



**BOARD OF SUPERVISORS
AGENDA LETTER**

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:

Submitted on:
(COB Stamp)

Department Name: County Executive Office &
County Health
Department No.: 012, 041
Agenda Date: Set hearing: 2/10/26
Departmental: 2/24/26
Administrative: 3/3/26
Placement: Departmental Agenda
Estimated Time: 1 hour on 2/24/26
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s): Mona Miyasato, County Executive Officer

DocuSigned by:
Mona Miyasato
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Mouhanad Hammami, Director, County Health

DocuSigned by:
Lars Seifert
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Contact: Wade Horton, Assistant County Executive Officer

Lars Seifert, Deputy Director of Operations, County Health

SUBJECT: Sidewalk Vending Ordinance and Pilot Program

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors (Board):

Either:

- a) Receive and file an update on the status of the Environmental Health Services Division's (EHS's) sidewalk vending outreach efforts over the past six months; and
- b) Consider the introduction (First Reading) of an Ordinance (Attachment A) amending the Santa Barbara County Code to adopt regulations regarding sidewalk vending countywide;
- c) Read the title and waive further reading of the Ordinance in full;
- d) Continue the hearing to March 3, 2026, on the Administrative Agenda to consider recommendations, as follows:
 - i) On March 3, 2026, adopt the Ordinance (Second Reading) amending the Santa Barbara County Code to adopt regulations regarding sidewalk vending countywide;
 - ii) Direct the County Public Information Officer (PIO) to develop a public awareness campaign using earned media; and

- iii) Approve Budget Revision Request No. BJE – 0010755 (Attachment B) to establish appropriations of \$42,022.10 in Fund 990 for staff to initiate a six-month Sidewalk Vending Pilot Program to enforce the Sidewalk Vending Ordinance for the period of April 3, 2026 through October 3, 2026 (4/5ths vote required).
- iv) Determine that the above actions are exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), finding that the actions consist of administrative activities of government that will not result in direct or indirect physical changes in the environment.

Or,

- e) Receive and file an update on the status of the EHS's sidewalk vending outreach efforts over the past six months; and
- f) Determine that the above action is exempt under the provisions of the CEQA pursuant to CEQA Guidelines Section 15378(b)(5), finding that the action consists of administrative activities of government that will not result in direct or indirect physical changes in the environment.

Summary Text:

This item is on the Board's agenda to receive and file an update on sidewalk vending outreach efforts over the past six months. The Board also has the option to adopt the proposed Sidewalk Vending Ordinance and approve a six-month Sidewalk Vending Pilot Program. The Pilot Program includes the creation of an interdepartmental outreach team, the purchase of storage materials for contaminated food and impounded vending equipment, and the development of a public awareness campaign to discourage the public from patronizing unlawful vendors.

The County of Santa Barbara (County) has seen an increase in sidewalk vending (the vending of merchandise or food from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance) since the passage of Senate Bill (SB) 946 and SB 972 in 2018 and 2022, respectively. These bills decriminalized sidewalk vending and limited the tools local governments can use to regulate such activities. This led to a proliferation of unlawful vending operations throughout the county, creating public health and safety risks including foodborne illnesses, unsanitary conditions, and obstructions to pedestrian pathways and traffic. To address these issues, the Board directed that a task force be developed and consider certain actions. Since that time, the County Executive Office (CEO's Office) has worked with the Sidewalk Vending Task Force to develop the proposed Sidewalk Vending Ordinance and the Sidewalk Vending Pilot Program for the Board's consideration.

Discussion:

Outreach Update

On September 9, 2025, EHS presented to the Board responses to a 2024-2025 Civil Grand Jury Report titled "Unpermitted Food Vendors in Santa Barbara County." With regard to outreach, EHS reported that staff had incurred over 400 hours in overtime in 2025 conducting after-hours and weekend inspections of sidewalk vendors. EHS coordinated inspections with California Highway Patrol, the County Sheriff's Office, and municipal law enforcement in incorporated areas when resources were available.

Since the September 2025 hearing, EHS has seen a slight decrease in sidewalk vending activity due to the cooler winter weather. However, EHS continues to actively conduct joint outreach efforts with the Sheriff's Office and local enforcement agencies. From September 2025 to January 2026, EHS conducted nine compliance events in which staff inspected sidewalk vendors in unincorporated Santa

Ynez Valley and Santa Maria areas. In the unincorporated Santa Ynez Valley area, EHS issued 11 Notices of Violation (NOVs) and vendors voluntarily discarded approximately 524 lbs. of contaminated meat. In the unincorporated Santa Maria area, EHS issued three NOVs and vendors voluntarily discarded approximately 51 lbs. of contaminated meat. These outreach efforts required 77.5 hours of EHS staff overtime.

