



Public Health
Environmental Health Services

SIDEWALK VENDING AND MOBILE FOOD FACILITIES

January 2021

- **With the passage of SB 946, there are many questions about sidewalk vending**
 - **What is sidewalk vending?**
 - **What is allowed to be sold?**
 - **What are the regulations for food vendors?**
 - **Why is it different from city to city?**

- **We want to address the questions and help everyone to have a full understanding of sidewalk vending**

Provide clear and consistent communication about Sidewalk Vending and SB 946

Provide options to sidewalk vending

Describe the role of Environmental Health Services



- **As of January 1, 2019, Sidewalk Vendors can operate with proper approvals:**
 - **Must have city or county approval**
 - Requirements come from each city or the county if operating in an unincorporated area
 - **Must have EHS approval if selling food/drinks**
 - Requirements include a valid health permit for the specific type of operation



A person who sells food or merchandise from:

- **A stand**
- **A display**
- **A showcase**
- **A rack**
- **An approved transport (pedal-driven cart, push cart, or wagon)**
- **Another non-motorized transport**
- **One's person**

Upon a public sidewalk or other pedestrian path

For this presentation, we will be discussing food vendors only

Anywhere EXCEPT for:

- 1** Near a certified farmers market, swap meet or an area with temporary special permit
- 2** A residential zone, if permitted as a stationary vendor
- 3** A park or public right-of-way, if the operation becomes a concern for the objective health, safety, and welfare of others
- 4** A park, if the operation unreasonably interferes with the public's use and enjoyment and/or with the scenic and natural character of the park
- 5** A park where the operator of the park retains exclusive rights to the sale of food

Stationary Vendor: selling food in a fixed location without assistance from a transport



Roaming Vendor: selling food while moving from place to place whether by foot or approved transport

Also known as a
Mobile Food Facility (MFF)



1

- **All food vendors are required to abide by the Health and Safety Code, commencing with section 113700 (Cal Code)**

2

- **All food vendors must have a valid health permit from San Bernardino County**

3

- **All food and drinks must come from an approved source or from a facility permitted with EHS**

To be SB 946 compliant, a valid health permit with EHS is required.

Cal Code section 114381:

- a) A food facility shall not be open for business without a valid health permit
- b) A permit shall be issued by the enforcement agency when investigation has determined that the proposed facility and its method of operation meets the specifications of the approved plans or conforms to the requirements of this part.
- c) A permit, once issued, is nontransferable. A permit shall be valid only for the person, location, type of food sales, or distribution activity and, unless suspended or revoked for cause, for the time period indicated.

Stationary or Roaming Vendors on foot

Will be permitted and defined as a
Sidewalk Vendor

May Sell

- Prepackaged foods NOT requiring refrigeration
- Prepackaged frozen foods
- Whole uncut fruit or vegetables

May NOT Sell

- Food prepared onsite (e.g. tacos, cut fruit)
- Food requiring refrigeration
- Unpackaged and/or opened food

Roaming Vendors Using an Approved Transport

Will be permitted and defined as a
Mobile Food Facility (MFF)

- May be subject to plan check with EHS
 - Medium and High Risk MFFs will require plan check
- Must meet all MFF regulations as outlined in CalCode 114294-114327
- Unpackaged/open food may be served but will still be limited based on MFF plan check approvals/limitations

Permitted Sidewalk Vendor

- Stationary vendor
- Selling whole, uncut produce only
- No samples to be given



Permitted Sidewalk Vendor

- Mobile Food Facility
- Steamed or boiled hot dogs
 - no BBQs or grills
- Must have handwashing on the cart with hot and cold water
- Everything must be on the cart
- Cart must be mobile



Non-permitted Sidewalk Vendor

- Selling unpackaged food/drinks
- Selling potentially hazardous food (requires refrigeration)
- Food from an unknown source



Non-permitted Sidewalk Vendor

- Selling unpackaged food
- Selling potentially hazardous food (requires refrigeration)
- Food from an unknown source
- No handwashing



An approved Mobile Food Facility (MFF) allows for more options to sell food

- Allows for food to be prepared onsite and sold
- Will still have some limitations

Food Carts



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**FOOD CARTS
GENERAL REQUIREMENTS
CHECKLIST**

Health Permit/Plan Review:

- Plan reviews are required for carts handling non-prepackaged food.
- A valid health permit posted in a conspicuous location on the food cart.
- A current decal sticker posted on the food cart.
- Current San Bernardino County food handlers card for all employees handling food on the cart.
- Only food preparation approved during the plan review process is allowed to be conducted on the foodcart.

