

**ORDINANCE NO. 2093**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GLENDORA, CALIFORNIA AMENDING TITLE 10 (VEHICLES AND TRAFFIC) OF THE GLENDORA MUNICIPAL CODE, CHAPTERS 10.76 (STREET VENDING) AND 10.77 (SIDEWALK VENDING) TO UPDATE THE CITY OF GLENDORA'S REGULATORY PROGRAM APPLICABLE TO STREET AND SIDEWALK VENDORS**

**THE CITY COUNCIL  
City of Glendora, California**

**WHEREAS**, Governor Brown approved Senate Bill 946 ("SB 946") which, effective as of January 1, 2019, amended Chapter 6.2 to the California Government Code to prohibit criminal prosecution of sidewalk vendors (as defined in SB 946), and precluded local agencies from broadly prohibiting or limiting the total number of sidewalk vendors, and conferred limited authority on local agencies to regulate sidewalk vendors within their jurisdictions; and,

**WHEREAS**, on January 14, 2020, the City of Glendora adopted Ordinance 2046 establishing a regulatory program applicable to sidewalk vendors to implement SB 946; and,

**WHEREAS**, on June 11, 2024, the City Council directed staff to prepare a report to discuss the status of Community Preservation/Code Enforcement and the City's sidewalk vendor regulations and permitting program; and,

**WHEREAS**, on September 10, 2024, staff presented a report, which included recommendations to revise GMC 10.77 (Sidewalk Vending), and pursuant to the discussion the City Council directed staff to prepare an ordinance incorporating the recommended revisions; and,

**WHEREAS**, the City Council declares that the provisions of this Ordinance are intended to address deficiencies in the sidewalk vendor regulatory program as they relate to public health, safety, and welfare objectives and concerns.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENDORA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The following Section of Title 10, Chapter 10.76 STREET VENDING of the Glendora Municipal Code is hereby amended as shown with unaltered text provided for context and the added text provided in *bold italics* and deleted text in ~~striketrough~~ as follows.

10.76.030 Permit Approval.

The street vendor permit shall be approved, conditionally approved or denied by the director of community development or designee based on whether the following criteria have been met:

- (1) Payment of all applicable fees.
- (2) ~~Receipt and approval by the city attorney of certificates of insurance and endorsements for at least five hundred thousand dollars combined single limit, certifying as to adequate liability insurance for the specific street vending business which the street vendor will work for or owns, including coverage for all individuals, property and vehicles to be used in the street vending. If a~~

~~street vendor will not be using a vehicle or commercial vehicle to street vend, then the certificate of insurance will not be required.~~ ***Evidence of insurance as required by the City's risk manager.***

(3) A finding that the street vendor has not been found guilty or pled no contest to any of the following within the past five years: a crime of moral turpitude; a drug-related misdemeanor or felony, including but not limited to, the sale of a controlled substance; the sale, distribution or display of obscene matter; indecent exposure; selling or disposing of lottery tickets; gambling; or bookmaking.

(4) A finding that, on, or after, the later of the date of the adoption of the ordinance codified in this chapter or the year immediately prior to the application, the street vendor has not had a street vendor permit revoked or been found guilty of a violation of this chapter.

(5) Accurate completion of the application.

The decision of the director of community development or designee is final.

If the street vendor permit application is approved, the city shall issue a street vendor permit and street vendor identification card to each street vendor. The street vendor identification card shall include a photograph of the street vendor. The street vendor permit and street vendor identification card will be valid for a period of one year and must be renewed on or before the one year anniversary of the issuance of the permit if the street vendor wishes to continue street vending in the city. Nothing contained in this section shall be deemed to exempt or grant a waiver of any requirement set forth in Chapter 5.08 of this code.

Any person found to have misrepresented any information on the application will not be eligible to apply for a street vendor permit for a period of one year.

