ORDINANCE NO. 2025-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLITS, CALIFORNIA, AMENDING CHAPTER 17.66 ENTITLED "SUPPLEMENTAL PROVISIONS" AND ADDING CHAPTER 17.87 ENTITLED "MOBILE VENDORS" TO TITLE 17 (ZONING) OF THE WILLITS MUNICIPAL CODE

WHEREAS, the City of Willits ("City") is a general law city and a political subdivision of the State of California; and

WHEREAS, mobile vending and sidewalk vending are growing economic activities in the City, providing opportunities for entrepreneurs while enhancing community engagement and activating public spaces; and

WHEREAS, the City desires to establish clear and consistent regulations for mobile vendors and sidewalk vendors to ensure operations are compatible with existing brick-and-mortar businesses, preserve the architectural and historic character of downtown, and protect public health and safety in compliance with applicable state and local laws, including Senate Bill 946 (SB 946); and

WHEREAS, the proposed Ordinance establishes permitting procedures, allowable vending locations, operational standards, design guidelines, and other requirements for mobile and sidewalk vendors; and

WHEREAS, the proposed Ordinance is consistent with the objectives and policies and programs specified in the City's General Plan; and

WHEREAS, the City Council conducted a public hearing in the Council Chamber of City Hall on November 10th , 2025, for the purpose of introducing the proposed ordinance; and

WHEREAS, the City Council conducted a public hearing in the Council Chamber of City Hall on December 10th , 2025, for the purpose of adopting the proposed ordinance; and

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and

WHEREAS, the proposed ordinance has been reviewed in accordance with the California Environmental Quality Act (CEQA) and is exempt pursuant to CEQA Guidelines Section 15061(b)(3), - General Rule CEQA Guidelines.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLITS HEREBY ORDAINS AS FOLLOWS:

Title 17 – Zoning of the Willits Municipal Code is hereby amended by adding Chapter 17.87 entitled Mobile Vendors to read as follows:

AMENDING CHAPTER 17.66 - SUPPLEMENTAL PROVISIONS

17.66.070 - Temporary land uses

A. Carnivals, circuses, fairs, festivals, animal displays, amusement rides, and other similar gatherings shall be permitted in any non-residential zoning district for a maximum ten day period of time upon the approval of a zoning permit application by the planning director.

B. Temporary sales offices, those which are open to the general public, shall be permitted within a residential subdivision for a maximum one-year period of time by the planning director.

1. If such offices are detached and separate from a dwelling group, for instance, a mobile home which has been converted for sales office purposes, they shall be located at least one hundred feet from an existing residential dwelling unit, and, shall be connected to on-site water and sewer utility hook-ups.

C. Christmas tree sales lots shall be permitted only within the administrative office (CO), community commercial (C1), and heavy commercial (C2) zoning districts. Further:

1. Such lots shall be permitted to be established by the planning director only between Thanksgiving and New Years;

2. Such lots shall be restricted only to the sale of Christmas trees;

3. Such lots shall be permitted to display signs only in accordance with the provisions of the Willits sign ordinance.

D. Seasonal uses including the temporary display and sale of crops, fruits or vegetables shall be permitted in the administrative office (CO), community commercial (C1), and heavy commercial (C2) zoning districts by the planning director. Further, such uses shall:

1. Be permitted for no more than four nonconsecutive seven-day periods in a calendar year;

2. Such uses shall be permitted to display signs only in accordance with the provisions of the Willits sign ordinance.

~~E. Peddlers and hawkers shall be permitted business uses in all zoning districts by the planning director. Further, such businesses shall:~~

~~1.Be permitted for no more than four nonconsecutive seven-day periods in a calendar year;~~

~~2.Such uses shall be permitted to display signs only in accordance with the provisions of the Willits sign ordinance.~~

~~F~~E. Temporary construction offices shall be permitted for a maximum one-year period of time by the planning director.

~~G~~F. Temporary commercial and administrative office buildings may be permitted for a m maximum two-year period of time only upon approval of a conditional use permit application by the city planning commission.