Food:

- Only limited food preparation may be done on an approved cart as defined in Section 113818 of Cal Code.
- Only steamed/boiled hot dogs, tamales in the original inedible wrapper and roasting corn on the cob can be held on the cart at or above 135°F for serving and must be discarded at the end of the operating day. All other potentially hazardous food (PHF) must be cooked per individual customer order.
- Except as indicated above, all PHF must be held at or below 41°F in an approved mechanical refrigeration unit.
- Food handling is done inside the approved food compartment.
- All food is bought from an approved supplier and is not adulterated, contaminated and/or spoiled.
- Food is only stored on the approved cart.
- An accurate thermometer is placed in all refrigeration units.
- The operational procedures for food handling, cleaning and sanitizing of equipment and utensils have been approved by Environmental Health Services (EHS) and are available on the cart.

Cleaning/Sanitizing:

- All processes which exceed limited food preparation must be conducted at an approved commissary.
- A three-compartment warewashing sink is required on the cart or auxiliary unit to wash, rinse and sanitize utensils when open foods are prepared.

A warewashing sink is not required on the cart if:

- The cart handles steamed/boiled hot dogs or non-PHF that requires only heating, baking, popping, portioning, bulk dispensing, assembly or shaving of ice; and
- The cart has an adequate supply of spare utensils; and
- All utensils are washed and sanitized at the commissary at least daily.

- A cart that prepares only potentially hazardous beverages that are made-to-order must have a three-compartment sink or other warewashing sink as approved by EHS to wash, rinse and sanitize utensils.
- The three-compartment warewashing sink has hot (120°F) and cold running water.
- The temperature of the wash water must be at least 100°F.
- A cart with a warewashing sink has overhead protection comprised of approved smooth and washable materials.
- All food contact surfaces where PHF are handled must be cleaned and sanitized throughout the day at least every four hours.
- All potable water tanks are flushed and sanitized.

Text or call: 800.422.2283
Web: wp.sbcounty.gov/dph/ehs
September 2019

For more information, please visit our website or contact EHS.

FOOD CARTS GENERAL REQUIREMENTS CHECKLIST



Handwashing/Use of Gloves:

- Employees wash their hands in a handwashing sink with soap and warm (at least 100°F) running water for 10 to 15 seconds, before handling food and after using the restroom.
- If a non-adjustable faucet is provided at the handwashing sink, warm (100-108°F) water must be provided.
- A cart with open food has a handwashing sink either on the cart or on an approved auxiliary unit.
- Employees with cuts, rashes, artificial nails, nail polish and/or rings are wearing gloves.

Restroom Facilities:

- A cart doing business at one location for more than one hour must operate within 200 feet of an approved restroom.

Note: As measured from the food cart to the entrance of the structure in which the restroom facilities are located.

- The restroom has warm water (at least 100°F), soap and single-use paper towels/hand dryer.

Waste:

- An adequate number of easily cleanable trash containers are provided.
- The exterior and surrounding area is kept clean and free of trash.

Commissary:

- The cart operates in conjunction with an approved commissary.
- The cart is stored, cleaned and serviced daily at an approved commissary or stored at the operating site, cleaned and serviced daily by an approved mobile support unit.
- All wastewater generated by the cart is emptied at an approved commissary or other approved facility.

