

ORDINANCE NO. 26-2605

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING: (i) SECTION 1202 OF CHAPTER 2 (PENALTY PROVISIONS) OF ARTICLE I (GENERAL PROVISIONS), (ii) SECTIONS 31001 (DEFINITIONS) AND 31002 (SIDEWALK VENDING OPERATIONAL REQUIREMENTS) OF CHAPTER 10 (SIDEWALK VENDING) OF ARTICLE 3 (PUBLIC SAFETY); (iii) SECTIONS 4118 (STREET VENDORS NEAR SCHOOLS), 4118.1 (PEDDLING FROM VEHICLES IN PARKS), 4118.2 (SELLING ICE CREAM AND CERTAIN FOOD PRODUCTS FROM VEHICLES IN PUBLIC STREETS), AND 4118.4 (VENDING OF MERCHANDISE ON PUBLIC PROPERTY, STADIUMS, ATHLETIC FIELDS, COMMUNITY CENTERS OR ABANDONED PROPERTY – EXCLUSIONS) OF CHAPTER 1 (PROHIBITED CONDUCT – OFFENSES) OF ARTICLE IV (PUBLIC PEACE); AND (iv) SUBSECTION (E) OF SECTION 63142 (MOBILE FOOD VENDORS) OF CHAPTER 3 (BUSINESS, PROFESSIONS, AND TRADES) OF ARTICLE VI (TAXES AND LICENSES) OF THE CARSON MUNICIPAL CODE, TO PROHIBIT SIDEWALK VENDORS IN PUBLIC PLACES OF ASSEMBLAGE (AS DEFINED) DURING AND IMMEDIATELY BEFORE AND AFTER LARGE EVENTS, AND TO ELIMINATE INTERNAL INCONSISTENCY WITHIN THE CARSON MUNICIPAL CODE WITH RESPECT TO REGULATION OF SIDEWALK VENDORS

WHEREAS, on January 22, 2019, the City Council adopted Ordinance No. 18-1828, which repealed and amended certain sections of the Carson Municipal Code (“CMC”) in order to create a comprehensive system of City regulations regarding sidewalk vendors in compliance with then-new state law enacted effective January 1, 2019, pursuant to Senate Bill 946 and codified as Government Code Sections 51036 - 51039 (“SB 946”); and

WHEREAS, the City Council’s adoption of Ordinance No. 18-1828 effected the repeal of former CMC Section 4126. However, CMC Sections 1202 and 63142, which remain in effect currently, make reference to CMC Section 4126. These references to Section 4126 were inadvertently left unaddressed by Ordinance No. 18-1828, notwithstanding that it provided for the repeal of Section 4126, and the Council now sees fit to remove them; and

WHEREAS, subject to specified exceptions, (i) CMC Section 4118 provides that street vending is generally prohibited within 1,500 feet of schools when in session, (ii) CMC Section 4118.1 provides that peddling or vending from vehicles in City parks is generally prohibited, and (iii) CMC Section 4118.2 provides that peddling or vending from vehicles of ice cream and certain other food products is generally prohibited in public streets; and

WHEREAS, CMC Section 4118.3 provides that the following activities are prohibited: (i) the vending of merchandise from a nonmotorized vehicle on public property; (ii) the display or storage of merchandise for sale on public property; and (iii) the vending of any goods for sale at any stadium, athletic field or community center, or on any property containing any vacant building, without prior approval and consent of the City’s Building & Safety Division; and (iv) the vending of any goods for sale on any property containing an occupied building unless such sale is specifically permitted pursuant to the CMC; and

WHEREAS, CMC Sections 4118-4118.3 may conflict with SB 946 and Ordinance No. 18-1828 to the extent these sections apply to “sidewalk vendors,” which is defined in SB 946 and Ordinance No. 18-1828 as persons who sell food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path, or other public area in the City (“Sidewalk Vendors”). These sections were inadvertently left unaddressed by Ordinance No. 18-1828, and the City Council now desires to amend these sections (or in the case of CMC Section 4118.3, to amend CMC Section 4118.4, which provides exemptions from applicability of CMC Section 4118.3) to ensure consistency and clarity of the City’s regulations pertaining to “sidewalk vendors”; and

