

**TOWN OF TRUCKEE
California**

ORDINANCE 2026-05

AN ORDINANCE OF THE TOWN OF TRUCKEE AMENDING THE TRUCKEE MUNICIPAL CODE, TITLE 13 STREETS AND SIDEWALKS, CHAPTER 13.08 SIDEWALK VENDING

WHEREAS; on September 17, 2018, California Governor Jerry Brown signed Senate Bill 946 (SB 946) into law, which regulates sidewalk vendors throughout the state; and

WHEREAS; SB 946 took effect on January 1, 2019, and limits the authority of the Town to regulate sidewalk vendors, except as provided under California Government Code Section 51038 and 51039; and

WHEREAS; Ordinance No. 2025-07 was adopted by the Town Council on September 23, 2025, creating a new chapter (13.08 – Sidewalk Vending) within the Municipal Code to create a sidewalk vending program;

WHEREAS; the Town Council adopts this ordinance under the authority of SB 946 and the Town Council finds the regulations and requirements provided in this ordinance are directly related to the Town's objective in protecting the health, safety, and welfare of its residents, businesses, and visitors; and

WHEREAS; Vending on public sidewalks, pedestrian paths or pedestrian walkways creates the potential for safety hazards, such as, but not limited to, inhibiting the ability of disabled individuals and other pedestrians to follow a safe path of travel; interfering with the performance of police, firefighter and emergency medical personnel services; encouraging pedestrians to cross midblock or stand in roadways to purchase food and merchandise; and creating obstacles and contributing to congestion for pedestrian, vehicle, and bicycle traffic; and

WHEREAS; the Town Council finds this ordinance regulates the place and manner of sidewalk vending, as specified, to address health, safety, and welfare concerns; and

WHEREAS; the Town Council finds the regulations in this ordinance, including, but not limited to those regulations governing sidewalk vending receptacle sizes, are necessary to ensure compliance with the federal Americans with Disabilities Act of 1990 and other disability access standards; and

WHEREAS; the Town Council desires to maintain a sidewalk vending program and amend the current regulations in the Truckee Municipal Code to encourage entrepreneurship and provide economic opportunities consistent with the intent of SB 946; and

WHEREAS; the Sidewalk Vending Ordinance Number 2025-07 includes limitations on hazardous materials and vending receptacle sizes that are inadvertently overly restrictive to food vendors.

The Town Council of the Town of Truckee Does Ordain as Follows:

Section 1.

The recitals above are incorporated herein.

Section 2.

CEQA Findings: The Council has determined that the proposed Municipal Code amendments were assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the Town. The amendments are exempt from the requirements of CEQA because the adoption of this ordinance and resolution is not a "project" pursuant to Sections 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations, and because under Section 15061(b)(3) of the State CEQA Guidelines, the amendments are exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment.

Section 3.

Enactment: Title 13, Streets and Sidewalks, of the Truckee Municipal Code is hereby amended as set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 4.

Severability: If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other section, subsection, sentence, clause, or phrase or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this are severable. The Town Council declares that it would have adopted this ordinance irrespective of the invalidity of any portion thereof.

Section 5.

Notice of Exemption: The Town Council Hereby directs staff to prepare, execute, and file with the Nevada County Clerk a notice of exemption within five (5) working days of the adoption of this ordinance.

Section 6.

Records: The Custodian of Records for this Ordinance is the Town of Truckee Town Clerk and the records comprising the administrative record for this Ordinance are located at 10183 Truckee Airport Road, Truckee, California.

Section 7.

Posting and Publications: The Town Clerk is hereby directed to publish this ordinance in accordance with the law.

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The foregoing ordinance was introduced at a regular meeting of the Truckee Town Council held on the ___ day of _____ 2026, and adopted at a regular meeting of the Truckee Town Council, on the ___ day of _____; 2026; _____ moved for the adoption, the motion was seconded by _____ and was carried by the following vote:

AYES:

NOES:

ABSENT:

Anna Klovstad, Mayor

ATTEST:

APPROVED AS TO FORM:

Kelly Carpenter, Town Clerk

Andy Morris, Town Attorney