**SECTION 2.** The following Sections of Title 10, Chapter 10.77 SIDEWALK VENDING of the Glendora Municipal Code are hereby amended as shown with unaltered text provided for context and the added text provided in ***bold italics*** and deleted text in ~~strikethrough~~ as follows.

## **Chapter 10.77 SIDEWALK VENDING**

10.77.010 Definitions.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Certified farmers' market" means a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the Food and Agricultural Code and any regulations adopted pursuant to that chapter.

"City" means the ~~city~~ ***City*** of Glendora.

"Director" means director of community development or ***its*** designee.

"Emergency vehicle access" means the roadway path or other surface that provides police or fire safety vehicular access from the dispatched point of origin to a facility, building, parcel, park or

portion thereof. Emergency vehicle access includes, but is not limited to, fire lanes, public and private streets, parking lot lanes, access roadways, and walkways.

"Food" means any item provided Health and Safety Code Section 113781, or any successor section.

"Merchandise" means any item(s) that can be sold and immediately obtained from a sidewalk vendor that is not considered food, ***including, but not limited to, souvenirs, toys, articles of clothing, and flowers.*** Items for rent shall not be considered merchandise.

"Park" means any area dedicated or established as a public park owned or operated by the City.

"Pathway" means a paved path or walkway for pedestrian travel, other than a sidewalk.

"Person" means any natural person, firm, association, organization, partnership, joint venture, business trust, corporation, or company.

"Public property" means all property owned or controlled by the ~~city~~ ***City***, including, but not limited to, ***an*** alleys, parks, pathways, streets, parking lots, sidewalks, and/or walking trails.

"Roaming sidewalk vendor" means a sidewalk vendor who operates by traveling from place to place and stops ~~only~~ to complete a transaction.

"Sidewalk" means a public sidewalk or paved pedestrian path specifically designed for public pedestrian travel.

"Sidewalk vending device" means a pushcart, stand, pedal-driven cart, display, wagon, showcase, rack or non-motorized conveyance.

"Sidewalk vendor" or "vendor" means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one's person, upon a sidewalk ***or pathway*** within the ~~city~~ ***City***, ***which term shall include a roaming sidewalk vendor and stationary sidewalk vendor as defined herein.***

"Sidewalk vending" refers to ***any*** commercial activity conducted by a sidewalk vendor.

~~"Special event permit" means a permit issued for the temporary use of, or encroachment on, a sidewalk or other public area, including a "special outdoor display event."~~

"Special outdoor display event" refers to that meaning ***set forth*** in ***Glendora Municipal Code*** Section 5.32.010.

"Stationary sidewalk vendor" means a sidewalk vendor who operates from a fixed location.

"Swap meet" means a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the Business and Professions Code, and any regulations adopted pursuant to that chapter, or any successor chapter.

10.77.020 Permit required—Applicability.

- A. No person shall engage in any sidewalk vending activities without first obtaining a sidewalk vendor permit *in accordance with the provisions of this chapter* from the director, ~~or designee~~. Permit decisions by the director ~~or designee~~ shall be final.
- B. The requirements of this chapter shall not apply to the following persons:
1. Persons delivering goods, wares, merchandise, or food upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution.
  2. Solicitors, as described in *Glendora Municipal Code* Section 5.14.010.
  3. Persons selling goods, wares, merchandise, or food from a motorized vehicle, including food trucks or street vendors, *which are regulated pursuant to Glendora Municipal Code Section 10.76*.