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Two categories of food carts

Low Risk Cart

Prepackaged ice cream, whole uncut produce, prepackaged, non potentially hazardous snacks

Medium Risk Cart

Hot dogs, coffee, cut fruit

General Requirements — Food Carts

A valid Health Permit must be posted in a conspicuous location on the food cart

A current decal sticker must be adhered on the food cart

Current San Bernardino County food handlers card for all employees handling food on the cart

Plan review is required for all medium risk carts

Only food preparation approved during the plan review process is allowed to be conducted on the food cart

All food is bought from an approved supplier and is not adulterated, contaminated, and/or spoiled.

Food handling is done inside the approved food compartment.

Food is only stored on the cart and not on the ground.

Potentially hazardous food must be held at or below 41°F in an approved mechanical refrigeration unit.

Cleaning/Sanitizing Capabilities

A three-compartment warewashing sink with hot and cold running water is required on the cart or auxiliary unit to wash, rinse, and sanitize utensils.

Handwashing Capabilities

A handwash sink with hot and cold running water is required on the cart.

Hands must be washed using warm water (100°F), soap and paper towels.

Hand sanitizer and gloves are not substitutes.

Restroom Facilities

A cart doing business at one location for more than one hour must operate within 200 feet of an approved restroom.

The restroom must have warm running water, soap and paper towels.



Commissary Requirements

The cart operates in conjunction with a commissary.

The cart is stored, cleaned and serviced daily at an approved commissary.

Sidewalk Vendor - Stationary

- Health permit fee - \$249 annually
- No plan review required

Sidewalk Vendor - Roaming on Foot

- Health permit fee - \$249 annually
- No plan review required

Mobile Food Facility (MFF) - Food Cart

- Plan review fees
 - Low risk - \$703
 - Medium risk - \$777
- Health permit fees
 - Low risk - \$228 annually
 - Medium risk - \$344 annually

Mobile Food Facility (MFF) - Food Truck

- not a sidewalk vendor because it is motorized

Temporary Food Facility (TFF)

- not a sidewalk vendor - only permitted at approved community events

Food Trucks



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FOOD TRUCK GENERAL REQUIREMENTS CHECKLIST



Health Permit:

- Plan reviews are required for trucks handling non-prepackaged food.
- A valid health permit posted in a conspicuous location on the food truck.
- A current decal sticker posted on the food truck.
- Current San Bernardino County food handlers card for all employees handling food on the truck. At least one original manager's certificate must be on the food truck at all times.

Food:

- All food preparation is done inside the truck.
- All potentially hazardous food (PHF) must be at or below 41°F or 135°F or above.
- Any PHF that needs to be refrigerated must be held at or below 41°F in an approved mechanical refrigeration unit.
- All PHF held at or above 135°F is discarded at the end of the operating day.
- All food is obtained from an approved supplier and is not adulterated, contaminated or spoiled.
- Food is stored at least six inches above the floor.
- An accurate thermometer is placed in all refrigeration units and in all warming ovens/units.
- Ice served in drinks is made from potable water.

Handwashing/Use of Gloves:

- Employees wash their hands in a handwashing sink with soap and warm (at least 100°F) running water for 10 to 15 seconds, before handling food and after using the restroom.
- If non-adjustable faucet is provided at the handwashing sink, warm (100-108°F) water must be provided.
- Employees with cuts, rashes, artificial nails, nail polish and/or rings are wearing gloves.

Cleaning/Sanitizing:

- Utensils are washed with detergent, rinsed and sanitized with an approved sanitizer in the three-compartment warewashing sink.
- The three-compartment warewashing sink has hot (120°F) and cold water running water.
- The temperature of the wash water must be at least 100°F.
- All food contact surfaces where PHF are handled are cleaned and sanitized throughout the day at least every four hours.
- All potable water tanks are flushed and sanitized.

Waste:

- An adequate number of easily cleanable containers for waste disposal are provided.
- The exterior and surrounding area is kept clean and free of trash.

Restroom Facilities:

- A truck doing business at one location for more than one hour must operate within 200 feet of an approved restroom.
Note: As measured from the food cart to the entrance of the structure in which the restroom facilities are located.
- The restroom has warm water (at least 100°F), soap, hand dryer and single-use paper towels.

