



DEPARTMENT OF  
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

CITY HALL  
ROOM 1201  
915 I STREET  
SACRAMENTO, CA  
95814-2604

REVENUE  
ADMINISTRATION  
916-808-5724

June 15, 2005

City Council  
Sacramento, CA

Honorable Members in Session:

**SUBJECT: AMEND CITY CODE TO ALLOW SACRAMENTO REGIONAL TRANSIT DISTRICT TO LICENSE RETAIL VENDORS AT LIGHT RAIL STATIONS**

**LOCATION AND COUNCIL DISTRICT: D - All**

**RECOMMENDATION:**

This report recommends the Mayor and City Council approve the attached ordinance amending Section 5.88.030 of City Code to allow Sacramento Regional Transit District to license retail vendors at light rail stations.

**CONTACT PERSON** Brad Wasson, Revenue Manager, 808-5844  
Cassandra Jennings, Assistant City Manager, 808-8888

**COUNCIL MEETING OF** June 28, 2005

**SUMMARY**

City Code Chapter 5.88.030 prohibits outdoor vending in the City limits with few exceptions. With the adoption of the attached ordinance Sacramento Regional Transit District (RT) will be allowed to license retail vendors at light rail stations.

**COMMITTEE ACTION**

On June 7, 2005, the Law and Legislative Committee approved this item to come directly to the Mayor and City Council for adoption.



## **BACKGROUND**

In September 2004, the RT Board of Directors authorized an eighteen-month pilot program to test the feasibility of retail vending at light rail stations. The intent is to have retail vendors sell food and sundries from carts. Alcoholic beverages, tobacco products and chewing gum are prohibited.

RT has initiated the Retail Vendor Pilot Program to test feasibility of retail vending at light rail transit stations. RT has adopted a licensing process that is similar to City of Sacramento's permitting processes. Exceptions to outdoor vending prohibitions currently exist for Old Sacramento and the City's Central Business District. The proposed outdoor retail vending should enhance the public's ridership experience.

The RT program limits the number of vendors and assigns specific locations to vend. Hours of operation are assigned and tied to ridership traffic at each station. A thorough background check will be conducted including fingerprint checks with the California Department of Justice.

All light rail stations are eligible for the program. For the pilot program, stations were selected based on light rail and bus ridership transfer activity and the lack of retail options close to the station. Four light rail stations within the City limits have been selected by RT: 1) 16 Street between Q and R; 2) 29<sup>th</sup> and 30<sup>th</sup> Streets at R Street; 3) University Avenue and 65<sup>th</sup> Street; and 4) Meadowview Road. In addition to these sites, RT is considering other locations for vending including, but not limited to, Swanston, Sacramento City College, and 47<sup>th</sup> Avenue at 27<sup>th</sup> Street.

City staff has been working with RT staff to assure the license process includes input from existing local businesses and adjoining property owners. RT will continue to work with the City to identify additional light rail stations that could be considered for outdoor vending.

## **FINANCIAL CONSIDERATIONS**

RT will license and enforce their Retail Vendor Program. No City resources are required for this program. Retail Vendors at RT light rail stations will be required to pay the City's Business Operations Tax.

**ENVIRONMENTAL CONSIDERATIONS**

Not applicable.

**POLICY CONSIDERATIONS**

This recommendation is consistent with specific exceptions to the City's Outdoor vending prohibition.

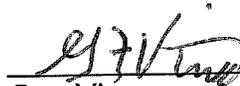
**ESBD EFFORTS**

No goods or services are being purchased at this time.

Respectfully submitted,



Brad Wasson  
Revenue Manager



Gus Vina  
Finance Director

RECOMMENDATION APPROVED:



Robert P. Thomas  
City Manager

Table of Contents

- |                      |           |
|----------------------|-----------|
| 1. Report            | pages 1-3 |
| 2. Redline ordinance | pages 4-6 |
| 3. Clean ordinance   | pages 7-9 |

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**AN ORDINANCE TO AMEND SECTION 5.88.030 OF THE  
SACRAMENTO CITY CODE TO AUTHORIZE VENDING  
PURSUANT TO A LICENSE ISSUED BY THE SACRAMENTO  
REGIONAL TRANSIT DISTRICT**

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

## **SECTION 1.**

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, excepting therefrom the following:

1. The sale, dissemination and distribution of newspaper stand 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 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

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FOR CITY CLERK USE ONLY

ORDINANCE NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

4.

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, excepting therefrom the following:

1. The sale, dissemination and distribution of newspapers and religious and educational periodicals;

2. The sale of food from motorized vehicles, provided that it shall be unlawful for any vendor to stop, stand or park more than fifteen (15) minutes on a public street without moving on to a new location at least one city block removed therefrom, and further provided that the vendor complies with all applicable laws, including, but not limited to, traffic and parking laws and health laws.

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

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5.

District for the operation of a light rail station, when undertaken pursuant to a license issued by the Sacramento Regional Transit District.

F. The sale of food from motorized vehicles which is permitted by this article may be undertaken only in compliance with the permit requirements of Chapter 5.68 of this code.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
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MAYOR

ATTEST:

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