or nonmotorized vehicle, such as a catering truck, motorized cart, food truck, or other itinerant method, upon a public right of way or other public space. To ensure a seamless transition into full and compliant operations, the City of Lindsay has created this Mobile Vendor Packet.

## Mobile Vendor Packet Contents

- Mobile Vending Permit Application
- City of Lindsay Business License Application
- Mobile Vending Regulations

## Getting Started

The information below provides a general overview of the agencies that you may need to contact before you begin your mobile vending business.

**Choose a business name. If you will be using a name other than your given name, name of your LLC or corporation, you must file a Fictitious Business Name with the Tulare County Clerk.**



***Food Vendors Only* - Contact the County of Tulare Department of Environmental Health to apply for a Mobile Food Facility permit.**



**Contact the City of Lindsay's Department of City Services to apply for a Mobile Vending Permit and Business License.**



## **Ordinance No. 593**

On 1/25/2022 the City Council of the City of Lindsay approved an ordinance allowing for the operation of mobile vendors.

## Important Contact Information

### **Tulare County Clerk**

Courthouse, Room 105  
221 S. Mooney Blvd  
Visalia, California 93291  
<https://www.tularecounty.ca.gov>  
(559) 636-5051

### **Tulare County Environmental Health Division**

5957 S Mooney Blvd  
Visalia, CA 93277  
<http://tularecountyeh.org>  
(559) 624-7400

### **City of Lindsay Department of City Services**

151 N Mirage Ave  
Lindsay, CA 93247  
[www.lindsay.ca.us](http://www.lindsay.ca.us)  
(559) 562-7102



# CITY OF LINDSAY MOBILE VENDING PERMIT APPLICATION

For an application to be accepted, all supplemental information required by Municipal Code 5.37.030 Authority to Operate in the City must be included with this application and the application fee.

PLEASE PRINT OR TYPE

Name of Applicant \_\_\_\_\_ Business Telephone \_\_\_\_\_

Name of Business (if applicable) \_\_\_\_\_

Business Address \_\_\_\_\_

Name of Business Operator \_\_\_\_\_ Title \_\_\_\_\_

Identification:  Driver's License  State ID  Passport  Other: \_\_\_\_\_

Identification Number: \_\_\_\_\_ Issuer: \_\_\_\_\_

Applicant's Residence Address \_\_\_\_\_

Email \_\_\_\_\_ Applicant's Phone Number \_\_\_\_\_

Ownership Type  Sole Proprietor  LLC  Corporation  Partnership

Hours of Operation (Hours) \_\_\_\_\_ (Days) \_\_\_\_\_

Items Being Sold  Merchandise  Food/Drinks  Both

Type(s) of merchandise sold \_\_\_\_\_

Type(s) of food/drinks sold \_\_\_\_\_

List all persons/employees that will be vending with you or in place of you:  
\_\_\_\_\_

I declare under penalty of perjury the information entered on this form is true and correct to the best of my knowledge and belief. As a condition for the issuance of the permit applied for, I agree to submit any additional information required and to conduct all phases of this business in conformance with applicable laws, ordinances, and regulations established for such business. **By signing below I certify that I will comply with all applicable local, state and federal laws and acknowledge that I have read Municipal Code Title 5 Section 37 Mobile Vending Regulation.**

Date \_\_\_\_\_ Signature \_\_\_\_\_

(Return to the City of Lindsay Department of City Services, 150 N. Mirage Ave., Lindsay, CA 93247 or email [amejia@lindsay.ca.us](mailto:amejia@lindsay.ca.us). For more information, please call 559.562.7102 x 4)

### FOR OFFICE USE ONLY

Date Received \_\_\_\_\_ Permit Type \_\_\_\_\_ Amount \_\_\_\_\_ How Paid \_\_\_\_\_ Initials \_\_\_\_\_



## CITY OF LINDSAY MOBILE VENDING PERMIT APPLICATION

Location(s)/Address Requested<sup>1</sup>:

Time of Operations:

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<sup>1</sup> All requested locations including City streets, parking lots, etc., are not 100% guaranteed or reserved to be available before and/or after approval.