10.77.030 Permit application process and application fee.

- A. An application for a sidewalk vending permit shall include the following information:
1. The applicant's name, current mailing address, and telephone number;
  2. A copy of a valid California's driver's license or identification number, an individual taxpayer identification number, or a social security number. An applicant for a business ~~license or permit~~ to operate as a sidewalk vendor shall not be required to submit a social security number for the issuance of such ~~license or permit~~. In lieu of an otherwise required social security number, the ~~city~~ *City* shall accept a California driver's license or identification number, an individual taxpayer identification number, or a municipal identification number. Identification numbers submitted under this section shall not be made available to the public for inspection, shall be treated as confidential, and shall not be disclosed except as required to administer the ~~license or permit~~ program or to comply with a state law or state or federal court order;
  3. Each individual sidewalk vendor must have his or her own permit. In addition, if the vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal and the name, address, and telephone number of the person in charge of any roaming sidewalk vendors, and sidewalk vending activity;
  4. Two prints of a recent passport size photo of the applicant;
  5. Whether the vendor(s) intends to operate as a stationary sidewalk vendor or a roaming sidewalk vendor;
  6. A description of the merchandise and/or food to be offered for sale;
  7. The number of sidewalk vending devices the sidewalk vendor will operate under the permit and a description and a photograph of each and every *sidewalk* vending device and trash receptacle to be used (including the dimensions of carts or other conveyances);
  8. A copy of a valid California Department of Tax and Fee Administration seller's permit, as required, which shall be maintained during the pendency of the sidewalk vendor's permit;

9. If a vendor of food, proof of all required approvals from the Los Angeles County Department of Public Health;
  10. *A description, map, or drawing of the specific location(s) (if a stationary sidewalk vendor) or route of travel (if a roaming sidewalk vendor) where the vendor intends to operate.*
  11. *If a stationary sidewalk vendor, the day(s) and hours of operation at the specified location(s).*
  - ~~12.10.~~ Evidence of insurance as required of street vendors as stated in Glendora Municipal Code Section ~~10.76.030(2)~~ *by the City's risk manager.*
  - ~~13.11.~~ The applicant's acknowledgment that the sidewalk vendor's use of public property is at their own risk, the ~~city~~ **City** does not take any steps to ensure public property is safe or conducive to the sidewalk vending activities, and the sidewalk vendor uses public property at his or her own risk.
  - ~~14.12.~~ The applicant's certification that, to his or her knowledge and belief, the information contained in the application is true and acknowledgment that the sidewalk vendor will comply with all other generally applicable local, state, and federal laws.
- B. Application and Permit Fees. Applications shall not be accepted unless accompanied by payment of an application fee that the ~~city~~ **City** council may establish by separate resolution in an amount not to exceed the ~~city's~~ **City's** reasonable cost of providing the services required by this chapter. The application and permit are only applicable to the individual(s) named on the application.

#### 10.77.040 Operating requirements.

All sidewalk vendors are subject to the following operating conditions when conducting sidewalk vending activities:

- A. All food and merchandise shall be stored either inside or affixed to the sidewalk vendor device or carried by the sidewalk vendor. ***Food and merchandise shall not be displayed less than two feet or more than five feet off the ground.*** Food and merchandise shall not be stored, placed, or kept on any public property.
- B. All sidewalk vendors that prepare or sell food must be in compliance with all Los Angeles County and state of California permitting and licensing requirements for the preparation or sale of food.
- C. The overall space taken up by the sidewalk vendor device shall not exceed the size requirements provided for in this section. Sidewalk vendors shall not set up, maintain, or permit the use of any additional table, crate, carton, rack, or any other device to increase the selling or display capacity of their stand where such terms have not been described by their application and approved in their sidewalk vendor permit.
- D. The sidewalk vendor permit shall always be displayed conspicuously on the sidewalk vending device or ***upon*** the side-walk vendor's person. If multiple sidewalk vendors are staffing a sidewalk vendor device or working as roaming sidewalk vendors, each person shall wear their permit on their person in a conspicuous manner.