Commissary:

- The truck is stored, cleaned and serviced daily at the approved commissary.
- All wastewater generated by the truck is emptied at the approved commissary.
- Wastewater is not released/discharged or leaking onto the ground.

Text or call 800 442-2283
Web: wp.sbcounty.gov/dph/ehs
September 2019

For more information, please visit our website or contact EHS.

Three Categories of Food Trucks

Low Risk Truck

Prepackaged ice cream, whole uncut produce, prepackaged, packaged snacks/meals

Medium Risk Truck

Shaved ice, coffee, soft serve ice cream

High Risk Truck

Hamburgers, plated meals, tacos

General Requirements — Food Trucks

A valid Health Permit must be posted in a conspicuous location on the food truck.

A current decal sticker must be adhered on the food truck.

Current San Bernardino County food handlers cards for all employees handling food on the truck and at least one manager's certificate.

Plan review is required for all medium and high risk trucks.

Only food preparation approved during the plan review process is allowed to be conducted on the food truck

All food is bought from an approved supplier and is not adulterated, contaminated, and/or spoiled

All potentially hazardous food must be held at or below 41°F in an approved mechanical refrigeration unit or 135°F or above

Ice is made from potable water

Food preparation is done inside the truck

Cleaning/Sanitizing Capabilities

A three-compartment warewashing sink with hot and cold running water is required on the truck to wash, rinse, and sanitize utensils.

Handwashing Capabilities

A handwash sink with hot and cold running water is required on the truck.

Hands must be washed using warm water (100°F), soap and paper towels.

Hand sanitizer and gloves are not substitutes.

Restroom Facilities

A truck doing business at one location for more than one hour must operate within 200 feet of an approved restroom.

The restroom must have warm running water, soap and paper towels.



Commissary Requirements

The truck operates in conjunction with a commissary.

The truck is stored, cleaned and serviced daily at an approved commissary.

Permitted MFF- Food Truck



Two Categories of Temporary Food Facilities (TFF)

Prepackaged

Prepackaged ice cream, whole uncut product, prepackaged drinks, packaged snacks/meals

Food Preparation

Plated meals, BBQ, roasted corn

A TFF may only operate at community events approved by Environmental Health Services

All food is bought from an approved supplier and is not adulterated, contaminated, and/or spoiled. No home preparation or storage of food is allowed

All potentially hazardous food must be held at or below 41°F or 135°F or above

Food preparation is done inside the enclosure

Food equipment is stored/used inside the enclosure except for BBQs

Cleaning/Sanitizing Capabilities

A three-compartment warewashing sink with hot and cold running water is required to wash, rinse, and sanitize utensils.

Handwashing Capabilities

A handwash sink with hot and cold running water is required in the booth.

Hands must be washed using warm water (100°F), soap and paper towels.

Hand sanitizer and gloves are not substitutes.

Permitted Temporary Food Facility



Mobile Food Facility (MFF) - Food Trucks

- Plan review fees
 - Low risk - \$703
 - Medium risk - \$777
 - High risk - \$801
- Health permit fees
 - Low risk - \$248 annually
 - Medium risk - \$473 annually
 - High risk - \$727 annually

Temporary Food Facility

- Health permit fees
 - Prepackaged at a single event - \$134
 - Food preparation at a single event - \$187
 - Prepackaged annual - \$339
 - Food preparation annual - \$460
- Plan review not required

ROLE OF EHS



Protect public health

Inspects all permitted sidewalk vendors, mobile food facilities and temporary food facilities

