Frequently Asked Questions

What is a Sidewalk Vendor?
A sidewalk vendor offers to sell or barter food, goods, or merchandise on any public sidewalk, pedestrian path, or public park.

Are There Places Where Sidewalk Vending is Not Allowed?
Yes. Here are restricted locations for stationary sidewalk vendors:

- Within 600’ of any entertainment establishment between the hours of 10:00 pm and 2:30 am;
- Within 400’ of a school between the hours of 7:00 am and 4:00 pm on school days;
- Within 300’ of a permitted certified farmers’ market or permitted special event during its operating;
- In any city park where there is a concessions agreement that exclusively permits the sale of food or merchandise by a concessionaire;
- Stationary and roaming sidewalk vending are not allowed on a bike path, a street, a driveway, or in a public parking lot.

Resources:

- City of Gilroy Business License - Gilroy Finance Department
  Telephone: (408) 846-0420
cityofgilroy.org/207/Business-Licenses
- Health Permit - County of Santa Clara Department of Environmental Health, Consumer Protection Division
  Telephone: (408) 918-1908
cpd.sccgov.org/food/mobile-food-facilities
- Sellers Permit - California Department of Tax and Fee Administration
  Telephone: 1-800-400-7115
  www.cdtfa.ca.gov/services/#Overview
- City of Gilroy Waste Diversion Regulations, Public Works Department
  Telephone: (408) 846-0223
  www.cityofgilroy.org/308/Recycling-Garbage

Have Questions?
Call or Visit the City of Gilroy Community Development Department
Gilroy City Hall, 7351 Rosanna Street
Gilroy, CA 95020
Telephone: (408) 846-0570
Permits

The following additional permits are needed:

- City of Gilroy Business License – City of Gilroy Finance Department
- Health Permit - County of Santa Clara Department of Environmental Health, Consumer Protection Division
- Sellers Permit - California Department of Tax and Fee Administration

See Resource List for Contact Information

Definitions

- Roaming sidewalk vendor means a sidewalk vendor who moves from place to place and stops only to complete a transaction.
- Stationary sidewalk vendor means a sidewalk vendor who vends from a fixed location.
- Vending device means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, non-motorized conveyance (including trailers), freestanding table, chair, box, stand, or any container, structure, or other object used or capable of being used for holding, selling, advertising, or displaying tangible things, together with any associated seating facilities.

Some Standards

- Vending devices shall be at least eighteen inches in height.
- No display or selling wares on the ground.
- No animals except a service animal.
- Easy-ups, tents, or similar shade structures require approval.
- No vending to occupants of motorized vehicles.
- No obstruction of the accessible path of travel for persons with disabilities.
- No use of generators.
- No cooking methods that involve deep fat frying and wood fired cooking devices.
- Sidewalk vendors must provide a trash receptacle for customers.
- Fats, grease and oils must be properly disposed.
- No use of sidewalks or public property as storage.
- Vendors shall not connect to city owned utilities such as but not limited to, electric boxes, water lines, and gas lines.
- Vendors shall maintain at least five feet or 50% of the overall width of the sidewalk or other pedestrian path, whichever is greater, open to pedestrians.
- Vendors may not operate within twenty-five feet (25’) of an automatic teller machine (ATM).

Checklist

At a minimum, the following items are needed to apply for a sidewalk vending permit:

- Sidewalk vendor permit application
- Permit application fee
- A statement of operations
- Current City of Gilroy business license
- Current health permit
- Current sellers permit
- Commercial general liability, automobile, and workers compensation insurance policies and endorsements
- Photos, dimensions, and a description of the vending device that will be used.
- Site plan indicating vending location.