Note: Any change in ownership or address requires a new application

# City of Lindsay Business License Application



FOR CITY USE ONLY

Acct.# \_\_\_\_\_

Class \_\_\_\_\_

Cat. Code \_\_\_\_\_

Bus. Group \_\_\_\_\_

1-Day  Semi-annual  Quarterly

Change of  Owner  Name  Location

Business Name \_\_\_\_\_ Location of Business \_\_\_\_\_

Type of Business \_\_\_\_\_ Email \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Email \_\_\_\_\_ Phone: ( ) \_\_\_\_\_ Est. Monthly Gross Receipts \_\_\_\_\_

Type:  Single Owner  Partnership  Corporation Name of Corporation (if applicable): \_\_\_\_\_

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

Owner Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

State ID# \_\_\_\_\_ Fed. ID# (if applicable) \_\_\_\_\_ Board of Equalization # \_\_\_\_\_

State License# \_\_\_\_\_ Business Start Date or Date of Relocation \_\_\_\_\_

## Business License Questionnaire

Fully describe/explain the nature of the business below in the space provided and then answer each question listed below

Yes No

1. WILL THE BUSINESS INSTALL, MODIFY, REHABILITATE A SIGN? IF YES, APPLY FOR BUILDING PERMIT AND COMPLETE "SIGN PERMIT ATTACHMENT F".

2. Will the building be used for education, instruction, daycare, worship, or dining? If yes, how many square feet will you be using? \_\_\_\_\_ What is the maximum number of people anticipated at any given time?

3. Will the business operation include selling or serving alcoholic beverages? If yes, what type of ABC license? \_\_\_\_\_ What is the size in square feet of the seating area? \_\_\_\_\_

4. Is this a home business? If Yes, you must apply for a Home Occupation Permit in addition to this application. Attached \_\_\_ Yes \_\_\_ No

5. Will the business operation include the sales or serving of tobacco products? If yes, what is the tobacco resale number? \_\_\_\_\_ What type of tobacco products will be sold? \_\_\_\_\_

6. Will the business operation include any work, use, or storage conducted outside of a wholly enclosed building? If yes, explain \_\_\_\_\_

7. Will the business change the occupancy? If yes, specify: \_\_\_\_\_

8. Will the business operation include discharging any waste, wastewater, or rinse water to the ground, street, or storm drain?

9. Will the business operation include washing of any equipment or vehicles?

10. Is the business a mobile car wash or car detailing business? **These businesses must be mobile, NEVER stationary.**

11. Will the business operation include the repair or maintenance of motor vehicles?

12. Will the business operation include motor vehicle fuel dispensing including gasoline, diesel, compressed natural gas, liquefied natural gas, liquefied petroleum gas (propane), or hydrogen gas?

13. Will the business operation include any use, processing, handling, storage, or discharge of chemicals, including hazardous chemicals and solvents?

14. Will the business generate any hazardous waste or e-waste at this site?
15. Will the business operation include sanding, cutting, or shaping of wood, metal, plastic, or other products producing combustible dust or fibers?
16. Will the business operation include manufacturing? If yes, specify \_\_\_\_\_
17. Will the business operation include the preparation of food or beverages? If food is prepared, must include organic recycling in refuse collection if the business generates 2 cubic yards/per week or more of solid waste. See below.
- 18. Commercial Utility Account:**

Before opening a commercial account, you will need the following.