- E. Sidewalk vendors shall not leave their sidewalk vending device unattended to solicit business for their sidewalk vending activities. Sidewalk vending devices shall not be stored on public property and shall be removed when not in active use by a vendor.
- F. All sidewalk vendors shall allow any ~~city~~ **City** official at any time, to inspect their sidewalk vending device for compliance with the size requirements of this chapter and to ensure the safe operation of any heating elements used to prepare food.
- G. ~~Sidewalk vending devices~~ **While in operation, a sidewalk vendor shall not occupy a space exceeding four feet in length and three in width including all sidewalk vending devices and equipment, but excluding the space the sidewalk vendor's own person occupies.** ~~exceed a maximum total height of three feet, a total width of three feet, and a total length of three feet.~~
- H. **A sidewalk vendor may have one City-approved umbrella or other shade structure if attached to a vending device that does not exceed four feet in width or length, and eight feet in height as measured from the ground.**
- I.H. If a sidewalk vending device requires more than one person to conduct the sidewalk vending activity, all sidewalk vendors associated with the *sidewalk* vending device shall be within five feet of the device when conducting sidewalk vending activities.
- J.I. Sidewalk vendors that sell food shall maintain a trash container in or on their sidewalk vending device and shall not empty their trash into public trash cans. The size of the food vendor's trash container shall be considered when assessing the total size limit of a sidewalk vending device. All sidewalk vendors shall not leave any location without first picking up, removing, and disposing of all trash, refuse or spillage from their operation. All sidewalk vendors shall immediately clean up any food, refuse, grease or other fluid or items related to sidewalk vending activities that fall on public property.
- K.J. Stationary sidewalk vending activities may only occur on sidewalks with an eight-foot minimum width. All vending activities must maintain a four-foot minimum accessible and unobstructed clearance for pedestrians, including sidewalk vending devices and customer queuing area.
- L.K. Sidewalk vendors shall comply with the following noise standards:
  1. It is unlawful for any sidewalk vendor to shout, make any outcry, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound-amplifying system while vending where such sound exceeds the ~~city's~~ **City's** noise standards as set forth ~~Chapter~~ **Glendora Municipal Code Section 9.44.**
  2. No sidewalk vendor shall operate or permit the operation of any sound amplification system to advertise, to draw attention to the presence of the sidewalk vendor or to communicate commercial information to the general public, except to request emergency assistance or warn of a hazardous situation.
- M.L. Sidewalk vendors shall not vend to or otherwise conduct transactions with persons in moving vehicles or vehicles illegally parked or stopped. Sidewalk vending activities may only sell to pedestrians and may not sell to, or attempt to sell to, any customers located in any vehicles.

~~N.M.~~ In residential areas, roaming sidewalk vendors may only operate between the hours of eight a.m. and six p.m., Monday through Friday, inclusive and between ten a.m. and six p.m. on weekends and holidays. Stationary vendors may not operate in areas that are zoned exclusively residential.

~~O.N.~~ In commercial or mixed-use areas, both sidewalk and stationary sidewalk vendors may only operate between eight a.m. and nine p.m., or as consistent with the hours of operation of the businesses on that same street, seven days a week.

#### 10.77.050 Prohibited activities and locations.

A. Sidewalk vendors shall comply with all operating conditions, including those conditions set forth in *Glendora Municipal Code* Section 10.77.040.

B. Sidewalk vendors shall not engage in any of the following activities:

1. Renting merchandise to customers;
2. Displaying merchandise or food that is not available for immediate sale;
3. Selling of adult-oriented material, *illegal or counterfeit merchandise, tobacco, marijuana, smoke or vaping products, live animals, weapons, pharmaceuticals, and/or* alcohol.
4. Using an open flame that is not covered by a top.

C. Sidewalk vendors shall not engage in sidewalk vending activities at the following locations:

1. Within ~~fifteen~~ *twenty five* feet of a:

- a. Fire hydrant;
- b. Curb which has been designated as yellow or red zone or a transit stop;
- c. ~~Vehicle~~ *driveway or entrance/exit*, alley or street corner; and
- d. Bike racks, benches, ~~bus~~ *transit* stops or similar public use.

2. ~~Within 50~~ *fifty feet of:*

- a. ~~Another sidewalk vendor or street vendor;~~ *and*
- b. *An active construction zone.*

~~3.2.~~ On any designated emergency vehicle access way.

