



**SAN JOSE POLICE
DEPARTMENT
PERMITS UNIT
(408) 277-4452**



PEDDLER PERMIT INFORMATION SHEET

Visit us on the web for updated fees:

http://www.sjpd.org/Records/Fees_Public_Safety_Permits.asp

The following items are **required** for all applicants as part of your application for a Peddler Permit:

- A completed Business or Individual Peddler Application
- Government issued Identification
- After a review of the above listed information you will be **required to have your fingerprints scanned** at the Sheriff's Office. The San Jose Police Permits Unit will provide available locations after submission of application.
- A **copy of your Business License Tax Certificate** issued by the Finance Department located at City Hall, 200 E Santa Clara St, 1st Flr., San Jose (408) 535-7055

Peddlers selling food:

- A **Health Permit**: Health Dept., 1555 Berger Dr. 300, San Jose (408) 918-3400

Fixed Location Peddlers:

- **Fixed Peddler** – Commercial General Liability (\$500,000 Minimum, City of San Jose as additional insured)

It shall be unlawful to maintain, manage, operate, conduct, control or own a Fixed or Mobile vending business, unless the business is operated in strict compliance with a valid Peddler Permit.

Each Peddler Permit issued shall expire one (1) year after the date of issuance.

Fees are non-refundable and issuance of a receipt is the only written acknowledgement that a fee was paid. **The receipt is not a Permit.**

An application shall not be deemed completed until all applicable fees have been received and the Police Department has completed the background investigation (which could include requesting and obtaining more information from the applicant).

If you have any questions, please call the San Jose Police Department Permits Unit at (408) 277-4452.



**SAN JOSE POLICE
DEPARTMENT
PERMITS UNIT**



PEDDLER PERMIT APPLICATION QUESTIONNAIRE

FIXED LOCATION: _____

MOBILE

NEW

RENEWAL

INDIVIDUAL APPLICANT INFORMATION

Last Name _____ First _____ MI _____

Date of Birth: _____

Height: _____ Weight: _____ Hair: _____ Eyes: _____ Gender: _____

Home Address _____ City _____ St _____ Zip _____

Email Address: _____

Home Phone No. _____ Cell phone No. _____

California DL/ID Number: _____ Other Government Photo ID _____

BUSINESS APPLICANT INFORMATION

Name of Business/DBA: _____

Business Address _____ City _____ St _____ Zip _____

Business Phone No. _____

Business Fax No. _____

Website Address: _____

EXPLAIN THE TYPE OF BUSINESS:

If individual applying is not a partnership, corporation, LLC or other type of business structure, go to page 4.

Information regarding individual applying for a Peddler Permit on behalf of the Business:

Last Name _____ First _____ MI _____

Date of Birth: _____

Height: _____ Weight: _____ Hair: _____ Eyes: _____ Gender: _____

Home Address _____ City _____ St _____ Zip _____

Email Address: _____

Home Phone No. _____ Cell phone No. _____

California DL/ID Number: _____ Other Government Photo ID _____

Name of Primary Manager of the Business: _____

Telephone Number of Primary Manager: _____

If You Are A Business Entity, Please Identify the Type of Business:

Sole Proprietor Partnership Corporation Other _____

If your business is a corporation, complete the following for the officers. Please also attach a copy of the "Statement of Information" form filed with the state's Department of Corporations for the state where you are incorporated. If you are not incorporated in California, please provide proof that you are authorized by California's State Department of Corporations to conduct business in California: **(If an individual resided in their current residence for less than three (3) years, list previous address)**

President/Name:	Address:
Telephone No.	

Vice-President/Name:	Address:
Telephone No.	

Secretary/Name:	Address:
Telephone No.	

Treasurer/Name:	Address:
Telephone No.	

Directors or Trustees

Name:	Address:
Telephone No.	

Name:	Address:
Telephone No.	

Shareholder(s) owning 10% or more:

Name:	Address:
Telephone No:	% Ownership
Name:	Address:
Telephone No:	% Ownership
Name:	Address:
Telephone No:	% Ownership

Date of incorporation: _____ Where was certificate filed: _____
Name shown on the Article of Incorporation: _____.

If your business is a partnership, list all general and limited partners:

Name:	Phone No.
Address:	% Ownership
Names:	Phone No.
Address:	% Ownership
Name:	Phone No.
Address:	% Ownership
Name:	Phone No.
Address:	% Ownership
Names:	Phone No.
Address:	% Ownership
Name:	Phone No.
Address:	% Ownership

Residence History (for individuals and for those persons applying on behalf of business entity):

Residence: List all residences you have had for the past three years. Please attach additional pages if necessary.