- Copy of a lease agreement or proof of ownership.
- Have a signature on the business license by Planning ONLY (this will verify that your business is an allowed use at the location)
- Have paid the inspections fees
- Refuse assessment by Mid Valley Disposal. Contact Ricardo Torres at ricardot@midvalleydisposal.com or at 559-238-7998 (to obtain the type of services your business will need:

**Recycle:** \_\_\_\_\_ (\_\_\_)/week    **Green waste:** \_\_\_\_\_ (\_\_\_)/week    **Trash** \_\_\_\_\_ (\_\_\_)/week

**Organic:** \_\_\_\_\_ (\_\_\_)/week    **Locking Bins:** \_\_\_ Yes \_\_\_ No

\_\_\_\_ Are you requesting self-hauling of any of the refuse services above mention? If YES, customer must obtain approval and signature from Mid Valley Disposal Recycling Coordination as well as to submit the REFUSE SELF HAUL CERTIFICATION FORM. Attached \_\_\_ Yes \_\_\_ No

<b>Self-Haul Certification Authorization:</b>			
Approved By: _____	Recycle	Green Waste	Cooking Oil
<b>Mid Valley Recycling Coordinator</b>			
Approval Date: _____	Reference No: _____		
Received Self-Haul Certification Form: ___ Yes ___ No			

**19. BUILDING OWNER/PROPERTY MANAGEMENT COMPANY INFORMATION**

Select one:      Building Owner                      Property Management Company

Name \_\_\_\_\_

Address \_\_\_\_\_ City and Zip \_\_\_\_\_

Telephone contact \_\_\_\_\_

Approval of the Business License Application does not alleviate the business owner/applicant from obtaining the required building permits for previously unpermitted construction or any proposed improvements.

**20. Disability Access**

UNDER FEDERAL AND STATE LAW, COMPLIANCE WITH DISABILITY ACCESS LAWS IS A SERIOUS AND SIGNIFICANT RESPONSIBILITY THAT APPLIES TO ALL CALIFORNIA BUILDING OWNERS AND TENANTS WITH BUILDINGS OPEN TO THE PUBLIC. YOU MAY OBTAIN INFORMATION ABOUT YOUR LEGAL OBLIGATIONS AND HOW TO COMPLY WITH DISABILITY ACCESS LAWS AT THE FOLLOWING AGENCIES:

- DIVISION OF THE STATE ARCHITECT: <https://www.dgs.ca.gov/dsa>
- DEPARTMENT OF REHABILITATION: <https://www.dor.ca.gov/Home/DisabilityAccessServices>
- CALIFORNIA COMMISSION ON DISABILITY ACCESS: <https://www.dgs.ca.gov/CCDA>

## 21. Acknowledgements

I ACKNOWLEDGE AND UNDERSTAND THAT IT IS THE RESPONSIBILITY OF THE APPLICANT/LICENSEE TO ENSURE THEIR BUSINESS COMPLIES WITH ALL APPLICABLE CITY OF LINDSAY MUNICIPAL CODES, CITY ZONING ORDINANCES AND STATE AND FEDERAL LAWS. NON-COMPLIANCE MAY RESULT IN THE REVOCATION OF YOUR CITY OF LINDSAY BUSINESS LICENSE. *THE CITY OF LINDSAY RECOMMENDS BUSINESS OWNERS CONTACT THE CITY OF LINDSAY'S PLANNING DEPARTMENT AT (559) 562-7102 EXT 4 **PRIOR TO RENTING, LEASING OR PURCHASING A PROPERTY TO VERIFY THEIR PROPOSED USE COMPLIES WITH THE CITY OF LINDSAY'S ZONING ORDINANCE.***

I FURTHER UNDERSTAND THAT THE FOLLOWING APPLIES TO BUSINESSES WHO ARE MAKING APPLICATION FOR A CITY OF LINDSAY BUSINESS LICENSE (***Please initial beside each item to acknowledge you have read and understand***):

\_\_\_\_\_ All signage must be reviewed and approved by the City of LINDSAY's City Services and Planning Department. Please contact (559) 562-7102 EXT 4 regarding sign permits **PRIOR TO** installation of **ANY** signage.

\_\_\_\_\_ All modifications, other than aesthetic changes (i.e. painting, flooring), to a structure located within the City of LINDSAY are subject to approval and issuance of a City of LINDSAY Building Permit. These include, but are not limited to, repairs and improvements to plumbing, electrical and mechanical systems. Please contact the City of LINDSAY's City Services Department at (559) 562-7102 EXT 4 **PRIOR TO** any alteration or modification of any building or structure to determine if a building permit is required.