~~4.3.~~ On any public property that does not meet the definition of a sidewalk, except as otherwise stated in subsection D below.

~~5.4.~~ Within one hundred feet of a sidewalk or other public area designated for a special outdoor display event, parade permit, swap meet, certified farmers' market, filming, or encroachment issued by the ~~city~~ *City*, during the limited duration of the permit.

~~6.5.~~ On any private property without the express written consent of the owner or lessee of the

property.

- 7.6- Any location that would impede entering or exiting a parked vehicle.
- 8.7- Stationary sidewalk vendors shall not sell food or merchandise or engage in any sidewalk vending activities at any park where the ~~city~~ **City** has signed an agreement for concessions that exclusively permits the sale of food or merchandise by a concessionaire.
- 9.8- Within one hundred feet of any public safety facility, including without limitation police stations, first responder locations, and fire stations.
- 10. ***Within one hundred feet of any property line of any property on which school, church, or cemetery is located.***
- 119- On any sidewalk where vending equipment and queuing patrons would restrict access requirements under the Americans with Disabilities Act.
- 12.10- Sidewalk vending devices shall not touch, lean against or be affixed at any time to any building or structure including, but not limited to, lampposts, parking meters, mailboxes, traffic signals, fire hydrants, benches, bus shelters, newsstands, trashcans, or traffic barriers.
- D. Sidewalk vendors may be permitted to operate upon sidewalks in parks owned or operated by the ~~city~~ **City**. However, no stationary sidewalk vendor may operate in a ~~city~~ **City**-owned or ~~city~~ **City**-operated park if the operator of the park has signed an agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire.

10.77.060 Permit nontransferable.

A sidewalk vending ~~license~~ **permit** shall not be transferable to any person or be valid for vending operations in any location(s) other than that location designated ~~on~~ **in** the ~~license~~ **permit** for the term stated.

10.77.070 Violations and penalties.

- A. Any violation of this chapter or any term of a sidewalk vendor's permit, except a violation for operating without a required sidewalk vendor's permit, is punishable only as follows:
  - 1. An administrative fine not exceeding one hundred dollars for a first violation.
  - 2. An administrative fine not exceeding two hundred dollars for a second violation within one year of the first violation.
  - 3. An administrative fine not exceeding five hundred dollars for each additional violation within one year of the first violation.
  - 4. Rescission of the sidewalk vendor's permit for the remaining term of that permit upon the fourth violation or subsequent violations within one year of the first violation.
  - 5. ***Any subsequent application for a sidewalk vendor permit from a sidewalk vendor who has been found in violation of the provisions of this chapter shall not be approved for one year after the fourth violation or subsequent violations within one year after such fourth violation.***

- B. A violation for operating without a required sidewalk vendor's permit is punishable only as follows:
  - 1. An administrative fine not exceeding two hundred fifty dollars for a first violation.
  - 2. An administrative fine not exceeding five hundred dollars for a second violation within one year of the first violation.
  - 3. An administrative fine not exceeding one thousand dollars for each additional violation within one year of the first violation.
  - 4. ***Any application for a sidewalk vendor permit from a sidewalk vendor who has been found to be in violation of the provisions of this chapter shall not be approved for one year after the second violation or subsequent violations within one year after such second violation.***
- C. Upon proof that a sidewalk vendor possesses the required sidewalk vendor's permit, any administrative fine imposed pursuant to subsection B of this section for operating without a required sidewalk vendor's permit shall be reduced to the applicable fine amount set forth in subsection A of this section.
- D. Notwithstanding any other provision of this section, all fines imposed pursuant to this section shall be subject to an ability-to-pay determination as described in Government Code Section 51039(f), and as amended. Concurrent with issuance of any citation for administrative fines pursuant to this section, the citing officer shall provide the sidewalk vendor with notice of his or her right to request an ability-to-pay determination, and shall make available to the sidewalk vendor instructions or other materials for requesting the ability-to-pay determination.
- E. Notwithstanding any other provision of this code, no violation of this chapter shall be punished as a criminal offense.

