

# **ORDINANCE NO. 2008-008**

Adopted by the Sacramento City Council

February 26, 2008

## **AN ORDINANCE AMENDING CHAPTER 5.68 OF THE SACRAMENTO CITY CODE RELATING TO FOOD VENDING VEHICLES AND SECTION 5.88.030 OF THE SACRAMENTO CITY CODE RELATING TO STREET AND SIDEWALK SALES**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

### **BACKGROUND**

Section 1.

The City Council hereby declares and finds that:

- A. The operation of food vending vehicles provides convenient food and beverage service to people in the City of Sacramento at locations where such service may otherwise be unavailable.
- B. Ensuring that food vending vehicles are operated safely benefits the health, safety and welfare of all residents of the City of Sacramento.
- C. Regulating the location and hours of operation of food vending vehicles also benefits the health, safety and welfare of City residents because the operation of food vending vehicles at inappropriate hours, at inappropriate locations, or in any one location for prolonged periods of time creates traffic hazards, the blockage of adjacent sidewalks to pedestrians, and unwanted noise, littering and loitering at that location.
- D. The regulation of food vending vehicles on private property is also consistent with the City's interests in the aesthetics of the community and in promoting permanent development on private property.
- E. In enforcing the provisions of this ordinance, City law enforcement will work in cooperation with the County of Sacramento.

Section 2.

Chapter 5.68 of the Sacramento City Code is hereby amended to read as follows:

Chapter 5.68 FOOD VENDING VEHICLES

5.68.010 Definitions.

“Commercial and Hospital Zoning Districts” means OB, EC, SC, C-1, C-2, C-3, and H zoning districts as established pursuant to Title 17 of this code.

“Director” means the City’s Director of Finance, or his or her designee.

“Food vending vehicle” includes any motor vehicle from which any type of food or beverage is sold or offered for sale directly to any consumer; provided, however, that “food vending vehicle” shall not include a vehicle that only delivers food or beverage products ordered by home delivery customers.

“Heavy Commercial and Industrial Zoning Districts” means C-4, M-1, M-1S, M-2, M-2, MRD, and MIP zoning districts as established pursuant to Title 17 of this code.

“Operate a food vending vehicle” means to drive, occupy, or otherwise use a food vending vehicle, to sell, offer to sell, or display for sale, any type of food or beverage.

“Residential or Open Space Zoning Districts” means RE, R-1, R-1A, R-1B, R-2, R-2A, R-2B, R-3, R-3A, R-4, RMX, RO, AOS, F, and ARP-F zoning districts as established pursuant to Title 17 of this code.

“Vendor” means any person who operates a food vending vehicle.

5.68.020 Food vending vehicle permit required.

- A. It is unlawful for any person to operate a food vending vehicle unless a food vending vehicle permit issued pursuant to this chapter is in effect for that food vending vehicle.
- B. Every permittee, upon receipt of a food vending vehicle permit, shall maintain the permit with the vehicle for which it is issued, at all times the food vending vehicle is being operated.
- C. Upon demand of a peace officer or city employee authorized to enforce a person operating a food vending vehicle shall present the food vending vehicle permit that is in effect for that vehicle.

- D. All food vending vehicle permits are the property of the city and each shall authorize the operation of a single specific food vending vehicle. It is unlawful for any person to sell or transfer, or attempt to sell or transfer, any food vending vehicle permit.

5.68.030 Vehicle permit application.

- A. An application for a food vending vehicle permit shall be filed with the director and shall contain the following:
  - 1. The individual and business name, address, and telephone number of the permit applicant;
  - 2. Written evidence that the applicant is an owner, lessee or holder of a similar interest in the food vending vehicle;
  - 3. The name and address of all legal and registered owner(s) of the food vending vehicle, and each person with a financial interest in the business that operates the food vending vehicle;
  - 4. A copy of a valid business operations tax certificate issued pursuant to Chapter 3.08 of this code.
  - 5. The state vehicle license plate number and the vehicle identification number of the food vending vehicle;
  - 6. Proof of compliance with the insurance requirements set forth in Section 5.68.060 of this chapter;
  - 7. Proof that the vehicle is in compliance with applicable requirements of the State of California and the County of Sacramento regarding the operation of a food vending vehicle;
  - 8. The address where the food vending vehicle is stored when not in use;
  - 9. For each person with a 10 percent or greater financial interest in the business that operates the food vending vehicle, a list, signed under penalty of perjury, of each conviction of such person and whether such conviction was by verdict, plea of guilty, or plea of nolo contendere. The list shall, for each such conviction, set forth the date of arrest, the offense charged, and the offense of which the person was convicted. A person who acquires a 10 percent or greater financial interest in the business that operates the food vending vehicle during the life of the permit issued pursuant to this

chapter shall immediately so notify the director and comply with this subsection. Any holder of a valid food vending vehicle driver permit issued pursuant to Section 5.68.100 of this chapter shall be exempt from the requirements of this subsection;