CHAPTER 17.87 – MOBILE VENDORS

17.87.010 – Purpose

The purpose of this ordinance is to regulate Mobile Vending Units (MVUs) and Sidewalk Vendors within the City of Willits in a manner that promotes economic opportunity for mobile and sidewalk vendors while ensuring compatibility with existing brick-and-mortar businesses and preserving the architectural and historic character of downtown. This ordinance is also intended to protect public health and safety in compliance with applicable state and local laws and to establish clear and consistent guidelines for the location, operation, and design standards of mobile vending and sidewalk vending within the City.

17.87.020 – Definitions

For the purposes of this ordinance, the following definitions shall apply:

A. *Mobile Cart:* Means pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance used for the purpose of vending.
B. *Mobile Vending Unit (MVU):* A motorized vehicle, such as a catering truck, motorized cart, food truck, trailer or other itinerant conveyance, operated by a mobile vendor from a City approved location or route for the purpose of selling, serving, or distributing food, beverages, and/or goods.
C. *Mobile Vendor:* Any person who peddles, vends, sells, serves, displays, offers for sale, or gives away food, beverages, and/or goods from any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand, display, blanket, ground covering, tent, canopy, or other device designed to be portable and not permanently attached to the ground. A display may include a table and cooler.
D. *Owner:* Any person, business, or entity responsible for the operation of an MVU or Sidewalk Vendor.
E. *Private Property:* Any property not owned by the City where an MVU may operate with the written consent of the property owner.
F. *Public Right-of-Way:* Any area owned or maintained by the City, including streets, sidewalks, and alleys.
G. *Sidewalk Vendor:* Any person who sells food or merchandise from a push-cart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized

conveyance, or from one's person, upon a public sidewalk or other pedestrian path.

H. *Special Event:* Any temporary public gathering authorized by the City, including festivals, fairs, or other community events.
I. *Stationary Cart:* Stationary cart means a cart, which is not mobile, used for vending from a fixed location.
J. *Single Block Face:* The portion of a public street on one side of the street between two consecutive intersections, or between an intersection and a cul-de-sac.

17.87.030 – Mobile Vendor: Permit Requirements

It is unlawful for any Mobile Vendor to operate within the City without first obtaining a Zoning Permit and a City Business License from the Community Development Department. A City Business License cannot be issued until after a Zoning Permit has been approved.

Applications for a Zoning Permit shall include:

A. A completed Zoning Permit application. If the Mobile Vendor intends to operate at multiple locations, all such locations must be identified and included in the Zoning Permit application.
B. A site plan showing the specific location(s) where the MVU will operate in relation to property boundaries and improvements.
C. Drawings or photographs of the MVU to be used.
D. Written authorization from the property owner for operations on private property.
E. Proof of an active Food Facility Permit issued by the Mendocino County Department of Health Services.
F. Location and description of any proposed outdoor dining area, including tables, chairs, and shade structures.
G. Proof of vehicle registration.
H. Proof of Itinerant Permit from the Mendocino County Sheriff's Office.
I. A statement of the type of goods, wares, merchandise, food, beverages, or services to be peddled, solicited, or vended.
J. Proof of a valid California Department of Tax and Fee Administration Seller's Permit.
K. Additional licenses from State or local agencies to the extent required by law.
L. Generator details including year, model and noise specifications.
M. Other information required to ensure operations are consistent with City and State regulations.

Any Zoning Permit issued pursuant to this Chapter shall automatically expire, terminate, and be of no further force and effect at 10:00 p.m. on December 31st of each year unless renewed.

17.87.040 – Mobile Vendor: General Standards.

A. *Zoning Districts:* Mobile Vendors shall only operate in Community Commercial (C1), Heavy Commercial (C2), General Mixed Use (GU), Main Street Mixed Use (DU), Limited Industrial (ML), Heavy Industrial (MH), Public Facilities (PF) and Industrial Park (IP) zoning districts. Mobile Vendors are prohibited from operating in the public right-of-way, including streets, sidewalks, and alleys.