Number & Street Name:	
City, State, Zip:	
Length of Stay:	
Contact Person / Phone	

List any municipalities, Counties or Cities with which you hold a business license or Peddler Permit in which you conduct or have conducted business. Also, list any Cities or Counties which have suspended or denied you or the business a license or permit within the last 10 years.

City Name:	
Business Address:	
City, State, Zip	
Phone No.	
Type of license	
Term of license	
Name on license	

City Name:	
Business Address:	
City, State, Zip	
Phone No.	
Type of license	
Term of license	
Name on license	

Vehicle Description	
Type of vehicle: _____	Make: _____ Model: _____ Year: _____ Color: _____
License Plate Number: _____	



**SAN JOSE POLICE
DEPARTMENT
PERMITS UNIT**



FIXED OR MOBILE PEDDLER APPLICATION AND QUESTIONNAIRE

Next to each question, please answer “Yes” or “No.” If you answer “Yes” to any of the questions, please attach a separate sheet of paper explaining your answer and providing all information necessary for the Police Department to confirm the information you provided, including, but not limited to the jurisdiction where the activity occurred. A “Yes” answer does not necessarily mean you will be denied a permit. Additional documentation may be requested by the Police Department if the information presented is deemed insufficient to complete the investigation.

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ALL APPLICANTS: For purposes of this questionnaire, “you” shall mean any person, firm, association, organization, partnership, business trust, company, corporation, public agency, school district, the State of California and its political subdivisions, and/or instrumentalities thereof.

1. _____ Have you ever applied for or received a license, certificate, permits, or registration to practice under any name other than the name listed on this application?
2. _____ Have you ever had a license, certificate, permit, or registration denied, suspended or revoked, or in any way conditioned, curtailed, limited, or restricted in or by any jurisdiction (including San Jose)?
3. _____ Is any administrative, civil or criminal action pending against you now by any licensing or regulatory agency?
4. _____ Have you ever been party to a lawsuit as either a plaintiff or defendant where the lawsuit involves allegations of unlawful business practices, fraud, breach of contract, or unlawful detainer?
5. _____ Have you ever been convicted of a crime that is substantially related to the qualifications, functions or duties of the Fixed or Mobile Peddling business?
6. _____ Have you ever been convicted of a crime involving fraud, dishonesty or deceit?
7. _____ In the last five (5) years, have you been convicted of a felony?
8. _____ Have you ever used another name or alias?

CONTINUED ON NEXT PAGE

9. _____ Do you have a valid City of San Jose Business License Tax Certificate?

10. _____ If you are a firm, association, organization, partnership, business trust, company, corporation, public agency, school district, or the state of California, its political subdivisions and/or instrumentalities thereof, has any person holding an ownership interest of more than 10% in your organization ever had any permit or license denied, suspended or revoked by any agency

Affidavit

I, the undersigned, declare under penalty of perjury that to the best of my knowledge, the information contained in this application for an Peddler Permit, and its supporting documentation, is truthful, correct, and complete; and, the information contained in this application and its supporting documentation discloses all material facts regarding the applicant and associated individuals necessary to allow the Chief of Police to properly evaluate the applicant's qualifications for licensures.

If the applicant is a business entity, I, as the person signing below do hereby represent and warrant that the business entity is authorized to do business in California and that I have full right, power and authority to sign on behalf of the business entity and carry out all actions contemplated by this application, and that any permit issued to the business entity constitutes valid, binding and enforceable obligations of the business. Upon the Department's request, I promise to provide the Department with evidence reasonably satisfactory to the Department confirming the foregoing representations and warranties.

I will ensure that any information subsequently submitted to the Department in conjunction with this application or its supporting documentation meets the same standard as set forth above.

I acknowledge that I may be required to provide additional information, as needed, for a complete investigation.

I acknowledge that I have received / reviewed Chapters 6.54 of the San Jose Municipal Code. I am authorized by the business, to state that the business fully understands its legal obligations and agrees to comply with and obey all the ordinances and statutes listed in the San Jose Municipal Code. Additionally, the business recognizes its responsibility for obeying all Federal, State and local statutes.

I further understand that any misrepresentations, omissions or falsifications will be grounds for the denial of the permit and/or future suspension or revocation of the permit

Print Name Here:	
Title:	
Signature:	
Date:	
Address:	
City, State, Zip	
Contact Phone No.	



