

AMENDED IN SENATE JUNE 17, 2014

AMENDED IN ASSEMBLY MAY 5, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2719**

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**Introduced by Assembly Member Bonta**

February 21, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2719, as amended, 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 ~~operate~~ *be used* as mobile retailers, *the types of structures to be used in pop-up operations*, minimum qualifications for businesses operating in this manner, and procedures for license renewal and revocation, *and other provisions relevant to the operation of mobile retail and pop-up businesses*.

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 *and pop-up* operations within the  
6 jurisdiction of a city, county, or city and county, for adoption by  
7 a city, county, or city and county. The model local ordinance shall  
8 define the parameters of licensing a mobile retail *or pop-up*  
9 operation based on factors such as walkability, proximity to  
10 economic hubs, and ~~price for retail space.~~ *other factors relevant*  
11 *to the operation of mobile retail and pop-up businesses.*  
12 (b) The model local ordinance or resolution shall contain  
13 guidelines for licensing mobile retail operations and pop-up  
14 operations ~~and~~, shall prohibit mobile retail businesses that are not  
15 suitable for mobile *retail* operation, *and shall prohibit pop-up*  
16 *businesses that are not suitable for pop-up operation.* For the  
17 purposes of this section:  
18 (1) “Mobile retail operations” means the sale of goods *and*  
19 *services* that are not food from a vehicle.  
20 (2) “Pop-up operations” means the sale of goods and services  
21 that are not food or related to food from a temporary venue.  
22 (c) The model local ordinance or resolution shall contain all of  
23 the following:  
24 (1) The types of vehicles ~~or containers~~ allowed to ~~operate as~~  
25 ~~mobile retailers,~~ *be used in mobile retail operations,* including a  
26 weight limitation.  
27 (2) *The types of structures allowed to be used in pop-up*  
28 *operations.*  
29 ~~(2)~~  
30 (3) The minimum qualifications and licensing requirements for  
31 businesses to ~~operate as mobile vendors and service providers.~~  
32 *engage in mobile retail operations or pop-up operations.*  
33 ~~(3)~~  
34 (4) Appropriate timelines for license renewal and procedures  
35 for license revocation.

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

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