B. *Hours of Operation:* Mobile Vendors may operate between the hours of 8:00 a.m. and 9:00 p.m. . On Fridays, Saturdays, and Sundays, Mobile Vendors may operate until 12:00 a.m. Operations outside of these hours may be permitted when expressly authorized as part of an approved special event.

C. *Parking of Mobile Vending Units:* MVUs may operate only in designated areas on private property with property owner authorization or in locations approved by the Community Development Department. Mobile vending shall be conducted entirely upon private property and not within any public right-of-way. Mobile food vendors operating within a parking lot shall not inhibit traffic circulation and shall maintain the minimum required on-site parking spaces for the principal use on the property.

D. *Shared Site:* Mobile Vendors may share sites with primary businesses during operating and non-operating hours of those businesses. Parking must comply with all applicable City parking requirements and setback regulations.

E. *Special Events:* Mobile Vendors are not permitted to operate within 300 feet of a City approved special event, unless approved as part of that event or a previously approved Zoning Permit.

17.87.050 – Mobile Vendor: Operating Standards

A. *Building Division and Fire Department*. All necessary permits and approvals from the Building Division and the Fire Department shall be obtained prior to mobile vending operations.

B. *Storage.* After the permitted hours of operation, all mobile vending equipment, including the mobile unit itself and any associated dining furniture, shall be stored off site or within an approved, enclosed structure on site.

C. *Permit and License Display*. At all times while vending, a valid business license and Zoning Permit shall be displayed at the mobile vendor site.

D. *Nuisance.* MVUs must not cause congestion or block vehicular or pedestrian traffic, nor cause undue noise, litter, unsanitary conditions or offensive odors.

E. *Garbage and Recyclable Collection:* Mobile vendors shall provide adequate trash and recycling containers and shall remove all waste generated by operations.

F. *Unit Design:* MVUs shall be clean, well-maintained, and free from graffiti, visible damage, or deterioration.

G. *Setbacks:* MVUs shall comply with all setback requirements of the underlying zoning district.

H. *Signage:* Signage is limited to the MVU and must comply with the Willits Sign Ordinance (Chapter 17.54 – SIGNS). Signs shall not obstruct pedestrian or vehicular circulation.

I. *Accessory Equipment:* All accessory equipment, including generators, awnings, tables, and chairs, shall be properly maintained. Generators shall operate in compliance with applicable state noise requirements. MVUs shall be entirely self-contained. No external storage, piping, or plumbing is allowed. An external generator is permitted, provided the operation does not conflict with the quiet enjoyment of property within 300 feet of the MVU.

J. *Buffers and Safety:* Any MVU may be subject to additional operational restrictions as determined necessary by the City to protect public health, safety, and welfare. Such restrictions may include, but are not limited to, additional buffers, limits on hours of operation, and generator noise controls.

   i. MVUs shall maintain a minimum 50-foot buffer from residential zoned properties.

   ii. MVUs operating in proximity to schools shall maintain the following minimum separation distances, measured from the school property line:

      - 400 feet from high schools and middle schools; and
      - 350 feet from elementary schools.

K. *Restroom Access:* Any MVU Must be located within 200 feet of an approved and readily available restroom and handwashing facility for use by employees, consistent with applicable requirements of the California Health & Safety Code.

17.87.060 – Sidewalk Vending: **Permit Requirements**

It is unlawful for any Sidewalk Vendor to operate within the City without first obtaining a Zoning Permit and a City Business License from the Community Development Department. A City Business License shall not be issued until after a Zoning Permit has been approved.

Applications for a Zoning Permit shall include:

A. Proof of an approved Encroachment Permit issued by the City, as required for any vending activity conducted within the public right-of-way.

B. Location Details:

   a. Stationary Cart in Commercial/Industrial Areas: Must specify the street location (including major cross streets), the side of the street (north, south, east, or west), and provide a photo or sketch of the location.

   b. Mobile Cart in Residential Areas: Must provide a sketch showing the route the cart will travel.