Sidewalk Vending Ordinance

In accordance with State law and the Board's direction, staff developed the proposed Sidewalk Vending Ordinance to regulate sidewalk vending within the unincorporated area. The proposed ordinance requires that prior to sidewalk vending, individuals must obtain a seller's permit, a business license, and, if the vendor will be selling food, a health permit. To ensure public safety, the proposed ordinance specifies that sidewalk vending is only allowed on paved public sidewalks and paths that are designed and intended for pedestrian travel. The proposed ordinance also addresses allowable vending equipment, appropriate vending locations and hours of operation, prohibited sales, and sanitation requirements. Under the proposed ordinance, the County may issue administrative warnings and fines for violations; impound food, goods, and vending equipment; and, dispose of impounded food, goods, or vending equipment that cannot be safely stored by the County or that are perishable.

Adopting the proposed ordinance would have the benefit of clearly defining "sidewalk" and "sidewalk vendor," clarifying locations and times in which sidewalk vending can occur, and clarifying that the County may impound a sidewalk vendor's equipment under specified circumstances. However, the Board has the option to not adopt the ordinance and continue current outreach efforts, which include impoundment of food, equipment, and utensils "found to be, or suspected of being, unsanitary or in such disrepair that food, equipment, or utensils may become contaminated or adulterated, and inspect, impound, or inspect and impound any utensil that is suspected of releasing lead or cadmium." (Health & Saf. Code § 114393.)

Sidewalk Vending Pilot Program

Staff is requesting Board direction to initiate the Sidewalk Vending Pilot Program. The Pilot Program would authorize the establishment of a sidewalk vendor outreach team comprised of two to four existing EHS staff, two Public Works staff, and one Deputy Sheriff. EHS staff will take temperatures of food, bag and inventory contaminated food, take notes, and issue NOVs to unlawful vendors. Public Works staff will load up and store impounded vending equipment into a truck and store it at a County corporation yard. And lastly, a Deputy Sheriff will be present to prevent or deescalate situations with non-compliant vendors and provide law enforcement as needed.

The outreach team will complete up to 15 targeted compliance events over a six-month period. They will visit three to five vendors per event, and each event will take approximately five to seven hours, including travel time. Events will occur during the afternoon or evening when vendors are typically in operation. The team will focus their efforts on North County locations near the city of Santa Maria and the Santa Ynez Valley where EHS has repeatedly issued NOVs to unlawful vendors.

The County is aware of community concerns regarding recent immigration enforcement activity. To ensure community members can distinguish County staff from immigration officials, the sidewalk vending outreach team will clearly identify themselves as staff from EHS, Public Works, or the Sheriff Office. In addition, staff will not wear masks or other clothing to obstruct their identity.

Impounded vending equipment will be stored by Public Works staff in the County corporation yard in Santa Maria. Impounded food and goods will be disposed of if they are perishable or cannot be safely stored. The estimated average cost for staff time for 15 compliance events is \$32,522.10.

While the proposed ordinance allows EHS to dispose of food that cannot be safely stored by the County or that is perishable, EHS typically freezes food for one to two days until it can be safely disposed of on garbage collection day. This practice helps deter scavengers, smell, vermin, and pests in County facilities. Staff expect an increase in the amount of food that will need to be disposed of during the six-month Sidewalk Vending Pilot Program period; as a result, staff propose to purchase an additional chest freezer for EHS use. A new freezer costs approximately \$2,000.00.

To safely store impounded equipment, staff proposes to purchase two 40-foot c-trains (storage containers), each of which can hold approximately 9-10 pieces of vending equipment, depending on size. Impounded equipment will be locked in c-trains by Public Works staff and stored for a minimum of 15 days and up to a maximum of 30 days per the proposed ordinance. If impounded vending equipment is not claimed by the owner by the end of the impoundment period, the County will destroy it. The cost for two c-trains is approximately \$7,500.00, including delivery.

Public Awareness Campaign

During the Sidewalk Vending Pilot Program, staff will conduct a public awareness campaign to alert the public to the health risks associated with consuming food from unlawful sidewalk vendors (e.g., foodborne illness) and discourage them from patronizing such operations. With the help of the County Public Information Officer (PIO), staff will initiate a multifaceted media campaign that leverages the power of digital and social media and the effectiveness of earned media through media partnerships and key stakeholders. Costs associated with the public awareness campaign will be funded through existing appropriations in the County Executive Office's Fiscal Year (FY) 2025-2026 budget to the extent feasible.