10. Such other information as may be required by the director to further the purpose of this chapter.
- B. Every application for a food vending vehicle permit shall be accompanied by a nonproratable, nonrefundable application fee in an amount established by resolution of the city council.
- C. It is unlawful for any person to knowingly make a false statement of fact or knowingly omit any information that is required in an application for a food vending vehicle permit.

#### 5.68.040 Vehicle permit issuance and denial.

- A. Except as provided in subsection (C) of this section, a food vending vehicle permit shall be issued by the director upon receipt of a complete application and payment of the permit fee, as specified in Section 5.68.030 of this chapter, and after the director has:
  1. Physically inspected the food vending vehicle to ensure compliance with this code and the vehicle code equipment requirements; provided, however, that the director may accept proof of compliance with State of California or Sacramento County inspection requirements for operating a food vending vehicle in lieu of conducting an inspection; and
  2. Determined that the business location and vehicle storage location, if within the city, comply with applicable zoning regulations and other codes.
- B. All food vending vehicle permits shall expire on April 30th of the calendar year following the date of issuance unless sooner revoked. Application for renewal shall be filed between March 1st and March 31st for the permit period beginning the succeeding May 1st.
- C. A food vending vehicle permit may be denied by the director if he or she finds any of the following grounds:
  1. The information submitted pursuant to Section 5.68.030 of this chapter is materially false or incomplete.
  2. The applicant, any registered owner of the food vending vehicle, or

any person with a financial interest in the business that operates the food vending vehicle, has any unpaid administrative penalties imposed pursuant to Chapter 1.28 of this code.

3. Within 12 months of the date of application, the applicant, any registered owner of the food vending vehicle, or any person with a financial interest in the business that operates the food vending vehicle, has had his or her food vending vehicle permit revoked.
4. The applicant has not paid the applicable business operations tax pursuant to Chapter 3.08 of this code.
5. A person with 10 percent or greater financial interest in the operation of the food vending vehicle has been convicted of a crime, and the time for appeal has elapsed, irrespective of the entry of a subsequent order under Penal Code Section 1203.4; or has committed any act involving dishonesty, fraud, deceit, or moral turpitude with intent to substantially benefit himself or herself, or another, or substantially injure another, or having the effect of substantially injuring another.

Provided, however, that the permit shall be denied upon any of the grounds specified in this subsection (C)(5) only if the director finds that the crime or act is substantially related to the qualifications, functions or duties of a food vending vehicle owner or owner of a business which operates food vending vehicles or has substantial contact with minors. However, no person shall be denied a permit solely on the basis that he or she has been convicted of a felony if he or she has obtained a certificate of rehabilitation under the State Penal Code Section 4852.01, et seq., or that he or she has been convicted of a misdemeanor if he or she has met all applicable requirements of the criteria of rehabilitation developed to evaluate the rehabilitation of a person when considering a petition under Penal Code Section 4852.01, et seq.

#### 5.68.050 Posting requirements.

- A. No person shall operate a food vending vehicle unless the food vending vehicle permit decal, as provided by the director, is displayed on the vehicle window in a manner specified by the director.
- B. No person shall operate a food vending vehicle unless the food vending vehicle number, as provided by the director, is permanently posted on the exterior of the vehicle and in a location that is clearly visible to patrons. The numbers shall be legible, not less than three and one-half inches in height and in a color that contrasts with the color of the background upon which it is placed.