WHEREAS, certain City public rights-of-way are located next to venues where large crowds of people assemble for events, creating significant demand for limited public sidewalk and walkway space on event days, including, but not limited to, sidewalks located next to red curbs for emergency vehicles, pedestrians entering and exiting buildings or exterior facilities, bus stops, and passenger vehicles dropping off and picking up passengers. Sidewalk vending on any such public sidewalk or walkway creates public health and safety concerns by impeding ingress and egress to and from the event, obstructing use of such walkways for their intended purposes by persons with disabilities and other members of the public, whether attending the event or not, and interfering with the operations and activities of law enforcement and emergency services personnel on the walkways and in associated nearby areas, thereby posing risks to public health and safety including an increased likelihood of traffic collisions, trip and fall accidents, trampling occurrences, inability of emergency medical aid to be provided promptly to those in need, fire hazards, and other related concerns. Such venues can include City parks, as the City often hosts large events in its parks where the same concerns apply. Similar concerns also apply with respect to schools when in session, as they often involve rushes of pedestrian and vehicular traffic at pickup, drop-off and break times; and

WHEREAS, to address these public health and safety concerns, the City Council now sees fit and intends to modify the City’s sidewalk vendor regulations to prohibit street vending on public sidewalks and walkways in and near the entrances and exits to and from such event venues during and immediately before and after events occurring at such venues, and at schools while in session and immediately before and after same; and

WHEREAS, the City Council finds that the requirements and restrictions of this Ordinance regulate the time, place and manner of sidewalk vending and are directly related to objective health, safety or welfare concerns, consistent with SB 946; and

WHEREAS, nothing in this ordinance or the CMC regulations regarding sidewalk vendors shall be construed to prohibit the prosecution of sidewalk vendors who fail to comply with other provisions of law not preempted by SB 946, including but not limited to trespassing, failing to pay taxes, selling counterfeit merchandise, selling food in violation of the California Health & Safety Code, and operating from a sidewalk located within 500 feet of a freeway ramp in violation of the California Vehicle Code.

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

SECTION 1. The forgoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Section 1202 (Seizure of Personal Property Used in Certain Violation of This Code) of Chapter 2 (Penalty Provisions) of Article I (General Provisions) of the Carson Municipal Code, excluding any subsections, is hereby amended to read in its entirety as follows (deleted text shown in ~~strike through~~):

“1202 Seizure of Personal Property Used in Certain Violations of This Code

An arresting officer, in connection with making an arrest, or a City of Carson Code Enforcement Officer, in connection with issuing a citation to any person for violation of CMC 4118, 4118.1, 4118.2, ~~4125, 4126~~ or 4147, may seize and take into possession personal property not to exceed \$1,000 in value in the possession or control of such person and used or involved in the commission of the violation for which the arrest is made or citation issued, if the act or conduct for which such arrest is made or citation is issued has caused, or resulted in, or is causing or resulting in, or is in the immediate proximity of any vehicular or pedestrian traffic congestion, an automobile accident or other emergency situation, a parade, demonstration, or public or other event attended by an assembly or gathering of a large number of persons, or in the event of imminent danger to the person with respect to whom the citation is issued or arrest is made.

(a) The officer or Code Enforcement Officer seizing personal property pursuant to the provisions of this Section shall issue a receipt therefor to the person from whose possession or control such property is taken and cause such property to be stored in the control of the City for safekeeping. Said receipt shall contain a notice stating in substance that the person claiming ownership of said property may file a written claim therefor with the Director of Public Safety of the City of Carson, at the City Hall within ten (10) days after date of such seizure, and that in the absence of receipt of such a claim within said time said personal property shall escheat to and become the property of the City of Carson and may be disposed of by the City without further notice. One (1) copy of said receipt and notice shall be attached to the copy of the complaint or citation filed with the court. Such claim shall set forth the name, address and fact of ownership of such property.

(b) If a written claim is filed with the Director of Public Safety in accordance with the requirements of subsection (a), a hearing shall be held by the Director of Public Safety or his designee within ten (10) days after such claim is filed. If the ownership of such property is established by credible evidence as determined by the hearing officer, the property shall be released to the owner thereof. If the hearing officer shall find that the ownership of such property has not been so established, the hearing officer shall deny the claim. The claimant may file a written appeal from such denial with the City Administrator of the City. The City Administrator or his designee shall conduct a hearing or such appeal within seven (7) days after the filing of such appeal.

(c) The City may impose a reasonable storage fee to cover the cost of storing personal property seized pursuant to this Section. The release of said property shall be conditioned upon full payment of the applicable fee.

(d) The City is not liable for the deterioration or depreciation of seized personal property while in the City's custody."

SECTION 3. Section 31001 (Definitions) of Chapter 10 (Sidewalk Vending) of Article 3 (Public Safety) of the Carson Municipal Code is hereby amended to read in its entirety as follows (added text shown in ***bold italics***):

"31001 Definitions.

