

AMENDED IN ASSEMBLY MAY 5, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2719

Introduced by Assembly Member Bonta

February 21, 2014

An act to add ~~Article 5.5 (commencing with Section 12098.9) to Chapter 1.6 of Part 2 of Division 3 of Title 2 of Section 65040.65 to the Government Code, relating to business.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2719, as amended, Bonta. ~~Governor's Office of Business and Economic Development: Standard Pop-Up Regulation Zones Act: Mobile retail 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, 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 operate as mobile retailers, minimum qualifications for businesses operating in this manner, and procedures for license renewal and revocation.

~~The Economic Revitalization Act establishes the Governor's Office of Business and Economic Development, also known as "GO-Biz," to,~~

among other duties, serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth.

This bill would require GO-Biz to develop, in consultation with local governmental entities, a model local ordinance or resolution regulating mobile retail operations within the jurisdiction of a city, county, or city and county, for adoption by a city, county, or city and county, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 65040.65 is added to the Government
2 Code, to read:
3 65040.65. (a) The office shall develop, in consultation with
4 local governmental entities, a model local ordinance or resolution
5 regulating mobile retail operations within the jurisdiction of a
6 city, county, or city and county, for adoption by a city, county, or
7 city and county. The model local ordinance shall define the
8 parameters of licensing a mobile retail operation based on factors
9 such as walkability, proximity to economic hubs, and price for
10 retail space.
11 (b) The model local ordinance or resolution shall contain
12 guidelines for licensing mobile retail operations and pop-up
13 operations and shall prohibit mobile retail businesses that are not
14 suitable for mobile operation. For the purposes of this section:
15 (1) "Mobile retail operations" means the sale of goods that are
16 not food from a vehicle.
17 (2) "Pop-up operations" means the sale of goods and services
18 that are not food or related to food from a temporary venue.
19 (c) The model local ordinance or resolution shall contain all
20 of the following:
21 (1) The types of vehicles or containers allowed to operate as
22 mobile retailers, including a weight limitation.
23 (2) The minimum qualifications and licensing requirements for
24 businesses to operate as mobile vendors and service providers.
25 (3) Appropriate timelines for license renewal and procedures
26 for license revocation.

1 SECTION 1. ~~Article 5.5 (commencing with Section 12098.9) is~~
2 ~~added to Chapter 1.6 of Part 2 of Division 3 of Title 2 of the~~
3 ~~Government Code, to read:~~

4
5 Article 5.5. Standard Pop-Up Regulation Zones Act
6

7 12098.9. ~~(a) The office shall develop, in consultation with~~
8 ~~local governmental entities, a model local ordinance or resolution~~
9 ~~regulating mobile retail operations within the jurisdiction of a city,~~
10 ~~county, or city and county, for adoption by a city, county, or city~~
11 ~~and county. The model local ordinance should define the~~
12 ~~parameters of licensing a mobile retail operation based on factors~~
13 ~~such as walkability, proximity to economic hubs, and price for~~
14 ~~retail space.~~

15 ~~(b) The model local ordinance or resolution shall contain~~
16 ~~guidelines for licensing mobile and pop-up retail operations and~~
17 ~~shall prohibit mobile retail businesses that are not suitable for~~
18 ~~mobile operation.~~

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

21 ~~(1) The types of vehicles or containers allowed to operate as~~
22 ~~mobile retailers, including a weight limitation.~~

23 ~~(2) The minimum qualifications and licensing requirements for~~
24 ~~businesses to operate as mobile vendors and service providers.~~

25 ~~(3) Appropriate timelines for license renewal and procedures~~
26 ~~for license revocation.~~

27 ~~(4) A requirement that the city, county, or city and county~~
28 ~~conduct and publish a study on the impact of the local ordinance~~
29 ~~or resolution a year after the ordinance or resolution was adopted.~~