

REVISED

OAKLAND CITY COUNCIL

ORDINANCE No. 12311 C.M.S.

INTRODUCED BY COUNCILMEMBER _____



AN ORDINANCE AMENDING THE MASTER FEE SCHEDULE (ORDINANCE NUMBER 9336 C.M.S.) TO ADD 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 sales activities; and,

WHEREAS, City staff has identified approximately twenty-five (25) pushcart food vendors operating illegally in the City of Oakland; and

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

WHEREAS, City staff has received complaints about nuisances related to the pushcart food vending use; and

WHEREAS, implementation of the Pushcart Food Vending Pilot Program would result in increased costs to the City for administration, enforcement and monitoring of the program, estimated at a cost of \$500 per vendor; and

WHEREAS, it is anticipated that thirty (30) pushcart food vendors would apply for permits under the Pushcart Food Vending Pilot Program; and

WHEREAS, fees would generate approximately \$15,000 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 Pushcart Food Vending Pilot Program; now therefore,

THE 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 add:

- I. Pushcart Food Vending
 - 1. Application/Processing \$50/pushcart (this fee shall be applied to permit fee)
 - 2. Permit \$500/pushcart (includes application/processing fee)

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.

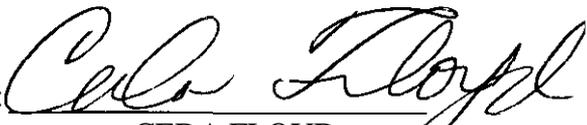
Section 3. This ordinance shall be effective upon approval by the Council of the City of Oakland.

Introduced - 1/23/01
IN COUNCIL, OAKLAND, CALIFORNIA, **FEB - 6 2001**, 2000

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, ~~MILBY~~, NADEL, REID, SPEES, WAN, AND
PRESIDENT DE LA FUENTE **-17**

NOES- *None*
ABSENT- *None*
ABSTENTION- *None*

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