Evaluation

The Sidewalk Vending Pilot Program will take place for a six-month period following the effective date of the Sidewalk Vending Ordinance (April 2026 – October 2026). At the conclusion of the Pilot Program, staff will assess the need for additional ordinance amendments and outreach based on feedback from the Sidewalk Vending Task Force and will return to the Board with any proposed changes.

Background:

SB 946, SB 972, and SB 635

In 2018, the State Legislature passed SB 946 with the goal of providing “entrepreneurship and economic development opportunities to low-income and immigrant communities.” (Gov. Code § 51036(a)(1).) This bill protected sidewalk vendors by limiting local jurisdictions’ regulatory authority over such vendors. For example, local jurisdictions were allowed to impose time, place, and manner restrictions for sidewalk vendors, but only if such restrictions complied with SB 946 and were adopted as part of a sidewalk vending ordinance. Most notably, the bill also stipulated that local jurisdictions could only issue administrative fines for repeated violations.

In 2022, the State went a step further to decriminalize sidewalk vending and passed SB 972. This bill created a new category of mobile food facilities under the California Retail Food Code, called “compact mobile food operations,” or CMFOs. Under SB 972, CMFOs were allowed to conduct limited, low-risk food preparation such as heating, frying, baking, roasting, shaving of ice, blending, steaming of hot dogs or assembly of non-prepackaged food. It also included the holding, portioning and dispensing foods that are prepared at a catering operation.

Building upon these protections, the State Legislature passed SB 635 in 2025, which prohibited local governments from collecting information about vendors’ criminal history and citizenship status and sharing such information with immigration enforcement agencies.

Consequences of Decriminalized Sidewalk Vending

With the removal of criminal penalties by SB 946 and SB 972 and protections put in place by SB 635, vendors have been incentivized to ignore state and local regulations. For example, many vendors selling food items do not have a health permit from the County Health Department and do not practice safe food handling practices as required by the Health and Safety Code and the California Retail Food Code. In fact, from May 2023 through November 2025, EHS issued 213 NOVs to vendors for lacking a health permit in addition to other violations. To complicate matters further, vendors being cited for sidewalk vending violations may legally refuse to provide identification to compliance staff, making it difficult for EHS to effectively track violations and collect fines.

Pedestrian and vehicle access is also a concern. Though freeways, roads, private property, and any other locations that are not public sidewalks and are prohibited as sidewalk vending locations, EHS commonly issues NOVs to vendors in these areas. For example, vendors routinely set up their operations on the roadside along U.S. Highways 154 and 246, posing a danger for pedestrians and vehicles. The winding roads in these areas make it difficult for drivers to see patrons pulling in or out from parking spaces and pose a risk to pedestrians crossing the road to reach the vendors.

Furthermore, unlawful sidewalk vending raises concerns regarding fire and environmental hazards, including the use of open flames, propane, and other hazardous materials. Open-flame grills and vertical spits are sometimes used in vending operations in high fire hazard areas such as the Santa Ynez Valley and other locations. EHS has also observed illegal dumping of grease and waste into gutters and fields, posing a serious risk of fires and environmental contamination.

Board Direction

On March 4, 2025, the Board held a public hearing and received a presentation regarding sidewalk vending (see Attachment C for the Board Letter dated March 4, 2025). In pertinent part, the Board directed staff to:

- Convene a Task Force;
- Draft a sidewalk vending ordinance;
- Return to the Board with the proposed ordinance and implementation plan;
- Develop a public awareness campaign to discourage the public from patronizing unpermitted vendors; and
- Direct the County Legislative Committee and state lobbyists to monitor, report, and share relevant information regarding other jurisdictions' approach to sidewalk vending and to write a letter to the State Legislature informing them of the unintended local consequences of SB 946 and SB 972.

Implementation of Board Direction

In accordance with Board direction, the CEO's Office established the Sidewalk Vending Task Force comprised of County staff from EHS, County Counsel, County Fire, the District Attorney, Public Works, and the Sheriff's Office. The CEO's Office convened two Task Force meetings on April 3 and May 15, 2025. At these meetings, the Task Force developed the concept for a six-month Sidewalk Vending Pilot Program which includes two key components: targeted enforcement and a public awareness campaign to discourage the public from patronizing unlawful vendors. The Task Force also met with California Highway Patrol (CHP) to discuss their involvement with sidewalk vending enforcement. CHP agreed to collaborate with the County and use their authority to enforce the California Streets and Highways Code and remove vendors from prohibited State freeways and rights-of-way.

