

ORDINANCE O2026-08

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, AMENDING CHAPTER 12.24 "SIDEWALK VENDING PROGRAM" SECTION 12.24.070(G) "PROHIBITED ACTIVITIES AND LOCATIONS" TO INCREASE THE DISTANCE OF SPACE A SIDEWALK VENDOR CAN ENGAGE IN VENDING FROM A CERTAIN LOCATION OR EVENT WITHIN THE CITY

WHEREAS, the Manteca Municipal Code (MMC), Chapter 12.24 "Sidewalk Vending Program" establishes the rules and regulations governing sidewalk vending within the City of Manteca ("City"); and

WHEREAS, MMC Section 12.24.070(G) sets forth prohibited activities and locations for sidewalk vendors, including buffer-zone distances from specified venues and events; and

WHEREAS, the City has received complaints from residents, parks and recreation staff, event operators, and law enforcement regarding sidewalk vendors who are not authorized participants in, or invited vendors of, permitted farmers' markets, permitted special events, or organized athletic and recreational activities conducted at City parks and facilities; and

WHEREAS, the City Council finds that uninvited sidewalk vending in close proximity to these venues creates conditions detrimental to public health, safety, and welfare, including congestion hazards, sanitation concerns, and interference with the orderly operation of City-permitted activities and facilities; and

WHEREAS, the City Council further finds that the current fifty-foot buffer zone has proven insufficient to address these documented concerns, because vendors operating just outside the fifty-foot perimeter continue to draw foot traffic into and across the buffer zone, producing the same congestion, sanitation, and access interference the buffer is intended to prevent; and

WHEREAS, the City Council finds that a five-hundred-foot buffer zone during the operating hours of permitted events and organized activities is reasonably necessary and the minimum distance necessary to effectively separate uninvited sidewalk vending from the operational footprint of those events and facilities, given the typical size of these venues, their associated pedestrian traffic patterns, and the distances over which vendor related congestion and access interference have been observed by City staff; and

WHEREAS, the buffer zones applicable to playgrounds, picnic areas, and public restrooms are specifically justified by the presence of minors and families in these areas and the documented sanitation and supervision concerns associated with unregulated commercial activity immediately adjacent to these facilities; and

WHEREAS, this ordinance is consistent with Business and Professions Code section 51038, which permits a local authority to restrict the time, place, and manner of sidewalk vending where such restrictions are directly related to objective, documented concerns for the public health, safety, or welfare, and are not an unreasonable restriction on sidewalk vendors; and

WHEREAS, this Ordinance does not impose a complete prohibition on sidewalk vending, does not restrict sidewalk vending based on content of goods sold, and preserves ample locations throughout the City where sidewalk vending may lawfully occur outside the buffer zones established herein; and

WHEREAS, this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility the Ordinance may have a significant effect on the environment, as it regulates only the location of commercial activity on public sidewalks and does not authorize any physical development or change in land use.

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

SECTION 1: Chapter 12.24, "Sidewalk Vending Code", Section 12.24.070(G) is hereby amended as follows:

§ 12.24.070. Prohibited activities and locations.

- G. Sidewalk vendor(s) shall not engage in sidewalk vending activities within five hundred (500) feet of:
1. A permitted certified farmers' market or swap meet during the limited operating hours of that certified farmers' market or swap meet; or
 2. An area designated for a special event permit issued by the city, during the limited duration of the special event, if the city provides the sidewalk vendor any notice, business interruption mitigation, or other rights the city provided to any affected businesses or property owners under the city's special event permit; or
 3. The boundary of any City owned or City operated community center, athletic field, softball/baseball diamond, basketball court, handball court, pickleball/paddle tennis court, tennis court, soccer field, or other recreational field, facility, or court; or
 4. Any public picnic area, outdoor exercise equipment, playground area or playground equipment at all times during the hours City parks are open to the public; or
 5. Any public restroom facility.

SECTION 2: Findings Incorporated. The findings set forth in the recitals above are incorporated into this Ordinance as legislative findings. The City Council adopts these findings as the basis for the restrictions imposed herein and directs the City Clerk to preserve them in the permanent legislative record.

SECTION 3: CEQA. This Ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

SECTION 4: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 5: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

City of Manteca, a municipal corporation

MAYOR: 
GARY SINGH

ATTEST: 
CASSANDRA CANDINI-TILTON
CITY CLERK

STATE OF CALIFORNIA }
COUNTY OF SAN JOAQUIN } SS:
CITY OF MANTECA

I, Cassandra Candini-Tilton, City Clerk of the City of Manteca, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the 15th day of May, 2026, and had its second reading and was adopted and passed during the public meeting of the City Council on the 2nd day of June, 2026, by the following vote:

AYES: Breitenbucher, Halford, Lackey, Morowit, Singh

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: _____


CASSANDRA CANDINI-TILTON
City Clerk