\_\_\_\_\_ Trash and recycling services **ARE MANDATORY** in the City of LINDSAY.

\_\_\_\_\_ A business license will not be issued until the application has been reviewed by the Planning Department to determine if any land use approvals (i.e., discretionary permits) are necessary for compliance with zoning regulations. To confirm the zoning of your business, please contact the City of LINDSAY's Planning Department at (559) 562-7102 EXT 4.

\_\_\_\_\_ The business location will be required to maintain parking lots and existing landscaping if they are determined to need repair. The City of LINDSAY's Planning Department may require landscape for sites that do not have current landscaping. Lot frontage maintenance is the responsibility of the business at this location.

\_\_\_\_\_ Dependent on the type of tenant improvements which are proposed as part of your business, the site may be required to conform to all Americans with Disabilities Act (A.D.A.) improvements. It is advised that regardless, A.D.A. improvements be made to protect you, the business and/or property owner, from potential litigation. *Consultation with a Certified Access Specialist (CAsp) is strongly advised.*

\_\_\_\_\_ Contractors shall provide verification of Workers' Compensation Insurance coverage, if required by California law.

\_\_\_\_\_ To determine if an interceptor (ex, grease traps) is required or if an existing interceptor needs to be serviced in relation to the type of business operation you will be conducting (i.e. restaurant, food preparation, car/truck wash, etc.), please contact the City Services Department at (559) 562-7102 EXT 4

\_\_\_\_\_ Food vendors, retailers, and/or restaurants must obtain a Tulare County Environmental Health Permit prior to obtaining a business license from the City of Lindsay.

PRIOR TO THE ISSUANCE OF A BUSINESS LICENSE, THE CITY WILL CONDUCT AN INSPECTION OF THE BUSINESS LOCATION, IF LOCATED WITHIN THE INCORPORATED CITY LIMITS OF LINDSAY. THE PREMISES WILL BE INSPECTED **PRIOR TO** THE BUSINESS OPENING FOR BUSINESS AND MUST BE SET UP AND/OR STOCKED. IF THE CITY CANNOT CONTACT THE APPLICANT WITHIN 60 DAYS OF THE APPLICATION DATE, THE APPLICATION WILL CONSIDERED WITHDRAWN, AND ALL FEES PAID WILL BE NONREFUNDABLE.

SUBMITTAL OF A BUSINESS LICENSE APPLICATION AND PAYMENT OF FEE(S) DOES NOT CONSTITUTE AN APPROVAL OF A LICENSE TO OPERATE A BUSINESS. ***NO BUSINESS SHALL OPERATE UNTIL THE BUSINESS LICENSE HAS BEEN APPROVED AND ISSUED BY THE CITY OF LINDSAY.***

**CAUTION!**

Payment of Business Tax does not authorize payer to engage in a business or profession contrary to city ordinances (including zoning ordinances) or state and federal regulations

Sales and Use Tax may apply to your business activities. You may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization Office

**I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

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**FOR CITY USE**

APPROVAL DATES	REMARKS	INSPECTION FEE	FEES	
Planning		Building \$	Regular	\$
Building		Fire \$	Application	\$
Fire		Total Insp Fee \$	CASP	\$
Tulare County Health		PAID DATE:	<b>TOTAL AMOUNT DUE</b>	\$
		RECEIPT #:		
APPROVAL SIGNATURES				
PLANNING DEPT.	BUILDING DEPT.	FIRE DEPT.	OTHER	

<b>Zoning Classification</b> _____	<b>Fire Zone District</b> _____
<b>Address</b> _____	<b>Areas and Neighborhood</b> _____
<b>APN</b> _____	
<b>Class of Building</b> _____	<b>Occupancy Capacity</b> _____

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## MOBILE VENDING REGULATIONS

