

# OAKLAND CITY COUNCIL

ORDINANCE No. 12580 C.M.S.

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2003 DEC 30 PM 2:38

*Marty P. Ward*

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

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## **AN ORDINANCE AMENDING THE MASTER FEE SCHEDULE (ORDINANCE NUMBER 9336 C.M.S. AS AMENDED) TO AMEND A VEHICULAR 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 vehicular 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 vehicular food vending program (program) that permitted vehicular food vending on private property in designated areas in Oakland; and

**WHEREAS**, implementation of the permanent Vehicular Food Vending Program would result in increased costs to the City for administration, enforcement and monitoring for the program, estimated at a cost of \$1,334 per vendor; and

**WHEREAS**, it is anticipated that 40 vehicular food vendors would apply annually for permits under the Vehicular Food Vending Program; and

**WHEREAS**, fees would generate approximately \$53,360 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 funding the enforcement of the permanent Vehicular 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 Vehicular Food Vending
  - 1. Application/Processing \$100.00/site (non-refundable application fee to be applied to the permit fee)
  - 2. Initial Permit fee \$1,334.00/site for 12 months (includes application/processing fee)
  - 3. Permit Renewal fee \$1,334/site per 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~~ **FEB 17 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- **Ø**

ABSTENTION- **Ø**

**Introduction Date: FEB 3 2004**

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

*MPW*

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**Notice and Digest**

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

This ordinance proposes to amend the fees for the Vehicular Food Vending Program. The non-refundable application fee (applied to the permit fee if approved) would increase from \$55 to \$100. The Permit fee would change from \$2,000 for 18 months to \$1,334 for 12 months. A late fee would be assessed if the annual renewal fee of \$1,334 is not paid in a timely manner.