As used in this Chapter:

(a) "Operate," when used in reference to a sidewalk vendor, means to vend.

(b) "Place of public assemblage" means an event venue that has a capacity to host events of eight hundred (800) or more persons, including a stadium, arena, athletic field, court, or track, park, community center, or other event venue that has such capacity, excluding any private residence. "Place of public assemblage" includes, without limitation, the stadiums that, as of the date of adoption of Ordinance No. 26-2605, are known as the Dignity Health Sports Park soccer stadium, the Dignity Health Sports Park tennis stadium, and the Dignity Health Sports Park velodrome, as well as the Carson Event Center and any City park that has a capacity to host events of eight hundred (800) or more persons as determined by the City Manager or his or her designee.

(c) ~~(b)~~ "Sidewalk vendor" means a person who vends from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one's person (including from a pack or basket carried by the person), upon a public sidewalk, pedestrian path or walkway, or any other public area in the City.

(d) ~~(c)~~ "Stand" means any pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance used by a sidewalk vendor for purposes of vending.

(e) ~~(d)~~ "Roaming sidewalk vendor" means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

(f) ~~(e)~~ "Stationary sidewalk vendor" means a sidewalk vendor who vends from a fixed location.

(g) ~~(f)~~ "Temporary special permit" means any permit issued by the City for the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit, special event permit, or temporary event permit, for purposes including, but not limited to, filming, parades, or outdoor concerts.

~~(h)~~ (g) “Vend” means to sell, offer for sale, display, barter, exchange, or offer for barter or exchange food, beverages or merchandise.”

SECTION 4. Section 31002 (Sidewalk Vending Operational Requirements) of Chapter 10 (Sidewalk Vending) of Article 3 (Public Safety) of the Carson Municipal Code is hereby amended to read in its entirety as follows (added text shown in ***bold italics***):

“31002 Sidewalk Vending Operational Requirements.

(a) No sidewalk vendor shall operate without first obtaining and maintaining a valid City business license and a sidewalk vendor’s permit issued pursuant to Chapter 3 of Article VI. Application for the business license shall be made by submitting the information required pursuant to CMC 6336. Application for the sidewalk vendor’s permit shall be made by submitting the information required pursuant to CMC 63143(b).

(b) Each sidewalk vendor shall display the required sidewalk vendor’s permit in a conspicuous location on the sidewalk vendor’s person or stand at all times while the sidewalk vendor is operating.

(c) Operating Restrictions. It shall be unlawful and a violation of this Chapter for any sidewalk vendor to:

(1) Operate outside the hours authorized in the required sidewalk vendor’s permit, which hours shall not exceed: (a) in residential zones, 8:00 a.m. to 8:00 p.m.; and (b) in nonresidential zones, the hours established pursuant to any City-imposed operating hours limitation applicable to all other businesses or uses on the street on which the sidewalk vendor is operating;

(2) Operate as a stationary sidewalk vendor at any time in any residential zone;

(3) Leave unattended any stand at any time while operating, or store, park or leave unattended any stand at any time outside of operating hours on any public sidewalk, pedestrian walkway, or other public place;

(4) Sell food without first obtaining and thereafter maintaining the required permit issued by the Los Angeles County Department of Public Health or any other permit or license required pursuant to Part 7 (commencing with Section 113700) of Division 104 of the Health and Safety Code;

(5) Sell food for immediate consumption unless there is a litter receptacle available for patrons’ use;

(6) Leave any location without first disposing of all trash or refuse generated by operating in such location;

(7) Allow any items used in connection with the operation to be placed or stored anywhere other than in, on, or under the stand, or on the person of the sidewalk vendor;

(8) Operate from a stand other than the stand authorized pursuant to the sidewalk vendor's permit;

(9) Set up, maintain, or permit the use of any additional table, crate, carton, rack, or any other device to increase the selling or displaying capacity of a stand without having obtained express authorization to do so pursuant to the required sidewalk vendor's permit;

(10) Solicit or conduct business with any person in a motorized vehicle;

(11) Sell anything other than the specific food, beverages or merchandise authorized to be sold as part of the operation pursuant to the required sidewalk vendor's permit;

(12) Create any unnecessary noise in violation of CMC 4101, including but not limited to CMC 4101(g), except that such conduct, when engaged in by a sidewalk vendor while operating, shall be punishable only by the administrative fines established pursuant to this chapter;

