



# AGENDA REPORT

## Public Works

<b>DATE:</b>	April 28, 2026
<b>TO:</b>	Mayor Martinez and Members of the City Council
<b>FROM:</b>	Daniel Chavarria, PE, Director of Public Works Robert Armijo, PE, Deputy Director of Public Works / City Engineer Andy Cho, PE, Senior Civil Engineer
<b>Subject:</b>	Introduce Ordinance Amending Sidewalk Vendor Regulations (RMC Chapter 7.42)
<b>FINANCIAL IMPACT:</b>	<p>There is no immediate fiscal impact associated with the introduction of the proposed ordinance.</p> <p>Implementation of the updated Sidewalk Vendor Ordinance will continue to require staffing and/or contractual resources to support enforcement, administration, and vendor outreach. These costs are currently addressed through existing budget allocations; however, future adjustments may be necessary depending on the level of service, enforcement expectations, and program structure as directed by the City Council.</p>
<b>PREVIOUS COUNCIL ACTION:</b>	None.
<b>STATEMENT OF THE ISSUE:</b>	The City Council is being asked to consider an ordinance revising Chapter 7.42 of the Richmond Municipal Code to improve the administration, clarity, and effectiveness of the City's Sidewalk Vendor Program.

<b>RECOMMENDED ACTION:</b>	INTRODUCE an ordinance (first reading) amending Chapter 7.42 of the Richmond Municipal Code (Sidewalk Vendor Ordinance) to update administrative procedures, waiver provisions, and enforcement mechanisms - Public Works Department (Andy Cho 620-6547/Robert Armijo 620-5477).
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**DISCUSSION:**

On July 2, 2024, the City Council adopted a Sidewalk Vending Ordinance, codified in Chapter 7.42 of the Richmond Municipal Code, to align with California Senate Bill 946 (SB 946), also known as the Safe Sidewalk Vending Act of 2018, and to promote public health, safety, accessibility, and economic opportunity through the regulation of sidewalk vending. The ordinance established requirements including the need for a special business permit, operational and locational standards, food vending provisions, and enforcement protocols. On the same date, the City Council adopted a companion resolution establishing fees, fines, and administrative penalties to support program implementation.

Following City Council adoption, City staff initiated a multi-departmental effort to implement the ordinance. This included launching an education and outreach campaign to inform vendors of the new requirements and assist them in coming into compliance.

The City launched the enforcement program in August 2024, one month after adoption. Consultant 4Leaf, Inc., under contract with the City, has provided up to 40 hours per week of field-based code enforcement and outreach.

To support vendors, the City also launched the Mobile Vendor Plaza (The “Lot”) on September 21, 2024, providing a permitted and safe location for vendors to conduct business.

The combination of the vendor enforcement program and the Mobile Vendor Plaza has dramatically reduced unpermitted vendor activity from more than 60 cases in the early stage to less than 20 cases. The City has also received positive feedback from the 23rd Street Merchant Association, demonstrating successful collaboration and improved community relationships.

On July 1, 2025, City staff presented an update to the City Council on the Sidewalk Vendor Program, including enforcement activities, program challenges, and potential areas for ordinance refinement. City Council provided direction to City staff to explore updates to the ordinance, including mechanisms to address site-specific conditions, improve administrative clarity, and ensure alignment with evolving State requirements, including SB 635 (Street Vendor Business Protection Act).

Over the past year, the City has transitioned from a primarily educational approach to a more structured enforcement model. This has included coordination with contract

enforcement services, development of standard operating procedures, and increased field presence to promote compliance with the ordinance.

In response to City Council direction to explore updates to the ordinance, City staff reviewed policy alternatives and examined waiver provisions in Chapter 15.04.809 of the Richmond Municipal Code, previously adopted by the Community Development Department (CDD). City staff also received ongoing feedback throughout the year identifying additional areas of Chapter 7.42 that may benefit from clarification or amendment.

To support this effort, City staff consulted with the City Attorney and retained outside counsel to evaluate the current Sidewalk Vending Ordinance, to identify specific aspects appropriate for a waiver provision with emphasis on Chapter 7.42.060 (Operational Requirements) and Chapter 7.42.070 (Cart Location Standards) and to support an ordinance amendment process to ensure comprehensive and efficient reform.

The proposed amendments reflect experience administering the program over the past year and incorporate feedback from the City Council, legal counsel, and internal stakeholders. Through this process, several areas of Chapter 7.42 were identified for clarification or improvement, particularly with respect to administrative procedures, flexibility in applying standards, and alignment with State law.

Recent State legislation, including SB 635, also introduced new requirements related to vendor privacy and administrative processes, necessitating updates to the City's ordinance. The proposed revisions to Chapter 7.42 are intended to address operational challenges identified during implementation and to provide a more durable administrative framework.

A key component of the update is the introduction of a formal waiver process, allowing limited flexibility in applying operational and location requirements where site-specific conditions warrant. This approach reduces the need for repeated ordinance amendments while maintaining public health and safety protections.

The amendments further clarify administrative procedures, including permit application requirements, denial and revocation criteria, and appeal processes, improving consistency and transparency for both administrators and vendors. In addition, the ordinance incorporates State-mandated provisions related to ability-to-pay determinations and confidentiality requirements under SB 635, ensuring continued compliance with evolving State law.

Key elements of the proposed revisions to Chapter 7.42 include:

- Establishment of a Waiver Process
- Clarification of Administrative Procedures
- Ability-to-Pay Determinations
- Confidentiality Protections

- Operational and Enforcement Clarity

The proposed amendments provide a more flexible, clear, and legally compliant framework for administering the City's sidewalk vendor program. Therefore, City staff recommend that the City Council consider the ordinance amending Chapter 7.42 of the Richmond Municipal Code for first reading and adopt the ordinance at a subsequent meeting.

**DOCUMENTS ATTACHED:**

Attachment 1 – Draft Ordinance Amending Chapter 7.42 of the Richmond Municipal Code

Attachment 2 – Draft Ordinance Amending Chapter 7.42 – Highlighted Changes