

RESOLUTION NO. 95-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND
APPROVING ADOPTION OF PERMIT FEES FOR SIDEWALK VENDING AND
SETTING ADMINISTRATIVE FINE AMOUNTS FOR SIDEWALK VENDING
VIOLATIONS INCLUDING VENDING WITHOUT A SPECIAL BUSINESS PERMIT**

WHEREAS, the City Council has determined that City Staff provides business permitting services to the public and utilizes public safety-related enforcement actions for the public's benefit, including issuance of fines for violations of the City's codes; and

WHEREAS, if the City Council adopted Ordinance No. 07-24 N.S. adding Chapter 7.42 (Sidewalk Vending) to Article 7 of the Richmond Municipal Code (RMC), a new form of business permit is needed in connection with Sidewalk Vending operations and new fines utilized for enforcement of the new regulations related to Sidewalk Vending including vending without a special business permit will be utilized by City Staff; and

WHEREAS, the City Council desires to ensure it can properly and effectively serve the public in processing and issuing the new form of business permit needed in connection with Sidewalk Vending if Ordinance No. 07-24 N.S. is adopted and wishes to set reasonable fees for such efforts in compliance with State Law, including Government Code section 66014; and

WHEREAS, the City Council desires to ensure it can enforce its new codes that will be put in place for Sidewalk Vending including vending without a special business permit should Ordinance No. 07-24 N.S. be adopted through proper fines authorized by State Law, including Government Code section 51039, to protect the public and deter unpermitted Sidewalk Vending; and

WHEREAS, the City Council conducted a duly noticed public hearing on July 2, 2024, at which time the public was invited to make oral and written presentations as part of the City Council's meeting prior to the adoption of this Resolution; and

WHEREAS, at least ten (10) days prior to the public hearing referenced above, the City made available for public inspection information required under Government Code Section 66000, et seq., and

WHEREAS, the City published notice of the public hearing as described above in accordance with Government Code Sections 6062(a), 66014, 66016, 66017 and 66018 for the various fees.

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF RICHMOND DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1: Adopt Resolution No. 95-24 to authorize the proposed permit fees for sidewalk vending in addition to penalties for violating the City's sidewalk vending ordinance including vending without a special business permit.

SECTION 2: The City Council hereby finds and determines that new fees and charges established in this Resolution are in an amount reasonably necessary to recover the costs of providing the service, review, document, facility, or commodity for which such fee or charge is levied or authorized to be levied.

SECTION 3: Adoption of Resolution No. 95-24 establishes sidewalk vendor business permits and the related business permit fee amount as follows:

Finance

BUSINESS PERMITS			
Description	Current Fee	Factor	Approved
Business Permit Required: Sidewalk Vendor			
a. Application for permit	\$103.66	N/A	
b. Annual renewal of permit	\$103.66	N/A	

SECTION 4: Adoption of Resolution No. 95-24 establishes the administrative citation fine amount for violations of the City’s sidewalk vending ordinance by sidewalk vendors who have a current and valid sidewalk vending permit as follows:

Public Works

PUBLIC WORKS			
Description	Current Fee	Factor	Approved
Administrative Citations: Sidewalk Vending violations			
First	\$100.00	N/A	
Second	\$200.00	N/A	
Third	\$500.00	N/A	

SECTION 5: Adoption of Resolution No. 95-24 establishes the administrative citation fine amount for engaging in sidewalk vending without a special business permit as follows:

Public Works

PUBLIC WORKS			
Description	Current Fee	Factor	Approved
Administrative Citations: Sidewalk Vending without a special business permit			
First	\$250.00	N/A	
Second	\$500.00	N/A	
Third	\$1,000.00	N/A	

SECTION 6: If Ordinance No. 07-24 N.S. is adopted, the new fees and charges set forth in this Resolution shall become effective on the first date that the amounts can legally be enforced.

SECTION 7: The City Clerk shall certify to the adoption of this resolution.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held July 2, 2024, by the following vote:

AYES: Councilmembers McLaughlin, Robinson, Willis, Zepeda, and Mayor Martinez.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Bana and Vice Mayor Jimenez.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

EDUARDO MARTINEZ
Mayor

Approved as to form:

DAVE ALESHIRE
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 95-24**, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on July 2, 2024.



Pamela Christian, Clerk of the City of Richmond