5.68.060 Liability insurance.

- A. During the term of a food vending vehicle permit issued pursuant to this chapter, the permittee or owner(s) of a food vending vehicle authorized by the permit shall maintain in full force and effect at no cost to the city a comprehensive auto and general liability insurance policy:
1. In an amount not less than one million dollars (\$1,000,000.00) single limit per occurrence; and
  2. Issued by an admitted insurer or insurers as defined by the California Insurance Code; and
  3. Providing that the city, its officers, employees and agents are to be named as additional insured under the policy; and
  4. Covering all losses and damages as specified in Section 5.68.070 of this chapter; and
  5. Stipulating that the policy will operate as primary insurance and that no other insurance effected by the city or other named insured will be called on to contribute to a loss covered thereunder; and
  6. Providing that no cancellation, change in coverage or expiration by the insurance company or the insured shall occur during the term of the food vending vehicle permit, without 30 days written notice to the director prior to the effective date of such cancellation or change in coverage.
- B. In the event of a cancellation, expiration, or change of insurance coverage resulting in noncompliance with subsection (A) of this section, the permittee shall notify the city of the cancellation, expiration, or change within three business days after its effective date by submitting a written notice to the director. The giving of notice as provided herein shall not stay the automatic suspension of the permit pursuant to Section 5.68.110 of this chapter.
- C. It is unlawful for any person to operate a food vending vehicle without insurance coverage in effect as required by this section.

5.68.070 Indemnify and hold harmless.

The permittee and food vending vehicle owner(s) shall defend, indemnify and hold harmless the city, its officers, employees and agents from and against all actions, losses, damages, liability, costs and expenses of every type and description, including but not limited to attorney fees, to which any or all of them may be subjected by reason

of, or resulting from, directly or indirectly, in whole or in part, the acts or omissions of the permittee or the permittee's agents, officers or employees, directly or indirectly arising from the operation of the food vending vehicle.

5.68.080 Food vending vehicle driver permit required.

- A. It is unlawful for any person to drive a food vending vehicle unless the person holds a valid food vending vehicle driver permit issued pursuant to this chapter.
- B. Every driver of a food vending vehicle shall have the valid food vending vehicle driver permit issued to him or her in his or her immediate possession at all times when driving a food vending vehicle.
- C. Upon demand of a peace officer, or city employee authorized to enforce this chapter, the driver of a food vending vehicle shall present his or her food vending vehicle driver permit for examination.
- D. All food vending vehicle driver permits are the property of the city and each shall authorize a single specific food vending vehicle driver. It is unlawful for any person to sell or transfer, or attempt to sell or transfer, any food vending vehicle driver permit.

5.68.090 Food vending vehicle driver permit procedure.

- A. Applications for a food vending vehicle driver permit shall be filed with the director and shall contain the following:
  - 1. The name and address of the applicant;
  - 2. The number of a valid state driver license issued to the applicant, authorizing the applicant to drive a food vending vehicle, and date of license expiration;
  - 3. A statement of whether the applicant's state driver license has ever been revoked or suspended and, if so, the reason(s) for such revocation or suspension;
  - 4. A list, signed under penalty of perjury, of each conviction of the applicant, whether such conviction was by verdict, plea of guilty, or plea of nolo contendere. The list shall, for each such conviction, set forth the date of arrest, the offense charged, and the offense of which applicant was convicted;
  - 5. A list of the applicant's physical or mental conditions, or any medications being taken, that would interfere with the proper

management and control of a motor vehicle;

6. Such other information as may be required by the director to further the purpose of this chapter.
- B. Every application for a food vending vehicle driver permit shall be accompanied by a nonproratable, nonrefundable application fee in an amount established by resolution of the city council.
- C. It is unlawful for any person to knowingly make a false statement of fact or knowingly omit any information that is required in an application for a food vending vehicle driver permit.

5.68.100 Driver permit issuance and denial.

- A. Except as provided in subsection (C) of this section, a food vending vehicle driver permit shall be issued by the director:
  1. Upon receipt of a complete application and payment of the permit fee, as specified in Section 5.68.090 of this chapter; and
  2. After fingerprinting of the applicant by the police department, if the director so requires; and
  3. After submission of four recent dated portrait photographs, one to be attached to the application, one to be attached to the driver permit if issued, and two for the use of the police department.
- B. All permits shall expire on April 30th of the calendar year following the date of issuance unless sooner revoked. Application for renewal shall be submitted between March 1st and March 31st for the year beginning the succeeding May 1st.
- C. A food vending vehicle driver permit shall be denied by the director if he or she finds any of the following grounds:
  1. The applicant failed to comply with the requirements of this section;
  2. The information submitted pursuant to Section 5.68.090 of this chapter is materially false or incomplete;
  3. The applicant has any unpaid administrative penalties imposed pursuant to Chapter 1.28 of this code.
  4. Within 12 months of the date of application, the applicant has had his or her food vending vehicle driver permit revoked.