C. Proof of liability insurance.

D. A completed Zoning Permit application. If the Stationary/Mobile Cart intends to operate at multiple locations, all such locations must be identified and included in the Zoning Permit application.

E. Drawings or photographs of the Stationary/Mobile Cart to be used.

F. Proof of an active Food Facility Permit issued by the Mendocino County Department of Health Services.
G. A statement of the type of goods, wares, merchandise, food, beverages, or services to be peddled, solicited, or vended.
H. Proof of a valid California Department of Tax and Fee Administration Seller's Permit.
I. Additional licenses from State or local agencies to the extent required by law.
J. Other information required to ensure operations are consistent with City and State regulations.

Vendors must follow all provisions of the city code while operating.
Any Zoning Permit issued pursuant to this Chapter shall automatically expire, terminate, and be of no further force and effect at 9:00 p.m. on December 31st of each year unless renewed.

17.87.070– Sidewalk Vendor: General Standards
All sidewalk vendors shall adhere to the following standards:

A. All vendors must carry and present a valid California identification card or other government-issued identification.
B. No more than two (2) stationary carts with approved permits may be used to vend on the sidewalk of a single block face within commercial and industrial area sidewalks of the town.
C. A vendor may not use a stationary cart to vend in a residential area. Only a mobile cart may be used to vend in a residential area.
D. Mobile cart must not exceed a length of seventy-two (72) inches, a width of fifty-four (54) inches, or a height, including roof or awning, of seventy-eight (78) inches. A Zoning Permit application may request, and the City may approve, a small table for condiments to be used in conjunction with a cart selling food.
E. No cart, condiment table or vendor's trash receptacle may be left on the sidewalk after the vendor's approved closing time.
F. No cart shall be chained or fastened to any pole, sign, tree, or other object in the public right-of-way or left unattended by the vendor.
G. Vendors are not permitted to operate within 300 feet of a City approved special event, unless approved as part of that event.
H. Vending in a park or facility when there is an exclusive agreement in place with the City and a food vendor is prohibited.
I. Vending in a park or facility between the hours of 9:00 p.m. and 8:00 a.m. is prohibited.
J. Vending food or merchandise on City sidewalks shall be prohibited:
    - Within five (5) feet of a marked crosswalk.
    - Within fifteen (15) feet of the curb return.
    - Within ten (10) feet of any fire hydrant, fire call box or other emergency facility.

- Within five (5) feet ahead and forty-five (45) feet to the rear of a sign designating a bus stop.
- Within a marked bus zone.
- Within five (5) feet of a bus bench.
- Within fifteen (15) feet of a driveway or driveway apron.
- Within eighteen (18) inches from the edge of the curb.
- Where placement impedes the flow of pedestrian traffic by reducing the clear space to less than six (6) feet or impedes access to or the use of abutting property, including, but not limited to, residences and places of business.
- On City owned property without prior City permitting and approval.
- Within five hundred (500) feet of any K-12 school from the hours of 6:00 a.m. through 6:00 p.m.

17.87.080 – Sidewalk Vendor: Operating Standards

A. A vendor who vends in a residential area with a mobile cart shall move continuously, except when making a sale, which must not last longer than ten (10) minutes.

B. A sidewalk vendor must provide a trash receptacle for customers and must ensure proper disposal of customer trash. The trash receptacle must be large enough to accommodate customer trash without resorting to existing trash receptacles located on any block for use by the general public. A vendor may not dispose of customer trash in existing trash receptacles on sidewalks.

C. A sidewalk vendor must maintain a clean and trash-free ten-foot radius from the vendor's cart during hours of operation and must leave the area clean by the approved closing time.

D. Notwithstanding any specific prohibitions in this subsection, no vendor shall install, use, or maintain a cart where placement endangers the safety of persons or property.