On April 7, 2025, the CEO's Office briefed the County Legislative Program Committee (LPC) and state lobbyists on SB 635. The LPC elected not to write a letter to the State Legislature informing them of

the unintended local consequences of SB 946 and SB 972 as a new legislative session had already begun and it was more prudent to focus efforts on SB 635, which had not yet been adopted at the time. On May 6, 2025, the County submitted a letter to Senator Durazo (author of SB 635) and the State Legislature sharing the County’s concerns regarding SB 635 (see Attachment D). On December 16, 2025, the Board adopted the 2026 Legislative Platform, which states that the County supports “ensuring an effective local licensing and enforcement program for roadside and sidewalk food vendors, which protects vendor livelihoods and the health and safety of customers.”

Today’s recommendations present the Board with the option to adopt the proposed Sidewalk Vending Ordinance, establish appropriations for the Sidewalk Vending Pilot Program (i.e., implementation plan), and direct the County PIO to develop a public awareness campaign. If the Board chooses to adopt the proposed Sidewalk Vending Ordinance, staff recommends that the Board concurrently establish appropriations for the Sidewalk Vending Pilot Program. Without additional funding for staff time and storage space, the outreach team will not be able to effectively impound vending equipment as allowed by the proposed ordinance. If the Board opts not to adopt the proposed ordinance and establish appropriations for the Pilot Program, the County would remain in status quo.

Stakeholder Outreach

On January 30, 2026, the County held a stakeholder outreach meeting in Santa Maria to discuss potential changes proposed by the Sidewalk Vending Ordinance. The County invited local sidewalk vendors, nonprofits, food facility business owners, and staff from the cities of Santa Barbara, Santa Maria, and Buellton to attend. Representatives from the CEO’s Office, EHS, and Supervisorial District 3 facilitated the meeting and invited feedback from attendees, which were mostly local business owners. They expressed concerns about unlawful vendors not paying taxes or fees or acquiring the necessary permits, which creates unfair competition between unlawful vendors and local, permitted businesses. They also expressed frustration over the unintended consequences of State laws that have incentivized unlawful vendors to continue operating despite the lack of compliance with local and State regulations.

Fiscal and Facilities Impacts:

Budgeted: No.

If the Board decides to adopt the Sidewalk Vending Ordinance, the CEO’s Office is requesting \$42,022.10 in one-time funding to cover the cost of implementation of the six-month Sidewalk Vending Pilot Program in FY 2025-26 and FY 2026-27. Funding will come from the General Fund (Fund 990, litigation fund balance).

If the Board decides not to adopt the Sidewalk Vending Ordinance or establish appropriations for the Pilot Program, then the County would remain in status quo with no staffing or facilities impacts.

Fiscal Analysis:

Funding Source	FY 25-26	Total
General Fund (litigation fund balance)	\$42,022.10	\$42,022.10
Total		\$42,022.10

The total cost of the Sidewalk Vending Program (\$42,022.10) includes \$32,522.10 for overtime costs for outreach, \$7,500 for two c-trains, and \$2,000 for a chest freezer. Table 1, below, provides a breakdown of average staff costs for each compliance event.

Table 1 – Estimated Average Staff Cost per Compliance Event

	Two EHS Staff	Two (2) Public Works Staff	One (1) Deputy Sheriff	All Staff Costs
Per hour cost ¹	\$132.44 ²	\$95.75 ²	\$118.00	\$346.19
Cost per event ³	\$794.64	\$574.50	\$799.00	\$2,168.14
Cost for 15 events	\$11,919.60	\$8,617.50	\$11,985.00	\$32,522.10
Total Staff Cost:				\$32,522.10

1. Assumes overtime for all staff.
2. An overtime blended rate was applied to all EHS and Public Works staff cost estimates.
3. Assumes an average of six hours per event, which aligns with EHS’s estimate of five to seven hours per event.

If it is determined that augmented outreach is recommended at the conclusion of the Pilot Program, staff will return to the Board for direction.

Special Instructions:

After the February 24, 2026 hearing:

Please provide an electronic copy of the signed ordinance and Minute Order to the CEO’s Office, attention: Jessi Steele-Blossom.

After the March 3, 2026 hearing:

Publish a copy of the ordinance with names and members of the Board of Supervisors for or against the amendment in the Santa Barbara Independent within 15 days of adoption of the ordinance pursuant to Government Code section 25124.

Attachments:

Attachment A – Sidewalk Vending Ordinance (with strikethrough/underline)

Attachment B – Budget Revision Request No. BJE – 0010755

Attachment C – Board Letter dated March 4, 2025

Attachment D – Letter to the State Legislature dated May 6, 2025

Attachment E – Sidewalk Vending Ordinance (clean copy)

Contact Information:

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