10.77.080 Ability-to-pay determinations.

- A. When assessing an administrative fine under this chapter, the ~~city~~ **City** will take into consideration a person's ability to pay the fine. Furthermore:
  - 1. Any fine issued under this chapter will be accompanied by notice of and instruction regarding a person's right to request an ability-to-pay determination.
  - 2. A person may request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program.
- B. If a person is receiving public benefits under Government Code Section 68632, subdivision (a), or has a monthly income which is one hundred twenty-five percent or less than the current poverty guidelines updated periodically in the Federal Register by the United States Department of Health and Human Services, the person's administrative fine will be limited to twenty percent of the amount assessed according to the fee schedules in Section 5.122.110(8). The ~~city~~ **City** may also take the following actions:
  - 1. Allow the person to complete community service in lieu of paying the total administrative

fine; or

2. Waive the administrative fine; or
3. Offer an alternative disposition.

***10.77.090 Vending Devices, Merchandise, and Equipment Impounded***

***A. In order to protect the health, safety, and welfare of sidewalk vendors, patrons, and the general public, the City may impound a sidewalk vendor's vending device, food, equipment and any goods therein used in violation of this chapter, and/or any other applicable city, Los Angeles County or state law for the following reasons:***

1. ***Merchandise displayed, offered, or made available for sale by a sidewalk vendor who does not hold a valid sidewalk vendor permit from the City;***
2. ***Displaying or selling merchandise or food in violation of this chapter and applicable federal, state, county, or city laws, ordinances, and regulations, including but not limited to illegal or counterfeit merchandise, alcohol, tobacco, marijuana, smoke or vaping products, adult oriented material, live animals, weapons, and/or pharmaceuticals;***
3. ***Food displayed, offered, or made available for sale including equipment used by a sidewalk vendor without holding a valid and displayed health permit from the Los Angeles County Department of Public Health in violation of City, county or state law;***
4. ***The sidewalk vending device, merchandise, or equipment reasonably appear to be unattended or abandoned on public property for more than thirty consecutive minutes without moving from the exact spot it was located and reasonable attempts were made to locate the owner or responsible persons within fifty feet of the vending device, merchandise, or equipment;***
5. ***Merchandise displayed, offered, or made available for sale by a sidewalk vendor who operates in violation of this chapter, and refuses or fails to provide identification;***
6. ***Operation in violation of this chapter and refusal or failure by a sidewalk vendor to comply within thirty consecutive minutes after being instructed to do so by a City code enforcement officer, or other City official;***
7. ***Merchandise displayed, offered, or made available for sale by a sidewalk vendor who vends in a manner that block or obstructs the free movement of pedestrians on sidewalks and fails to maintain a minimum of four feet of accessible path of travel, without obstruction, so as to enable persons to freely pass while walking, or using mobility assistance devices, and/or in violation of the Federal Americans with Disabilities Act of 1990; or***
8. ***Merchandise or equipment creating an imminent and substantial danger or environmental hazard to health, safety, or general welfare of the public or property at the location of the sidewalk vending device such as, but not limited to, discharge of oil, grease or other slippery substances on the street or sidewalk; using unapproved cooking equipment, heating element, gas-fueled appliances, generator, or any open flame;***

*attaching or using any water lines, electrical lines, or gas lines; during an urgent or emergency public safety event or incident; using any luminaire, flashing lights or any other animated devices or sign; or using, operating or permitting any radio, loudspeaker or other device for the producing or reproducing of sound.*

