

## TO ALL MOBILE FOOD VENDORS

In addition to obtaining your Napa County Health Permit, you must comply with other pertinent regulations.

➤ **In order to operate a food cart, push cart, wagon, or vehicle (car/truck) in the unincorporated area of Napa County you must contact**

- (1) The Department of Planning and Conservation for Napa County at 707-253-4417.

➤ **In order to operate a food cart, push cart, wagon, or vehicle (car/truck) in the City of American Canyon you must contact**

- (2) Denise Miraldi, Assistant Planner with the Community Development Department at 707-647-4564.

➤ **In order to operate a food cart, push cart, wagon, or vehicle (car/truck) inside city of Napa City limits you are required to have:**

- (1) A City of Napa Business License  
Required by Napa Municipal Code Section 5.04.010  
This may be obtained from the Finance Department in City Hall  
955 School Street, Napa, California 94559  
Monday through Friday, 8:00AM to 5:00PM (707) 257-9508

and

- (2) A City of Napa Peddlers Permit  
Required by Napa Municipal Code Section 5.40.020  
This may be obtained from the Police Department  
1539 First Street, Napa, California 94559  
Monday through Friday 8:00AM to 5:00PM (707) 257-9550

and

- (3) A Napa County Health Permit  
Required by the State of California Retail Food Code (CRFC) Chapter 1, Section 114381(a)  
This may be obtained from Napa County Environmental Management  
1195 3<sup>rd</sup> Street, Room 101, Napa, California 94559  
Monday through Friday 8:00AM to 5:00PM (707) 253-4471

**If you are on private property you are required to have:**

- (4) A Use Permit  
Required by City of Napa Zoning Ordinance Section 17.52.490(H)  
This may be obtained from the Community Development Department -  
Planning Division  
1600 First Street, Napa, California 94559, (707) 257-9530  
Monday through Friday, 8:00AM to 5:00PM

**If you are in the public right-of-way (the street) you must comply with the following:**

- (a) Permanent parking not allowed, you may only stay at each individual location a maximum of fifteen (15) minutes. Neither you nor any other person employed by the same employer may return to a location within twenty-four (24) hours of your last stop there. (Napa Municipal Code Section 10.36.180(A))
- (b) You may place a litter container (i.e. garbage can) outside your cart/vehicle, but it must be removed when you leave that location. (Napa Municipal Code Section (F))

**CITY OF NAPA MUNICIPAL CODE (EXCERPT)**

**10.36.180 Parking by peddlers, vendors.**

A. Except as otherwise provided in this section, no person shall stand or park any vehicle, wagon or pushcart from which goods, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this City:

1. at any permitted location for a period of time not exceeding fifteen (15) minutes and regardless of the length of time that vending occurred at any permitted location, shall not vend again for a period of twenty-four (24) hours within 1000 feet of such location;
2. within 1000 feet of any school property during the days and hours when the schools are operating;
3. within 1000 feet of any park, playground, recreation facility, or school property during the days and hours when the schools are not operating, except when parked adjacent to the park, playground, recreation facility, or school;
4. within 25 feet of any intersection;
5. Between the hours of 9:00 p.m. and 9:00 a.m.; and

6. within 1000 feet from any enclosed commercial restaurant

Where a person or entity owns more than one vehicle, wagon, or pushcart subject to the provisions of this section, said person or entity shall not permit an additional vehicle, wagon or pushcart owned by said person or entity to vend at any permitted location for a period of twenty-four (24) hours within 1000 feet of such a location when another vehicle, wagon, or pushcart owned by the same person or entity has already vended within that twenty-four (24) hour period at that permitted location.

The provisions of this subsection shall not apply to persons delivering such articles upon order of or by agreement with a customer from a store or other fixed place of business or distribution.

B. It shall be unlawful for any person to own, lease, drive, operate, or cause or permit to be driven, or operate any food vending truck in the City of Napa unless such person has submitted with his/her application for a peddlers permit pursuant to Chapter 5.40 of this code, a motor vehicle liability insurance policy, covering each food vending truck, issued by a solvent corporation holding a certificate of authority to do insurance business in the State of California, which policy shall conform in all respects to the requirements of this Chapter.

C. The required motor vehicle liability policy shall insure the owner, driver, and any other person using or responsible for the use of any food vending truck with the consent, expressed or implied, of such owner, driver or person against loss from the liability imposed upon such owner, driver or person by law for injury to, or death of, any person or damage to property growing out of the maintenance, operation or ownership of any food vending truck in an amount of one million dollars (\$1,000,000.00) combined single limit, no aggregate.

D. Every insurance policy and every certificate of motor vehicle liability insurance filed with the City pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 10.36 of the Napa Municipal Code. This policy shall insure to, and be for the benefit and protection of, anyone who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death, by reason of the operation of the motor vehicle or from the defective condition thereof. Liability under this policy shall in no manner be abrogated or abated by the death or dissolution of the insured.

2. There is continuing liability up to the full amount of the policy, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given to the City Clerk of the City of Napa. Said period of thirty (30) days to commence running from the date said notice is actually received in the office of the City Clerk.

E. In addition to the penalties set forth in Chapter 1.20 of this Code for any violation of this chapter, the owner or operator of the mobile vending truck may have his/her peddlers permit revoked pursuant to Chapter 5.40 and/or may, after the second violation of this chapter within a one (1) year period, be subject to having his/her vehicle towed.

F. No person vending from a food vending truck parked on any City street or alley shall place any other encroachment on the street, alley, or adjacent sidewalk, except a garbage and/or litter container, which garbage and/or litter container shall be removed at the time the vending truck moves from its location.

G. No person shall park or stand on any street any mobile unit howsoever propelled upon which or from which any food or beverage is vended, displayed or given away without first obtaining a peddlers permit, pursuant to Chapter 5.40 of this Code, to do so from the Chief of Police. (Ord. No. O93-028, Amended, 9/7/1993)