



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Bien Doan

SUBJECT: SEE BELOW

DATE: 03/21/25

APPROVED:

A handwritten signature in cursive script that reads "Bien Doan".

SUBJECT: Peddler Permit Ordinance Amendment

RECOMMENDATION:

Accept the staff recommendation to approve an ordinance amending Chapter 6.54 of Title 6 of the San José Municipal Code (Peddler Permit Ordinance).

BACKGROUND:

Thank you to our City Staff, the San José Police Department, the County of Santa Clara Department of Environmental Health, and numerous other partners who collaborated to craft an ordinance that addresses the challenges associated with unpermitted peddling's adverse impacts. Over the past year, we've tested various unpermitted peddling enforcement strategies and found impounding goods and equipment as an effective deterrent to peddling. This ordinance amendment streamlines enforcement by aligning best practices and ensuring that public safety is prioritized while allowing peddlers to comply with City regulations.

Unregulated peddling in key areas, such as around San Jose Tom McEnery Convention Center, the Plaza de Cesar Chavez, SAP Center, PayPal Park, Excite Ballpark, Shark's Ice, PAL Stadium, CEFCU Stadium, TECH CU Arena, the West Wind Capitol Flea Market and at other locations have led to serious public safety concerns. A notable challenge is the obstruction of pedestrian walkways and traffic lanes, which is especially problematic for ADA accessibility. This ordinance amendment allows for a more robust enforcement mechanism that prioritizes safety. Additionally, the amendment encourages peddlers to obtain proper permits, providing a clear and efficient path for compliance, removing barriers to permitting, and provides tools for peddlers to operate within the legal framework, thus contributing positively to our local economy.

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Additionally, organizations such as Prosperity Lab have been instrumental in assisting unpermitted vendors through the process of obtaining the necessary permits. Prosperity Lab has worked closely with vendors to provide education, guidance, and support, helping them transition from unpermitted status to fully permitted and legally operating businesses. Their efforts ensure street vendors can participate in the local economy and comply with City regulations.

The proposed amendment allows for more effective management of peddler activities, ensuring vendors can operate legally and safely, while also protecting the public. We strongly support the staff recommendation and urge the adoption of the ordinance amendment to foster a more organized, and safe environment for peddlers and for the broader San José community.