5. The applicant has been convicted of a crime, and the time for appeal has elapsed, irrespective of the entry of a subsequent order under Penal Code Section 1203.4; or has committed any act involving dishonesty, fraud, deceit, or moral turpitude with intent to substantially benefit himself or herself, or another, or substantially injure another, or has a physical or mental disability or incapacity, or takes medication, uses alcohol or any controlled substance as defined in the state's Health and Safety Code.

Provided, however, that the permit shall be denied upon any of the grounds specified in this subsection (C)(5) only if the director finds the crime, act, disability, incapacity or impairment from a substance consumed is substantially related to the qualifications, functions or duties of a food vending vehicle driver. However, no person shall be denied a permit solely on the basis that he or she has been convicted of a felony if he or she has obtained a certificate of rehabilitation under State Penal Code Section 4852.01, et seq., or that he or she has been convicted of a misdemeanor if he or she has met all applicable requirements of the criteria of rehabilitation developed to evaluate the rehabilitation of a person when considering a petition under Penal Code Section 4852.01, et seq.

#### 5.68.110 Suspension or revocation of permit.

- A. The Director may suspend or revoke any food vending vehicle permit or any food vending vehicle driver permit issued hereunder on the basis of any of the following grounds:
  1. The director determines that any activity authorized by the permit is being carried out in such a manner as to constitute a nuisance, or to be injurious to the public health, safety or welfare; or
  2. The operation of the food vending vehicle is in violation of any conditions imposed upon the permit or in violation of any provision of this chapter, this code. Sacramento County Code or state law, including, but not limited to:
    - a. Chapter 5.68 of this code regarding food vending vehicles,
    - b. Chapter 5.88 of this code regarding outdoor vending,
    - c. Chapter 10.60 of this code regarding the broadcasting of sound, or
    - d. The California Retail Food Code (commencing with Health and Safety Code §113700); or

3. There exists any of the grounds that would have been grounds for denial of the permit application.
- B. Except as provided in subsection (C) of this section, no permit shall be suspended or revoked until a hearing is held by the director. Written notice of the time and place of such hearing shall be given at least five days prior to the date set for such hearing to the person to whom the permit was granted and to any other person who, at least 10 days prior to the hearing, requests such notice. Such notice shall contain a brief statement of the grounds to be relied upon for revoking or suspending such permit. Notice may be given either by personal delivery to the persons to be notified, or by depositing the notice in the U.S. mail in a sealed envelope, postage prepaid, addressed to the persons to be notified at the address appearing in the application for a permit.
  - C. In the event of a cancellation, expiration, or change of insurance coverage resulting in noncompliance with section 5.68.060 of this chapter, the food vending vehicle permit issued pursuant to this chapter shall be automatically suspended, effective on the effective date of the cancellation, expiration, or change in coverage. The suspension shall continue until required insurance coverage is reinstated and the city receives written notice from the insurer indicating compliance with the requirements of Section 5.68.060 of this chapter, or until the permit expires.
  - D. Upon the director's suspension or revocation of any permit pursuant to this section, the permittee shall surrender the subject permit to the City within 10 days.

#### 5.68.120 Appeal of action on permit

- A. An applicant may appeal the director's decision to deny their application submitted pursuant to this chapter, and a permittee may appeal the director's decision to suspend or revoke their permit issued pursuant to this chapter, to the city council in accordance with chapter 1.24 of this code.
- B. A notice of appeal, accompanied by an appeal fee in an amount set by resolution of the city council, must be filed within 10 days after the date of the director's decision.

#### 5.68.130 Stopping

No person may sell any product from a food vending vehicle unless the vehicle has been brought to a complete stop and is parked in a lawful manner.

5.68.140 Lighting

No vendor may sell any product from a food vending vehicle unless the site is adequately lit to ensure customer safety. Any lighting maintained by the vendor shall be directed downwards and away from public streets and adjacent properties.

5.68.150 Utilities

No person may operate a food vending vehicle while the vehicle is connected to an external source of power, water or any other utilities;

5.68.160 Signs and furniture

No vendor may place any free-standing signs, tables, chairs, fences, shade structures, or other furniture on or near the site of the operation of the food vending vehicle.

