

Assembly Bill No. 2719

Passed the Assembly August 27, 2014

Chief Clerk of the Assembly

Passed the Senate August 25, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 65040.65 to the Government Code, relating to business.

LEGISLATIVE COUNSEL'S DIGEST

AB 2719, Bonta. Mobile retail operations and pop-up operations: model local ordinance or resolution.

Existing law creates the Office of Planning and Research in the Governor's office to provide the Governor and his or her cabinet long-range, land use planning and research and to serve as the comprehensive state planning agency.

This bill would require the Office of Planning and Research to develop, in consultation with local governmental entities, a model local ordinance or resolution regulating mobile retail operations and pop-up operations, as defined, within the jurisdiction of a city, county, or city and county. The bill would require the model ordinance to include the types of vehicles allowed to be used as mobile retailers, the types of structures to be used in pop-up operations, minimum qualifications for businesses operating in this manner, procedures for license renewal and revocation, and other provisions relevant to the operation of mobile retail and pop-up businesses.

The people of the State of California do enact as follows:

SECTION 1. Section 65040.65 is added to the Government Code, to read:

65040.65. (a) The office shall develop, in consultation with local governmental entities, a model local ordinance or resolution regulating mobile retail and pop-up operations within the jurisdiction of a city, county, or city and county, for adoption by a city, county, or city and county. The model local ordinance shall define the parameters of licensing a mobile retail or pop-up operation based on factors such as walkability, proximity to economic hubs, and other factors relevant to the operation of mobile retail and pop-up businesses.

(b) The model local ordinance or resolution shall contain guidelines for licensing mobile retail operations and pop-up operations, shall prohibit mobile retail businesses that are not suitable for mobile retail operation, and shall prohibit pop-up businesses that are not suitable for pop-up operation. For the purposes of this section:

(1) “Mobile retail operations” means the sale of goods and services that are not food from a vehicle.

(2) “Pop-up operations” means the sale of goods and services that are not food or related to food from a temporary venue.

(c) The model local ordinance or resolution shall contain all of the following:

(1) The types of vehicles allowed to be used in mobile retail operations, including a weight limitation.

(2) The types of structures allowed to be used in pop-up operations.

(3) The minimum qualifications and licensing requirements for businesses to engage in mobile retail operations or pop-up operations.

(4) Appropriate timelines for license renewal and procedures for license revocation.

(5) Other provisions relevant to the operation of mobile retail and pop-up businesses.

Approved _____, 2014

Governor