

Chapter 8.40

MOBILE FOOD VENDORS

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8.40.010 Purpose and intent.

The purpose of this chapter is to provide a clear and streamlined permitting process for mobile food vendors and to establish proper permit and regulatory procedures to ensure the health and safety of the community while at the same time promoting business in the city and providing additional food choices for city of Kerman residents and visitors. (Ord. 19-04 §1(part), 2019).

8.40.020 Definitions.

"Mobile food vendor" under this chapter shall mean any person that sells, or causes or allows another, whether as an employee or as an independent contractor leasing or renting equipment, to sell any food or drinks by means of a motorized or nonmotorized vehicle, such as catering truck, motorized cart, food truck, or other itinerant method. It also includes a nonmotorized vehicle which is not self-propelled or which cannot be moved by a person pushing or pulling such nonmotorized vehicle.

Where one person employs another person to sell food or drinks or where one person leases or rents equipment or a vehicle to another person to allow them to sell food or drinks, both individuals shall be considered mobile food vendors. Mobile food vendor shall not mean (A) any person operating under a concession agreement or other agreement with the city as a party to an agreement, or (B) a "sidewalk vendor" as defined by Government Code Sections [51036](#) to [51039](#) (SB [946](#)) or an ordinance adopted by the city regarding sidewalk vendors. (Ord. 19-04 §1(part), 2019).

8.40.030 Authority to operate in city.

Any person who wishes to operate as a mobile food vendor within the city shall apply for and shall obtain a mobile food vendor permit issued by the city manager or his or her designee and pay the

mobile food vendor permit fee established in the master fee resolution. The mobile vendor permit must be obtained prior to operating in the city.

Additionally, a mobile food vendor operating in the city must comply with all the provisions of this chapter, including obtaining any and/or all necessary business license(s) and County Health Department permits or certificates, and California Department of Tax and Administration Seller's Permit.

No person shall hire or allow others to use his or her equipment or vehicles or products, for mobile food vending in the city, unless that other person, whether as an employee, licensee, or independent contractor, holds a valid mobile food vendor permit and complies with all provisions of this code. (Ord. 19-04 §1(part), 2019).

8.40.040 Issuance or denial of permit.

The city manager, or his or her designee, shall cause an investigation to be made of the facts stated in an application for a mobile vendor permit, and shall within thirty days issue a permit to the applicant if the city manager, or his or her designee, finds that the applicant meets all the requirements of this chapter. Applications shall be processed in order of receipt. A decision to deny a permit shall be issued in writing with the basis for the denial, and if feasible, shall propose measures to cure any defects in the application. An applicant may appeal the decision to deny a permit to the city hearing officer under Chapter 1.28. If no appeal is filed in a timely manner, the decision of the city manager or his or her designee shall be final. (Ord. 19-04 §1(part), 2019).

8.40.050 Rules and regulations.

The city manager or his or her designee may make rules and regulations which are not inconsistent with the provisions of this chapter and which may be necessary or desirable to aid in the administration or enforcement of the provisions of this chapter, including all necessary policies and procedures for the issuance of mobile food vendor permits, administration or registration of mobile food vendor vehicles, and collection of the mobile food vendor permit fees. (Ord. 19-04 §1(part), 2019).

8.40.060 Requirements.

Mobile food vendors shall comply with the following standards:

A. General Provisions.

1. Noise and amplified music shall comply with all applicable noise standards.

2. The mobile food vendor must comply with all city, state, and federal laws. While operating in the public right-of-way, mobile vendors shall follow all applicable traffic laws and parking regulations, including time limits, and no-parking zones.

3. The sale of alcohol and tobacco products is prohibited.

4. The mobile food vendor shall provide waste removal and shall be responsible for collecting trash/debris and recycling after each stop. "Trash" includes material dispensed by the vendor as well as items that may be left by customers.

5. Display of Permit and Information. No mobile food vendor shall operate in the city without prominently displaying on their person or vehicle the city-issued mobile food vendor permit. The mobile food vendor's name, the business name, address, telephone number, city permit number, city business license, and Fresno County Department of Health number shall be visible on both sides of any vehicle. If the vehicle is a truck, the display shall also be on the rear of the vehicle. The letter size for the name, telephone number and city permit number shall be at least two inches in height and shall be clearly visible at fifty feet.

6. Restaurant and School Spacing for Food Vendors.

a. Mobile food vendors shall not operate within three hundred feet of an existing restaurant, during the restaurant's normal business hours, with the following exceptions:

i. Mobile food vendors operating as part of a city-approved special event.

ii. The restaurant and the mobile food vendor are operated by the same entity.

iii. The mobile food vendor has prior written permission of a business restaurant owner to operate on the property of that existing business.

b. Mobile food vendors shall not operate within three hundred feet of schools except with written approval of a school.

B. Off-Street Locations and Time Limits. The following restrictions shall apply except for mobile vendors operating as part of a city-approved special event.

1. Residential Zone Districts. A mobile food vendor may not operate within residential districts except as follows:

- a. On properties for nonresidential uses, such as schools and religious assembly facilities, with prior written authorization from the property owner. After two hours, the mobile food vendor must move to a new location that is not less than three hundred feet away; and
- b. On properties where the mobile food vendor has been hired to cater at a private residence at no cost to the guests of property owner.

2. Nonresidential Zone Districts.

- a. The city of Kerman is a small city and it has determined that it is in the best interest of the city that the number of mobile food vendors that may operate in nonresidential districts shall be limited to six. Of those six, up to four mobile food vendors may operate in the area on Madera Avenue between California Avenue and Highway 180 (Whitesbridge).
- b. Mobile food vendors may operate within nonresidential districts subject to the geographical locations set forth above and as follows:
 - i. Prior written authorization from the property owner which shall be submitted to city at the time that an application for a mobile food vendor permit is filed.
 - ii. A mobile food vendor may stay in a single location for up to eight hours in a twenty-four-hour period. The eight-hour period may be between the hours of five p.m. and one a.m. from April 1st to October 31st and between the hours of four p.m. and twelve midnight from November 1st to March 31st.

3. City-Owned Property. Mobile food vendors may not operate on city-owned property without prior written authorization from the city.

C. On-Street Locations and Time Limits. Mobile food vendors may operate on the public right-of-way subject to the following restrictions. Mobile food vendors operating as part of a city-approved special event are excepted.

- 1. Residential Zone Districts. Mobile food vendors may circulate and stop temporarily for sales, but shall not remain stationary for more than five minutes.
- 2. Nonresidential Zone Districts.
 - a. Time Limit. The posted time limit of the parking stall or one hour, whichever is less, after which the vendor must move to a new location that is no less than three hundred feet away.

- b. Location. Mobile food vendors shall operate from valid on-street parking stalls.
- c. Customer Transaction Area. Mobile food vendors shall park in such a manner that the customer transaction area is on the public sidewalk adjacent to the curb. (Ord. 19-10 §1, 2019; Ord. 19-04 §1(part), 2019).

The Kerman Municipal Code is current through Ordinance 25-02, passed September 24, 2025.

Disclaimer: The city clerk's office has the official version of the Kerman Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://cityofkerman.net/>

City Telephone: (559) 550-2900

Codification services provided by [General Code](#)