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All fees are non-refundable



PEDDLER ORDINANCE and VEHICLE CODE INFORMATION SHEET

This is not an exhaustive list of all requirements in the San Jose Municipal Code, California Vehicle Code or other law, rule or regulation controlling your business.

STATE LAW

Vehicle Code section 670:

A "vehicle" is a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

Vehicle Code section 22500:

No persons shall stop, park, or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in any of the following places:

(f) On any portion of a sidewalk, or with the body of the vehicle extending over any portion of a sidewalk, except electric carts when authorized by local ordinance, as specified in Section 21114.5.

SAN JOSE MUNICIPAL CODE

6.54.070 Definition of a Peddler: section "Peddling" means:

- A. Traveling by foot, motor vehicle, mobile unit or any other type of vehicle, from place to place, and selling or vending any goods, wares, merchandise, products, or any other thing or representation of value on any private place, or on any street, sidewalk, right-of-way, park or other public place.
- B. Selling or vending any goods, wares, merchandise, food, products or any other thing or representation of value from an approved location on any private place, or on any street, sidewalk, right-of-way, park or other public place.

6.54.040 Mobile Unit

"Mobile unit" means any vehicle, truck, trailer, cart, wagon, bicycle, dray, conveyance or structure on wheels, not firmly fixed to a permanent foundation, which is not required to have a license to operate issued by the California Department of Motor Vehicles.

6.54.050 Motor Vehicle

"Motor Vehicle means any automobile, truck, trailer or other conveyance requiring a license issued by the California Department of Motor Vehicles.

6.54.110 Peddler business permit required.

- A. It shall be unlawful for a person to maintain, manage, operate, conduct, control or own a peddler business that operates within the city unless the business is maintained and operated in strict compliance with a valid peddler's business permit issued by the chief of police.
- B. A peddler business permit is a business permit for purposes of Chapter 6.02 of the code.

6.54.130 Employee License.

- A. It shall be unlawful for a person, other than the peddler business permittee, to peddle without having first obtained an employee license issued by the chief of police.
- B. It shall be unlawful for any peddler business permittee or any operator, manager, owner or employee of a peddler business to allow or tolerate any person who does not have an employee license from working for or under the direction of, or on behalf of, or as an agent of the peddler business permittee.
- C. A peddler business permittee, if the permittee is a natural person holding a valid peddler business permit, is deemed to have an employee license for purposes of peddling.

6.54.200 Conditions of permit.

- A. Each peddler business permit issued by the chief of police shall be subject to the terms and conditions set forth in this part, as well as any other conditions specifically set forth in the permit.
- B. The provisions of this part shall constitute operating regulations. It shall be unlawful for any person to engage in peddling in violation of these provisions.

6.54.205 Hours of business.

- A. No person shall peddle upon any private place, or any street, sidewalk, right of way, park or other public place in the city between the hours of 7:00 p.m. or one-half hour after sunset, whichever comes first, and 10:00 a.m. of the following day, except as provided in subsection B. below.
- B. The provisions of this section shall not apply to the sale of foodstuffs to employees of industrial establishments at or adjacent to such establishments or to workers or employees at any construction job site, if the foodstuffs sold to such persons are sold for immediate consumption at such places.

6.54.210 ID display requirements.

Each person who is engaged in peddling shall, at all times while so engaged, wear in plain sight, on his or her person an identification (ID) card, provided by the chief of police, containing such information, including a suitable photograph, as the chief of police may require.

6.54.220 General noise requirements.

- A. No peddler shall use, play or cause to be used or played any amplifier, loudspeaker, or any other instrument or device for the production of sound between the hours of seven p.m. or one-half hour after sunset, whichever comes first, and ten a.m. of the following day.
- B. No peddler shall use, play or cause to be used or played any amplifier, loudspeaker, or any other instrument or device for the production of sound in such a manner as to create a disturbance of the peace as that term is used in Chapter 10.16 of the code.

6.54.230 Noise restrictions - Motor vehicle-based and mobile unit peddlers.

No motor vehicle-based peddler or mobile peddler shall use, play or employ any amplifier, loudspeaker, or any other instrument or device for the production of sound when the motor vehicle or mobile unit from which the peddler is peddling is stationary upon any private place, or any street, sidewalk, right-of-way, park or other public place.

