

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2003 DEC 30 PM 3:47

ORDINANCE No. 12583 C.M.S.

Mark P. Wall

INTRODUCED BY COUNCILMEMBER _____

AN ORDINANCE AMENDING THE MASTER FEE SCHEDULE (ORDINANCE NUMBER 9336 C.M.S. AS AMENDED) TO AMEND A PUSH CART FOOD VENDING FEE

WHEREAS, on July 24, 1990, a special session of the City Council considered a proposal to permit vending on public property on (sidewalks) at approximately thirteen (13) locations throughout the City. The council accepted the report and instructed staff to expand the proposal to include guidelines for regulating vending activities citywide on private property, specifically in commercially zoned areas; and

WHEREAS, on October 29, 1991, the City Council Public Safety Committee held a special meeting to review a report presented by the City Manager's Office that proposed an amendment to the City's Municipal Code Regulations to implement controls for street vending activities; and

WHEREAS, the Anti-Grime Task Force seeks legalization of certain types of vending and improved enforcement actions against illegal vending; and

WHEREAS, the pushcart food vendors provide a service to the Oakland community with convenient hours of operation; and

WHEREAS, Ordinance No. 12312 C.M.S. established an eighteen-month pilot pushcart food vending program (program) that permitted pushcart food vending on public sidewalks in designated areas in Oakland; and

WHEREAS, implementation of the permanent Pushcart Food Vending Program would result in increased costs to the City for administration, enforcement and monitoring for the program, estimated at a cost of \$334 per vendor; and

WHEREAS, it is anticipated that 60 pushcart food vendors would apply annually for permits under the Pushcart Food Vending Program; and

WHEREAS, fees would generate approximately \$20,040 annually in revenues; and

WHEREAS, the City Council finds and determines that the public safety, health, convenience, comfort, property, and general welfare will be furthered by enforcement of the permanent Pushcart Food Vending Program; now therefore,

THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Section G.29 (Community and Economic development – Building Services – Code Compliance) of the Master Fee Schedule as set forth in Ordinance Number 9336 C.M.S., as amended, is hereby amended to read:

- I Pushcart Food Vending
 - 1. Application/Processing \$55.00/pushcart (non-refundable application fee to be applied to the permit fee)
 - 2. Initial Permit fee \$334.00/pushcart (includes application/processing fee)
 - 3. Permit Renewal fee \$334.00/pushcart/year
 - 4. Late fee Assessed as a percentage of permit fee based on length of time after date of the renewal letter as follows:
 - 10%, 30-60 days
 - 20%, 60-90 days
 - 50%, after 90 days

Section 2. The City Council finds and determines that the foregoing recitals are true and correct, are an integral part of this Ordinance, and provide findings to support the Ordinance.

Section 3. This ordinance shall be effective upon approval by the Council of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, . ~~2004~~

PASSED BY THE FOLLOWING VOTE:


AYES- BRUNNER, CHANG, ~~BROOKS~~, NADEL, ~~REID~~, QUAN, WAN, AND
PRESIDENT DE LA FUENTE - 6

NOES- ~~BROOKS~~, REID - 2

ABSENT- ~~0~~

ABSTENTION- ~~0~~

Introduction Date: FEB 3 2004

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
Of the City of Oakland, California

mpw

FILED
OFFICE OF THE CITY CLERK
CARLAND

NOTICE AND DIGEST

2003 DEC 30 PM 3:47

**AN ORDINANCE AMENDING THE MASTER FEE SCHEDULE
(ORDINANCE NUMBER 9336 C.M.S. AS AMENDED) TO AMEND A
PUSHCART FOOD VENDING FEE**

This ordinance proposes to amend the fees for the Pushcart Food Vending Program. The Permit fee would change from \$500 for 18 months to \$334 for 12 months. A late fee would be assessed if the annual renewal fee of \$334 is not paid in a timely manner.