

RESOLUTION NO. 2020-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FULLERTON, CALIFORNIA, ESTABLISHING AND ADOPTING THE
SIDEWALK VENDING PERMIT APPLICATION FEE

THE CITY COUNCIL OF THE CITY OF FULLERTON DOES HEREBY DECLARE AND
FIND AS FOLLOWS:

WHEREAS, on September 17, 2018, California Governor Edmund Gerald Brown signed Senate Bill ("SB") 946 into law, which went into effect January 1, 2019, and which sets forth the manner in which sidewalk vendors may be regulated by cities and counties; and

WHEREAS, on September 15, 2020, the City Council adopted Ordinance No. 3288, creating a local program to regulate and permit sidewalk vending in compliance with SB 946, as set forth amending Chapter 8.75 of the Fullerton Municipal Code to permit and regulate sidewalk vendors; and

WHEREAS, the City Council has heretofore established various schedules of rates, fees, and charges for services provided by the City including, but not limited to, processing ministerial and discretionary permits; and

WHEREAS, pursuant to the provisions of the California Constitution and the laws of the State of California, the City is authorized to adopt and implement rates, fees, and charges for municipal services; provided, however, that such rates, fees and/or charges do not exceed the estimated reasonable cost of providing such services; and

WHEREAS, the annual sidewalk vending permit fee is proposed to be established as set forth in Exhibit "A" attached hereto; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED AND FOUND by the City Council of the City of Fullerton as follows:

Section 1. Findings. This City Council hereby finds and determines that based upon the data, information, analysis, oral and written documentation presented to this City Council concerning the fee described herein does not exceed the established reasonable cost of providing the service which the fee is levied and that the fee solely recovers an objectively reasonable approximation of the City's actual and reasonable costs.

Section 2. Sidewalk Vendor Permit Fee. A permit fee as set forth in Exhibit "A" attached hereto is adopted and approved as the fee to apply for an annual Sidewalk Vendor Permit pursuant to Chapter 8.75 of the Fullerton Municipal Code.

Section 3. Effective Date. The fee set forth herein shall be effective and shall be implemented commencing October 16, 2020, which is at least 30 days after City Council adoption.

Section 4.Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

ADOPTED BY THE FULLERTON CITY COUNCIL ON SEPTEMBER 15, 2020.

Jennifer Fitzgerald
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date

Exhibit A

The annual fee for a Sidewalk Vending Permit is established at \$80.00 per cart.

Labor Cost:

CSR - 1 hour total fully burdened at \$36.81 per hour (Step 6)	36.81
Revenue Specialist - 15 minutes at fully burdened rate of \$44.57 per hour (Step 5)	11.14
Risk Manager - 15 minutes at fully burdened rate of \$53.95 per hour (Step 5)	13.49
Total burdened labor cost per application:	<hr/> 61.44

Material Cost:

Decals - \$5.00 per set of two decals	5.00
Permit Software - \$4,500 initial cost/4-years (\$1,125 per year/100 applications)	11.25
Printing - packet with application, procedure & checklist (\$0.15 per page, total of 7 pages)	1.05
Mailing (postage @ \$0.55)	.55
Total material & mailing cost per application:	<hr/> 17.85

Actual cost per application	\$79.29
Recommended Sidewalk Vending Permit Fee	\$80