6.54.240 Parking restrictions - Motor vehicle-based and mobile unit peddlers.

- A. It shall be unlawful for any motor vehicle-based or mobile unit peddler to:
 - 1. Permit any motor vehicle or mobile unit from which peddling is occurring to remain standing or stopped, for peddling purposes, at any place on any public street, sidewalk,

2. right-of-way, public place or at any location within five hundred feet of that place, for a total period of time exceeding fifteen minutes within any two-hour period.
 3. Make any stop, for the purpose of making any sale upon any public street, sidewalk, right- of-way, park, or other public place, within five hundred feet, measured along the traveled way of any public street or streets, of any school property.
- C. It shall be unlawful for any motor vehicle-based or mobile unit peddler to peddle from any motor vehicle or mobile unit upon any public street except from or at the side of such motor vehicle, which is nearest to the curb of such street.

6.54.250 Congestion restriction for motor vehicle-based and mobile unit peddlers.

No motor vehicle-based or mobile unit peddler shall stop to peddle from a motor vehicle or mobile unit within two hundred feet of another motor vehicle-based or mobile unit peddler that has already stopped to peddle.

I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE PEDDLERS ORDINANCE AND CA. VEHICLE CODE INFORMATION SHEET, AND THAT FAILURE TO OBEY THE CONDITIONS OF THE ORDINANCE CAN RESULT IN A CITATION, FINE OR REVOCATION OF PERMIT.

Signature

Date

SAN JOSE POLICE DEPARTMENT VENDOR PEDDLER PERMIT APPLICANTS



ALL BUSINESSES, OWNERS, MANAGERS AND EMPLOYEES

- I understand that changes in name, address or phone numbers require me to notify the San Jose Police Department Permits Unit within 5 days.
- Employees no longer employed or terminated are required to turn in ID cards within 5 days. This can be done in person or by mail.
- ID cards are the property of the San Jose Police Department and are only to be used while employed at the business identified on the back of the card.
- The act or omission of any permittee's partner, owner, associate, director, manager, officer, agent or employee is for all purposes the act or omission of the permittee regulated by this chapter.
- Business and Owner-Managers, you have 5 days to notify the Department of any employee that no longer works for you.

All permits or licenses are NON-TRANSFERABLE. Application fees are NON-REFUNDABLE.

Signature: _____ Date: _____

CITY OF SAN JOSE

INSURANCE REQUIREMENTS FOR

**PEDDLER PERMIT – APPROVED FIXED LOCATION
(i.e. HOT DOG CART, FRUIT CART, COFFEE CART, etc.)**

Municipal Code 6.54.270

INSURANCE REQUIREMENTS

Vendor shall procure and maintain for the duration of the permit insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the vendor, his agents, representatives, employees or subcontractors.

INSURANCE

The Vendor shall furnish Risk Management a Certificate of Insurance showing there is in force coverage at least as broad as:

- **Commercial General Liability** (occurrence form CG 0001): minimum \$500,000 combined single limit per occurrence for bodily injury and property damage including products and completed operations.

ENDORSEMENTS

Commercial General Liability Certificate must be accompanied by the following endorsements:

- The City of San Jose, its officers, employees, agents and contractors are named as additional insured.
- Insurance policy shall be endorsed to state that coverage shall not be suspended, voided, cancelled, or reduced in limits except after thirty (30) days' prior written notice has been given to the City of San Jose.

VERIFICATION OF COVERAGE

Vendor shall furnish the City of San Jose with Certificates of Insurance and Endorsements. Verification of Coverage is to be mailed or faxed to:

City of San Jose
Risk Management Department
200 East Santa Clara Street, 2nd Floor Wing
San Jose, CA 95113-1905
Phone: (408) 535-7060 Fax: (408) 286-6492

These requirements are subject to amendment or waiver if so approved in writing by the office of Risk Management.

Signature _____ Date _____

DO NOT WRITE BELOW THIS LINE

Permit \$ _____ RMS _____ Exp Date: _____
Renewal \$ _____
I.D. \$ _____
Total \$ _____ Permit ID NO: _____ Recpt No. : _____

Application completed Yes / No

Government Identification (page 2) Yes / No Exp Date _____

Copy of Business License Tax Certificate Yes / No Exp Date _____
Number _____

Health Permit Yes / No Exp Date _____
Number _____

Fixed location Inspection Yes / No

Downtown Vendor Program Yes//No

Location Map Yes / No
Location: _____

Cart Dimension:
Length: _____ Width _____ Height _____

S/O Fingerprints Yes/No Date _____

SLETS Yes/No Date Reviewed _____

City Ordinance Signed Yes/No

Fixed Peddler Commercial General Liability Ins. Yes / No

Applicant thumb prints (page 2) Yes/No

Program Officer file review? **YES/NO**

Signature _____ Badge _____ Date _____

Applicant notified of: **DENIAL APPROVAL**

Signature _____ Badge _____ Date _____