5.68.170 Operation on the public right-of-way

It is unlawful for any person to operate a food vending vehicle while stopped, standing or parked on the public right-of-way:

- A. Between the hours of 8:00 p.m. of one day and 5:00 a.m. of the following day during the months of April, May, June, July, August, September and October;
- B. Between the hours of 6:00 p.m. of one day and 5:00 a.m. of the following day during the months of November, December, January, February and March.
- C. For more than 30 minutes in one location, without moving to a new location at least 400 feet away;
- D. Within 400 feet of a location where the same food vending vehicle previously operated, on the same calendar day;
- E. Within 400 feet of any other food vending vehicle; or
- F. Within 100 feet of any street intersection controlled by a traffic light or stop sign.

5.68.180 Operation on private property - consent

- A. It is unlawful for any person to operate a food vending vehicle on private

property without the express written consent of the owner of the property.

- B. Prior to vending on private property, the written consent of the owner of the property shall be provided to the Director, in the form approved by the Director.
- C. A copy of the written consent shall be maintained with the corresponding food vending vehicle at all times the vehicle is being operated on private property.
- D. Upon demand of a peace officer or city employee authorized to enforce this chapter, a person operating a food vending vehicle on private property shall present a copy of the written consent that is in effect for that vehicle.

#### 5.68.190 Operation on private property - generally

- A. It is unlawful for any person to operate a food vending vehicle on private property if any of the following conditions apply:
  - 1. The property is vacant;
  - 2. The operation of a food vending vehicle is the primary use of the parcel. The operation of a food vending vehicle must be incidental to a primary use that complies with the zoning code;
  - 3. The food vending vehicle is stopped, standing or parked in any location on the property that interferes with access, driveways, aisles, or the circulation of vehicles or pedestrians;
  - 4. The food vending vehicle is stopped, standing or parked on any surface that is not paved with concrete, asphalt or other similar material: or
  - 5. Another food vending vehicle is already operating on the property.
- B. Notwithstanding subsection (A) of Section 17.64.030 of this code, the operation of food vending vehicles shall be allowed on parking facilities, subject to the following restrictions:
  - 1. The food vending vehicle shall not occupy or block any parking spaces required for the primary use of the parcel as determined pursuant to Chapter 17.60 of this code; and
  - 2. The operation of the food vending vehicle shall comply with all other provisions of this code.

5.68.200 Operation on private property – zoning districts

It is unlawful for any person to operate a food vending vehicle on private property in any zoning district other than a Heavy Commercial and Industrial Zoning District, or a Commercial and Hospital Zoning District, in accordance with Sections 5.68.210 and 5.68.220 of this code.

5.68.210 Private property - Heavy Commercial and Industrial Zoning Districts

- A. It is unlawful for any person to operate a food vending vehicle on private property in a Heavy Commercial and Industrial Zoning District that is at least 400 feet away from any residence, during the hours that the business located on that property is closed.
- B. The operation of a food vending vehicle on private property in a Heavy Commercial and Industrial Zoning District that is within 400 feet of any residence shall be subject to the same regulations as the operation of a food vending vehicle on private property in a Commercial or Hospital Zoning District, as set forth in Section 5.68.220 of this code.

5.68.220 Private property - Commercial or Hospital Zoning Districts

It is unlawful for any person to operate a food vending vehicle on private property in a Commercial or Hospital Zoning District:

- A. Between the hours of 8:00 p.m. of one day and 5:00 a.m. of the following day during the months of April, May, June, July, August, September and October; or
- B. Between the hours of 6:00 p.m. of one day and 5:00 a.m. of the following day during the months of November, December, January, February and March.
- C. For more than 30 minutes in one location, without moving to a new location at least 400 feet away; or
- D. Within 400 feet of a location where the same food vending vehicle previously operated, on the same calendar day.

5.68.230 Private property – construction sites

Notwithstanding the provisions of Sections 5.68.200 through 5.68.220, a person may operate a food vending vehicle on any private property upon which any building or structure is being constructed, demolished, altered or repaired, during the hours that such activity is taking place, and for the purpose of selling food and beverages to those persons engaging in such activity.

5.68.240 Private property – stand-alone parking facilities

Notwithstanding any other provision of this code to the contrary, food vending vehicles shall not be operated in a stand-alone parking facility as described in subsection (G) of Section 17.64.010 of this code.