(13) Operate within: (a) fifty (50) feet of any fire hydrant; (b) twenty-five (25) feet of any transit stop; (c) twenty-five (25) feet of any building entrance; (d) fifteen (15) feet of the outer edge of any driveway or vehicular entrance to public or private property; ~~or~~ (e) within five (5) feet of any other sidewalk vendor on any public sidewalk, pedestrian path or walkway or other area intended for ingress or egress;

(14) Operate on any public sidewalk or pedestrian path or walkway in a manner that does not maintain four (4) feet in width of clear space on the sidewalk, path or walkway;

(15) Operate on a public sidewalk, pedestrian path or walkway in, or within one thousand (1,000) feet of any entrance of, a place of public assemblage during or within two hours before or after any event held at the place of public assemblage. For purposes of this paragraph: (i) "event" excludes any private gathering that is open neither to the ticketed public nor to the public generally and that does not exceed 500 persons; and (ii) "entrance" means and includes any building entrance or exit and any entrance or exit to or from exterior premises, such as through outer fences or gates or into outer parking lots or driveways on the property or site of the place of public assemblage.

(16) Operate on a public sidewalk or pedestrian path or walkway within one thousand (1,000) feet of any entrance of a school when in session or within one hour before or after the school being in session. For purposes of this paragraph, "entrance" shall mean and include any building entrance or exit and any entrance or exit to or from exterior premises, such as through outer fences or gates or into outer parking lots or driveways on the property or site of the school.

(17) ~~(15)~~ Operate in any public street (i.e., in the street itself and not on the sidewalk), or on any median;

(18) ~~(16)~~ Operate as a stationary sidewalk vendor in any park owned or operated by the City, where the City or other park operator has an agreement in place with a concessionaire that exclusively permits the sale of food or merchandise by the concessionaire, during the hours the concessionaire is open in the park;

(19) ~~(17)~~ Operate as a stationary sidewalk vendor within any area of a City park that is within fifty (50) feet of an abutting residential dwelling;

(20) ~~(18)~~ Operate within a parking lot, except as expressly authorized pursuant to the required sidewalk vendor's permit based on a finding that such operation will not obstruct vehicular ingress, egress, or parking, or adversely affect public health or safety;

(21) ~~(19)~~ Operate within five hundred (500) feet of a certified farmers' market or a permitted swap meet during the operating hours of that certified farmers' market or swap meet;

(22) ~~(20)~~ Operate within five hundred (500) feet of an area designated for a temporary special permit issued by the City during the duration of the permit; provided, that any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the temporary special permit are also provided to the sidewalk vendor, if such vendor is specifically permitted to operate in the area pursuant to a sidewalk vendor's permit;

(23) ~~(21)~~ Operate in any area or manner that would obstruct or interfere with disability access standards or accessibility to any facility or area that is provided pursuant to requirements of or in compliance with the Americans with Disabilities Act of 1990;

(24) ~~(22)~~ Operate without general liability insurance meeting the minimum policy limits and other criteria established by the City Manager or designee;

(25) ~~(23)~~ Operate in violation of any applicable law or regulation."

SECTION 5. Section 4118 (Street Vendors Near Schools) of Chapter 1 (Prohibited Conduct – Offenses) of Article IV (Public Peace) of the Carson Municipal Code is hereby amended to read in its entirety as follows (added text shown in ***bold italics***):

"4118 Street Vendors Near Schools.

No person shall sell any product other than written materials or other products protected by the First Amendment of the United States Constitution on any public street, sidewalk, parkway, way, alley, or highway within one thousand five hundred (1,500) feet of the boundaries of any public or private elementary or secondary school between the hours of 6:30 a.m. and 5:30 p.m. on any day when such school is in session. ***This Section does not apply to sidewalk vendors as defined in CMC 31001, which are subject to regulation in accordance with CMC Article III, Chapter 10.***"

SECTION 6. Section 4118.1 (Peddling from Vehicles in Parks) of Chapter 1 (Prohibited Conduct – Offenses) of Article IV (Public Peace) of the Carson Municipal Code is hereby amended to read in its entirety as follows (added text shown in ***bold italics***):

“4118.1 Peddling from Vehicles in Parks.