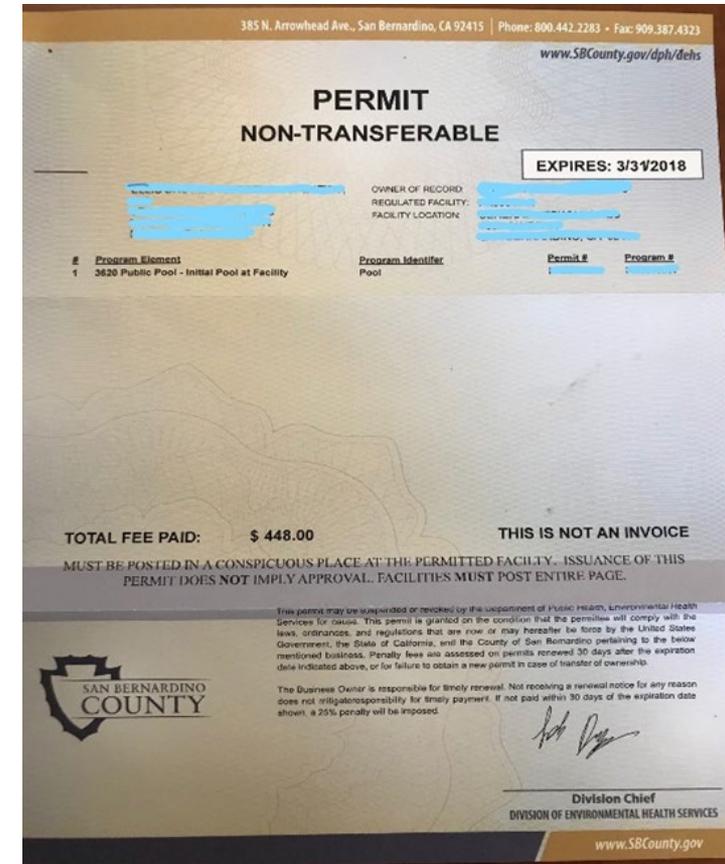
Acts as a resource to the public, operators and other agencies

Provide information to non-permitted operators on how to become a permitted operator

Sidewalk Vendor/MFF Decal



Health Permit





Senate Bill 946 SIDEWALK VENDORS

Sidewalk vendors can now operate with proper approvals effective January 1, 2019

What is a sidewalk vendor?

A person who sells food from a stand, display, showcase, rack, approved transport (pedal-driven cart, pushcart, or wagon), or other non-motorized transport, or from one's person, upon a public sidewalk or other pedestrian path. Sidewalk vendors fit under two categories:

- **Stationary Vendor:** Selling food in a fixed location without assistance from a transport.
- **Roaming Vendor:** Selling food while moving from place to place whether by foot or approved transport.

Where can a sidewalk vendor operate?

A sidewalk vendor may operate anywhere other than the following locations:

- Near a certified farmer's market, swap meet, or area with a temporary special permit.
- A residential zone if permitted as a stationary vendor.
- A park or public right-of-way, if operation becomes a concern for the objective health, safety, and welfare of others.
- A park, if the operation unreasonably interferes with public's use and enjoyment, or unreasonably interferes with the scenic and natural character of the park.
- A park where the operator of the park retains exclusive rights to the sale of food.

Sidewalk vendors should contact local city and county land use departments for additional requirements.

Where can a sidewalk vendor obtain food intended for sale?

All food and drinks must come from an approved source or from a facility permitted with Environmental Health Services (EHS).

What are the requirements for sidewalk vendors who sell food?

Sidewalk vendors are required to abide by the Health and Safety Code, commencing with §113700.

Stationary or Roaming Vendors on Foot

- Must have a valid health permit from San Bernardino County
- **May sell:**
 - Prepackaged foods NOT requiring refrigeration
 - Prepackaged frozen foods
 - Whole uncut fruit or vegetables
- **May NOT sell:**
 - Food prepared onsite (e.g. tacos, cut fruit)
 - Food requiring refrigeration
 - Unpackaged and/or opened food

Roaming Vendor Using an Approved Transport

- Must have a valid health permit from EHS
- May be subject to a plan check from EHS (contact EHS to find out more)
- Must meet all Mobile Food Facility regulations as outlined in the California Retail Food Code, §114294-114327



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For more information, call EHS at (800) 442-2283

Review the California Retail Food Code at:
wp.sbcounty.gov/dph/programs/ehs/food-facilities

Review Senate Bill 946 at:
www.leginfo.ca.gov

Flyer available on our website
wp.sbcounty.gov/dph/programs/ehs

Call or Text: 1-800-442-2283





Any Questions?