5.68.250 Exemption of established operations on private property

- A. The operation of a food vending vehicle on private property shall be exempt from Sections 5.68.210, 5.68.220 and Chapter 17.88 of this code until January 1, 2013, if the food vending vehicle permittee has an established operation on private property.
- B. A food vending vehicle permittee shall be deemed to have an established operation on private property if, based on credible evidence submitted by the permittee prior to March 31, 2008, the director finds that the permittee's food vending vehicle has operated on a private property with the continuous consent of the property owner since at least January 1, 2006.
- C. The exemption in the above subsection (A) is subject to the following conditions:
  - 1. The exemption applies only to the specific private property that the director determines is the location on which the food vending vehicle permittee has an established operation on private property, pursuant to subsection (B) of this section;
  - 2. The exemption applies only as long as the consent is continuously maintained. If consent is revoked or is allowed to expire at any time, this exemption shall no longer apply or be available even if consent is subsequently obtained;
  - 3. The exemption applies only as long as the food vending vehicle permit to which it is related, is continuously maintained as valid. If the food vending vehicle permit is revoked or is not renewed at any time, this exemption shall no longer apply or be available even if a food vending vehicle driver permit is subsequently obtained;
  - 4. A person may only operate a food vending vehicle in accordance with this exemption between the hours of 5:00 a.m. of one day, and 2:00 a.m. of the following day; and
  - 5. Except as set forth in subdivision A of this section, the operation of the food vending vehicle shall comply with all other provisions of this code.

## 5.68.260 Penalty

Any person who violates the provisions of this chapter shall be guilty of a misdemeanor. In addition, the city may also impose administrative penalties pursuant to Chapter 1.28 of this code and seek injunctive relief and civil penalties in the superior court for violations of this chapter. The remedies provided for in this chapter shall be cumulative and not exclusive of any other remedies available under any other federal, state or local laws.

## Section 3.

Section 5.88.030 of the Sacramento City Code is hereby amended to read as follows:

### 5.88.030 Certain sales permitted.

- A. It is unlawful for any person to sell, expose for sale, or offer for sale any goods, wares, merchandise, or food of any kind or description for which a price is asked, and the article delivered, from the public sidewalks, streets or alleys in the central business district, except the following:
1. The sale, dissemination and distribution of newspapers and religious and educational periodicals;
  2. The sale of novelties and food during parades held in the central business district, provided such sales are made only along the designated parade route;
  3. The sale of food, including the operation of food vending vehicles in accordance with chapter 5.68 of this code, between the hours of seven a.m. and two p.m. at construction sites in the central business district upon which construction activity is taking place;
  4. The sale of food or flowers on public sidewalks pursuant to Article III of this chapter, provided the vendor complies with all applicable laws, including, but not limited to, traffic and parking laws, health laws, and the provisions of Sections 5.88.080 through 5.88.180 of this chapter;
  5. The sale, exposing for sale, and offering for sale any goods, wares, merchandise, or food from any public sidewalk, street, or alley or portion thereof, that is the subject of an operations agreement between the city and the Sacramento Regional Transit District for the operation of a light rail station, when undertaken pursuant to a license issued by the Sacramento Regional Transit District.
- B. No person shall park a vehicle, car or similar device on a street or alley in

the central business district for purposes of selling food or flowers, except that a vehicle can be parked on a street or alley for the purpose specified in subsection (A) (3) of this section.

- C. This chapter shall not supersede the provisions of Chapter 12.44 of this code relating to pedestrian mall regulations.
- D. In those instances in this chapter where the sidewalk is permitted to be used for commercial purposes, a space on the sidewalk at least six feet in width shall at all times be kept clear for the accommodation of pedestrians.
- E. It is unlawful for any person to sell, expose for sale, or offer for sale any goods, wares, merchandise or food of any kind or description for which a price is asked, and the article delivered, from the public sidewalks, streets or alleys outside the central business district, except the following:
  - 1. The sale, dissemination and distribution of newspapers and religious and educational periodicals;
  - 2. The operation of food vending vehicles in accordance with chapter 5.68 of this code;
  - 3. The sale, exposing for sale, and offering for sale any goods, wares, merchandise, or food from any public sidewalk, street, or alley or portion thereof, that is the subject of an operations agreement between the city and the Sacramento Regional Transit District for the operation of a light rail station, when undertaken pursuant to a license issued by the Sacramento Regional Transit District.
- F. The operation of food vending vehicles that is allowed by this article may be undertaken only in compliance with Chapter 5.68 of this code.

Adopted by the City of Sacramento City Council on February 26, 2008 by the following vote:

Ayes: Councilmembers Cohn, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: Councilmember Fong (Recused).

  
\_\_\_\_\_  
Mayor Heather Fargo

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk

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