### 5.37.050 Operational requirements

Mobile food vendors shall comply with the following standards:

#### General Provisions

1. Noise and amplified music shall comply with all applicable noise standards.
2. Exterior lighting must be hooded or shielded so as to not negatively impact vehicles and other uses in the vicinity of the mobile food truck.
3. The mobile food vendor must comply with all city, state, and federal laws. While operating in the public right-of-way, mobile vendors shall follow all applicable traffic laws and parking regulations, including time limits, and no-parking zones.
4. The sale of alcohol and tobacco products is prohibited.
5. Vendors shall not use or permit use of parking spaces on the site (e.g., customer queuing, tables, chairs, portable restrooms, signs, and any other ancillary equipment) if doing so will adversely affect the required off-street parking available for the primary use(s) of the site during peak periods as determined by the Director of City Services and Planning, or their designee.
6. The mobile vendor shall at all times ensure that the operation of the mobile food truck does not unreasonably interfere with the flow of pedestrian traffic and restricts access for persons with disabilities.
7. The mobile food vendor shall provide waste removal and shall be responsible for the collection and separation of trash/debris, organic waste, and recycling after each stop. "Trash" includes material dispensed by the vendor as well as items that may be left by customers. Prior to leaving a location, the mobile food vendor shall ensure all trash within a 25-foot radius is picked up, regardless if the trash originated from the food truck.
8. Display of Permit and Information. No mobile food vendor shall operate in the city without conspicuously displaying on their person or vehicle the city-issued mobile food vendor permit and Tulare County Department of Environmental Health permit.
9. No vending shall occur between the hours of 12:00 a.m. and 7:00 a.m. and no overnight parking shall be permitted. On a case-by-case basis, the Director of City Services and Planning, or their designee, may require shorter hours of operation or allow longer hours of operation depending on the type of vending and location.

#### Restaurant and School Spacing for Mobile Food Vendors

- a. Vendors shall not operate within fifty (50) feet of an existing brick and mortar restaurant during the restaurant's normal business hours, with the following exceptions:
  - i. The mobile food vendor is operating as part of a City approved special event.



- ii. The mobile food vendor has prior written permission of a restaurant owner to operate on the property of that existing business.
- b. Mobile food vendors shall not operate within three hundred (300) feet of a school, except with written approval from the Lindsay Unified School District, between the hours of 7:30 a.m. and 3:30 p.m.

A mobile food vendor may not operate within exclusively residential districts except as follows:

- a. On properties for nonresidential uses, such as schools and religious assembly facilities, with prior written authorization from the property owner.
- b. On properties where the mobile food vendor has been hired to cater at a private residence at no cost to the guests.

### Mobile Vending on Public Property

#### City Parks

- a. Lindsay City Park

Mobile food vendors may only park and sell along the South side of Ono City Parkway for a maximum of 4 hours during the hours of 7:00 a.m. and 8:00 p.m., except when a City approved special event is taking place.

- b. Olive Bowl Park

Mobile food vendors may park along South Olive Avenue and West Apia Street for a maximum of 4 hours during the hours of 7:00 a.m. and 8:00 p.m., except when a City approved special event is taking place.

#### City Hall

- Mobile food vendors may park along Honolulu directly in front of City Hall only with written permission from the Director of City Services and Planning, or their designee.

#### Downtown

- Mobile Food Vendors may utilize public parking lots in the Central Business District (CBD) of the Central Commercial zone so long as the operation does not unreasonably interfere with the flow of pedestrian and vehicle traffic and restricts access for persons with disabilities, except when a City approved special event is taking place.