E. Every sidewalk vending cart, whether stationary or mobile, must have a valid Zoning Permit.

F. The Zoning Permit must be clearly displayed at all times while vending.

G. Vendors must adhere to all rules stated in the permit and comply with all applicable laws and regulations.

H. Each Zoning Permit shall authorize the operation of a single mobile or stationary cart.

I. Zoning Permits cannot be transferred to another cart or person.

J. Vendors shall comply with the Americans with Disabilities Act (ADA) and shall not block any ADA path of travel.

K. Sidewalk vendors shall not vend to or otherwise conduct transactions with persons in moving vehicles or vehicles illegally parked or stopped.

17.87.090 – Exemptions

The provisions of this Chapter shall not apply to the following:

A. Any solicitor soliciting on behalf of any religious, charitable, educational, youth, or political organization, or to any person who is exempt from the provisions of this Chapter by virtue of the Constitution or statutes of the United States of America or of the State of California.
B. Catering for private parties held exclusively on private property and not open to the general public.

C. Delivery activities of any establishment with a fixed place of business, which only delivers its products, services, or goods to a specified address in response to a customer request, order, or invoice previously placed through that fixed place of business.

17.87.100 – Prohibited items

Peddlers, solicitors, street vendors, and mobile food vendors are prohibited from peddling, soliciting, vending, or distributing any items prohibited by Federal, State, or local law, including the following items and any other items specified in CMC Title 8, Health and Safety:

A. Adult-entertainment-oriented materials;
B. Tobacco, tobacco products, or electronic smoking devices;
C. Cannabis or cannabis products;
D. Weapons, including knives, guns, or explosive devices;
E. Fireworks; and
F. Pharmaceuticals.

17.87.110 – Public Safety & Right of way Protection Standards

In order to protect pedestrian health and safety and to accommodate public street access, parking, and traffic, street and mobile food vendors shall be subject to the conditions set forth below:

A. Street and mobile food vendors shall not operate in a manner where the operation, vending equipment, and queuing of patrons obstruct the right-of-way, including blocking vehicular or bicycle traffic, the flow of pedestrian traffic, ingress, or egress from adjoining property, or otherwise creating hazards for vehicle or pedestrian traffic.
B. Street and mobile food vendors shall not operate in a manner where the operation, vending equipment, and queuing of patrons reduce the width of a public right-of-way to less than the minimum standards required by Federal and State accessibility laws, as modified from time to time so as to enable persons to freely

pass while walking, running, or using mobility assistance devices and to ensure compliance with Americans with Disabilities Act (ADA) regulations.

17.87.120 – Penalty for Violation

Except as to sidewalk vending violations, which are exempt by law from criminal penalties and subject only to administrative fines, every violation of the provisions of this Chapter shall be deemed to be a misdemeanor. Each day any violation of any said provision of this Chapter shall constitute a separate offense**.**

17.87.130 - Applicability of Regulations to Existing Businesses

The provisions of this Chapter apply to all persons and businesses described herein regardless of whether the described activities were established before or after the effective date of the ordinance enacting this Chapter into law. All such persons and businesses shall have thirty (30) days from said effective date to file a completed application for a vendor's or operator's permit with the city.

17.87.140 – Conducting as a Nuisance

Any mobile vendor or sidewalk vendor operating contrary to the provisions of this chapter may be deemed to be unlawful and are hereby declared a public nuisance. The city attorney may commence any civil action or proceeding, for the abatement, removal or enjoinment thereof, in the manner provided by law, and may apply to such court as may have jurisdiction to grant such relief as will abate or remove such establishment and restrain and enjoin any person from operating as a mobile vendor contrary to the provisions of this chapter.

This Ordinance was introduced by the Council of the City of Willits on December 10th , 2025, and passed by the following vote:

AYES:	Gonzalez, Stranske, Alaniz, Allman.
NOES:	NONE.
ABSENT:	NONE.
RECUSED:	BURTON.

_____

TOM ALLMAN, Mayor
City of Willits

ATTEST:

_____

DELORES PEDERSEN, City Clerk