- B. Prior to commencing an impoundment action under the preceding paragraph A, a City code enforcement officer or other City official must issue a verbal warning to the sidewalk vendor operating in violation of this chapter. An impoundment action will proceed only if the sidewalk vendor fails or refuses to comply with the verbal warning within the time specified or, if no time is specified, within a reasonable time.*
- C. The City may immediately dispose of impounded merchandise that is perishable and/or cannot be safely stored.*
- D. Sidewalk vending devices, merchandise or equipment impounded pursuant to this section, excluding those items that were immediately disposed of according to 10.77.090(C), shall be held by the City for not more than sixty days from the date of impoundment.*
- E. The City shall provide the person from whom the vending device, merchandise or equipment were impounded with a receipt and instructions for retrieval of the impounded items, excluding those items that were immediately disposed of according to 10.77.090(C). The receipt and instructions shall be given to the person from whom the items were taken at the time of impound or shall be mailed within two business days of the impound to the address received by the City when the person applied for a sidewalk vending permit.*
- F. Impounded vending devices, merchandise, and equipment, excluding any items that were disposed of according to 10.77.090(C), will be released to the sidewalk vendor or owner provided that proper proof of ownership is presented, and the City receives payment in full of all administrative costs incurred as a result of the violation. Any unclaimed items will be considered abandoned and forfeited to the City after 60 days following impoundment. The City shall not be liable for damages caused by any official action performed with due care regarding the disposition of items pursuant to this section and the disposal provisions of this chapter.*
- G. An aggrieved sidewalk vendor may, within 21 calendar days of the impoundment, appeal the impoundment of their items by filing a written request for appeal with the City's Police Chief. The request for appeal shall to the best of the appellant's knowledge contain, at a minimum, the following information:*
  - 1. The date and time the items were removed by the City;*
  - 2. The location from which the items were removed by the City;*
  - 3. If appellant is not the person to whom a receipt and instructions for retrieval was issued, proof of ownership of the items removed by the City;*
  - 4. A brief statement explaining why the removal was improper.*

- H. If successful in their appeal, the sidewalk vendor may have their items returned, excluding any items that were immediately disposed of according to 10.77.090(C), any appeal fee paid by the sidewalk vendor shall be refunded, and the sidewalk vendor shall not be required to pay the impound fee(s).*
- I. A sidewalk vendor may recover impounded sidewalk vending device or equipment, excluding any items immediately disposed of according to 10.77.090(C), upon paying applicable impound fees and demonstrating proper proof of ownership of the items.*
- J. The City Council may adopt by ordinance or resolution impound fees, which shall reflect the City's personnel, enforcement, investigation, storage, disposal, and impound costs.*
- K. The City Manager is authorized to develop additional regulations for the storage and release of impounded items not in conflict with this chapter.*

**SECTION 3. Severability clause:** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

**SECTION 4. Repealer Clause:** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect.

**SECTION 5. Effective Date:** The Mayor shall sign this Ordinance and the City Clerk shall attest and certify to the passage and adoption thereof and cause same to be published at least once in the San Gabriel Valley Examiner, a weekly newspaper of general circulation, published in the City of Glendora, which newspaper is hereby designated for that purpose (GC Cal. Govt. Code § 40806). This Ordinance shall be effective on the thirtieth (30th) day after its adoption by the City Council

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Glendora this \_\_\_\_ day of \_\_\_\_, 20\_\_.

City Council of Glendora, California

BY: \_\_\_\_\_  
 DAVID FREDENDALL  
 Mayor

APPROVED AS TO FORM:  
 Aleshire & Wynder, LLP

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DANNY ALESHIRE  
 City Attorney  
 Ordinance No. 2093

**CERTIFICATION**

I, Kathleen R. Sessman, City Clerk of the City of Glendora, do hereby certify that the foregoing Ordinance was introduced for first reading on the 10<sup>th</sup> day of December, 2024. Thereafter, said Ordinance was duly approved and adopted at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following roll call vote:

AYES: MEMBERS:  
NOES: MEMBERS:  
ABSENT: MEMBERS:  
ABSTAIN: MEMBERS:

Dated:

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KATHLEEN R. SESSMAN  
City Clerk/Communications Director