

**EXHIBIT "A"**

**13.08.080 Sidewalk vendor regulations**

(a) Except as otherwise provided in this Chapter, sidewalk vendors may only conduct transactions in the paved public right-of-way and on paved pedestrian paths and trails.

(b) All sidewalk vendors must comply with the following requirements:

1. No sidewalk vendor shall vend in the following locations:

- i. Within 100 feet of any public picnic area, playground area or playground equipment;
- ii. Within 100 feet of any public community center, athletic field, softball/baseball diamond, basketball court, handball court, pickleball court, tennis court, soccer field, or volleyball court or any other recreational opportunity;
- iii. Within 100 feet of a street intersection or traffic signal;
- iv. Within 100 feet of an entrance of any public park;
- v. Within 100 feet of any loading zone or bus stop;
- vi. Within the Downtown Truckee Plan Area as defined in the Downtown Truckee Plan;
- vii. Within 100 feet of an open-air dining area;
- viii. Within 500 feet of a certified farmers market, swap meet, or any area subject to a special event permit;
- ix. Sidewalk vendors must at all times maintain a clearance of not less than 48 inches unimpeded by the sidewalk vendor or sidewalk vending receptacle on all sidewalks and pedestrian paths so as to enable persons to freely pass while walking, running, or using mobility assistance devices;
- x. Sidewalk vending receptacles shall not be placed on any public property other than a public right-of-way;
- xi. On a public right-of-way with a slope greater than five percent;
- xii. Stationary sidewalk vendors are prohibited from operating in areas that are exclusively zoned residential.

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

i. Conducting sidewalk vending activities:

1. Anywhere in the Town between the hours of 10:00 p.m. and 7:00

a.m. daily;

2. On sidewalks or pathways directly adjacent to or within residential areas, between the hours of 9:00 p.m. and 8:00 a.m. daily;
  - ii. Using verbal or physical conduct that would cause a reasonable person to fear for his or her safety;
  - iii. Intentionally causing physical contact with any member of the public;
  - iv. Following a person who walks away after expressing a desire not to be vended to;
  - v. Approaching a person on a bicycle or occupying a motor vehicle;
  - vi. Intentionally blocking the path of the person being vended to or who has expressed a desire not to be vended to;
  - vii. Impeding or obstructing ingress or egress from any private property or any structure, parking space, or loading facility;
  - viii. Renting merchandise to customers;
  - ix. Vending lottery tickets, alcohol, cannabis, adult-oriented materials, tobacco, or electronic cigarette products;
  - x. Displaying merchandise or food that is not available for immediate sale;
  - xi. Knowingly making false statements or misrepresentations during the course of vending;
  - xii. Vending illegal or counterfeit merchandise;
  - xiii. Bartering, exchanging, selling, offering for sale, or soliciting offers to purchase services;
  - xiv. To prevent dangerous distractions, making any outcry, blowing a horn, or using any sound devices or musical instrument for the purpose of attracting the attention of potential patrons;
  - xv. Damaging public or private property, including trees, shrubs, grass, flowers, plants, or vegetation;
  - xvi. Causing vehicles to stop in traffic lanes or persons to stand in traffic lanes or parking spaces; or
  - xvii. Vending in a manner that blocks or obstructs the free movement of vehicles, including parked vehicles.
3. Sidewalk vendors shall comply with the following operating conditions:
  - i. All food and merchandise shall be stored either inside or affixed to the

sidewalk vendor receptacle or carried by the sidewalk vendor. Food and merchandise shall not be stored, placed, or kept on any public property. If affixed to the sidewalk vendor receptacle, the overall space taken up by the sidewalk vendor receptacle shall not exceed the size requirements provided in this section;

- ii. The sidewalk vendor permit shall be displayed conspicuously at all times on the sidewalk vending receptacle or the sidewalk vendor's person. If multiple sidewalk vendors are staffing a sidewalk vendor receptacle or working as roaming sidewalk vendors, each person shall wear their permit on their person in a conspicuous manner.
- iii. Sidewalk vendors shall not leave their sidewalk vending receptacle unattended to solicit business for their sidewalk vending activities.
- iv. All signage and advertising relate in any way to the sidewalk vendor shall be attached to the sidewalk vending receptacle, if any, or the sidewalk vendor's person;
- v. Sidewalk vendors shall not use any electrical, flashing, wind powered, or animated sign;
- vi. Sidewalk vending receptacles shall not be stored on public property and shall be removed when not in active use by a sidewalk vendor;
- vii. All sidewalk vendors shall allow a police officer, firefighter, life safety services officer, code enforcement officer, health inspector, or other government official charged with enforcing laws related to the street vendor's activities, at any time, to inspect the sidewalk vending receptacle for compliance with the size requirements of this chapter and to ensure the safe operation of any heating elements used to prepare food;
- viii. Sidewalk vending receptacles and any attachments thereto, including, but not limited to, signage, umbrellas, and canopies, shall not exceed a total height of four (4) feet, a total width of four (4) feet, and a total length of four (4) feet, unless otherwise required by a valid Nevada County Environmental Health permit;
- ix. ~~No~~ Sidewalk vending receptacles ~~shall~~ contain ~~ing~~ or ~~utilizing~~ propane, natural gas, batteries, or other explosive or hazardous materials shall maintain adequate distance from combustible materials including, but not limited to, overhead coverings and vegetation;
- x. A sidewalk vendor may not use an open flame on or within any sidewalk vending receptacle;
- xi. If a sidewalk vending receptacle requires more than one (1) person to conduct the sidewalk vending activity, all sidewalk vendors associated with the sidewalk vending receptacle shall be within five (5) feet of the sidewalk vending receptacle when conducting sidewalk vending activities;

- xii. Sidewalk vendors that sell food shall maintain a trash container in or on their sidewalk vending receptacle and shall not empty their trash into public trashcans. The size of the vendor's trash container shall be taken into account when assessing the total size limit of a sidewalk vending receptacle. Sidewalk vendors shall not leave any location without first picking up, removing, and disposing of all trash or refuse from their operation;
- xiii. Sidewalk vendors shall immediately clean up any food, grease or other fluid or item related to sidewalk vending activities that falls on public property;
- xiv. Sidewalk vendors shall maintain a minimum four (4) foot clear accessible path free from obstructions, including sidewalk vending receptacles and customer queuing area;
- xv. Sidewalk vendors shall comply with the noise standards provided in Chapter 18.44 of the Truckee Municipal Code;
- xvi. Sidewalk vendors shall ensure that all required insurance is in effect prior to conducting any sidewalk vendor activities and maintained for the duration of the permit.