No person shall peddle, hawk, sell or vend any food product or service from a vehicle within any City park at any time, unless it is in conjunction with a City event or City-associated event and that person and/or business has been specifically licensed and permitted by the City to do so. ***This Section does not apply to sidewalk vendors as defined in CMC 31001, which are subject to regulation in accordance with CMC Article III, Chapter 10.***”

SECTION 7. Section 4118.2 (Selling Ice Cream and Certain Food Products from Vehicles in Public Streets) of Chapter 1 (Prohibited Conduct – Offenses) of Article IV (Public Peace) of the Carson Municipal Code is hereby amended to read in its entirety as follows (added text shown in ***bold italics***):

“4118.2 Selling Ice Cream and Certain Food Products from Vehicles in Public Streets.

No person shall peddle, hawk, sell, vend or offer for sale ice cream; ice cream bars, cones or rolls; sherbet; sherbet bars, cones or rolls; iced fruit juice (natural or artificial) bars, cones or rolls; the food product commonly known as “cotton candy” or other spun sugar type confections; candy; carbonated drinks; or other similar food substances, products or beverages packaged or otherwise prepared or designed for an individual person’s consumption from a vehicle stopped or parked on any public street, way or alley within a residential zone or a park within the City of Carson, unless it is in conjunction with a City event or City-associated event and that person and/or business has been specifically licensed and permitted by the City to do so. This Section does not prohibit street vending of other products from vehicles in residential districts. ***This Section does not apply to sidewalk vendors as defined in CMC 31001, which are subject to regulation in accordance with CMC Article III, Chapter 10.***”

SECTION 8. Section 4118.4 (Vending of Merchandise on Public Property, Stadiums, Athletic Fields, Community Centers or Abandoned Property – Exclusions) of Chapter 1 (Prohibited Conduct – Offenses) of Article IV (Public Peace) of the Carson Municipal Code is hereby amended to read in its entirety as follows (added text shown in ***bold italics***):

“4118.4 Vending of Merchandise on Public Property, Stadiums, Athletic Fields, Community Centers or Abandoned Property – Exclusions.

The provisions of CMC 4118.3 shall not apply to:

(1) Any person delivering any goods where such goods have been ordered in advance for such delivery from any business located at a permanent location and which goods are being delivered from such location to the customer regardless of the point of sale thereof;

or

(2) Any charitable or religious solicitation which meets all requirements of CMC 6339; or

(3) Any person selling or offering to sell any merchandise upon public property if such sale is pursuant to agreement with the City or the prior written consent of the City has otherwise first been obtained;

(4) Any person selling or offering to sell any agricultural items upon public property if such sale is within a designated Certified Farmers' Market pursuant to an agreement with the City or the prior written consent of the City has otherwise first been obtained;~~;~~ **or**

(5) Sidewalk vendors as defined in CMC 31001, which are subject to regulation in accordance with CMC Article III, Chapter 10.

SECTION 9. Subdivision (E) of Section 63142 (Mobile Food Vendors) of Chapter 3 (Business, Professions, and Trades) of Article VI (Taxes and Licenses), of the Carson Municipal Code is hereby amended to read in its entirety as follows (deleted text shown in ~~striketrough~~, added text shown in **bold italics**):

“(E) Compliance with State and Local Laws.

1. Mobile food vendors shall comply with all applicable State and local laws.

2. This Section is not intended to **apply to or** be enforced against **sidewalk vendors as defined in CMC 31001, which are subject to regulation in accordance with CMC Article III, Chapter 10**~~pedestrian food vendors or against food vendors who operate human-powered push carts and other self-propelled vehicles on private property. Pursuant to CMC 4126, pedestrian food vendors or any vendors who operate human-powered push carts and other self-propelled vehicles are not allowed in or on any public street, sidewalk, or park in the City of Carson.~~

SECTION 10. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this Ordinance are declared to be severable. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 11. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 12. The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be published and codified in the manner required by law.

[signatures on the following page]

PASSED, APPROVED, and ADOPTED by a two-thirds affirmative vote of the City Council at a regular meeting of the City Council on this 21st day of April 2026.

APPROVED AS TO FORM:

CITY OF CARSON:

/s/
Sunny K. Soltani, City Attorney

/s/
Lula Davis-Holmes, Mayor

ATTEST:

/s/
Dr. Khaleah K. Bradshaw, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Dr. Khaleah K. Bradshaw, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing ordinance, being Ordinance No. 26-2605 passed first reading on the 17th day of March, 2026, adopted by the Carson City Council at its meeting held on the 21st day of April, 2026, by the following roll call vote:

AYES:	COUNCIL MEMBERS:	Davis-Holmes, Hicks, Dear, Hilton, Rojas
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None
RECUSED:	COUNCIL MEMBERS:	None

/s/
Dr. Khaleah K. Bradshaw, City Clerk