## REGLAS PARA COMERCIOS AMBULANTES DE ALIMENTO

5.37.050 Requisitos de operación

Comercios ambulantes de alimento necesitan seguir las siguientes reglas:

### Reglas generales

1. Ruido y música amplificada seguirá las reglas de ruido aplicables.
2. Luz exterior será tapada para no impactar negativamente a vehículos u otros usos en cerca de la camioneta de alimentos ambulantes.
3. El vendedor de alimento seguirá leyes municipales, estatales y federales. Mientras operando en el pase público, los vendedores tendrán que seguir todas las leyes aplicables de tráfico y de estacionamiento, incluyendo límites de tiempo para zonas en cual no se permita estacionarse.
4. La venta de alcohol y tabaco es prohibida.
5. Vendedores no usaran ni permitirán el uso de espacios de estacionamiento (p.ej., línea de clientes, mesas, sanitarios portátiles, letreros o cualquier otro tipo de equipo adicional) si causara efectos adversarios para el estacionamiento disponible para el uso principal del sitio durante horas pico, como determinado por el director de servicios municipales y de planificación, o su designado.
6. El comerciante ambulante se asegurará a todas horas, que el negocio no interfiera sin razón, con el tráfico peatonal y restrinja acceso para personas discapacitadas.
7. El comerciante ambulante quitará basura y será responsable de la colecta y separación de basura, basura orgánica y reciclaje. "Basura" incluye material del vendedor y los clientes. Antes de desocupar el sitio, el vendedor se asegurará que toda la basura dentro de un radio de 25 pies sea recogida, independiente si la basura haya originada del comercio ambulante.
8. Muestra del permiso e información. Ningún comerciante ambulante operara en la ciudad sin mostrar su permiso de comercio ambulante y del departamento de salud ambiental del condado de Tulare.
9. Ninguna venta ocurrirá dentro de las horas de 12:00 a.m. y 7:00 a.m. Tampoco se permitirá dejar su vehículo por la noche. Dependiendo de cada caso, puede que el director de servicios municipales y planificación o su designado, requiera un horario mas corto o permita un horario mas largo, dependiendo del tipo de venta y ubicación.

### Límites de espacio para restaurantes y escuelas

- a. Vendedores no operaran dentro de cincuenta (50) pies de un restaurante existente durante las horas regulares del restaurante, al menos que:
  - i. El comercio de alimento ambulante sea parte de un evento especial aprobado por la ciudad.

ii.El comercio de alimento tenga permiso en escritura del dueño del restaurante para operar su negocio dentro de la propiedad de ese restaurante ya existente.

- b. Un comercio de alimento ambulante no operara dentro de trecientos (300) pies de una escuela, excepto si tenga permiso en escritura del distrito de escuelas de Lindsay, de las horas de 7:30 a.m. a 3:30 p.m.

Un comerciante ambulante no operara dentro de distritos exclusivamente designados para uso residencial, con la excepción de:

- a. Propiedades para uso no-residencial, como escuelas, lugares de congregación religiosa, con permiso en escritura del dueño de la propiedad.
- b. Propiedades donde el comerciante ambulante ha sido contratado para servir en una residencia privada sin costo a los invitados.

### Comercio ambulante en propiedad pública

#### Parques

- a. Lindsay City Park

Comerciantes ambulantes solo podrán estacionar y hacer venta en el lado sur de Ono City Parkway por 4 horas máximo de las 7:00 a.m. a las 8:00 p.m., excepto durante un evento especial aprobado por la ciudad.

- b. Olive Bowl Park

Comerciantes ambulantes podrán estacionar por South Olive Avenue y West Apia Street por 4 horas máximo de las 7:00 a.m. a las 8:00 p.m., excepto durante un evento especial aprobado por la ciudad.

#### City Hall

- Comerciantes ambulantes podrán estacionarte por Honolulu Street directamente en frente de City Hall, solo con permiso en escritura del director de servicios municipales y planificación, o su designado.

#### El centro "Downtown"

- Comerciantes ambulantes podrán utilizar estacionamientos públicos en el Distrito de Negocios Centrales ("CBD") en la zona de comercio central (CC) mientras no interfiera con el flujo de tráfico peatonal y vehicular y restrinja acceso para personas discapacitadas, excepto cuando un evento especial aprobado por la ciudad este ocurriendo.