



ADMINISTRATIVE SERVICES DEPARTMENT  
REVENUE SERVICES DIVISION – BUSINESS LICENSE TAX  
425 North El Dorado Street • PO Box 1570 • Stockton, CA 95201 • (209) 937-8313  
[www.stocktonca.gov](http://www.stocktonca.gov)

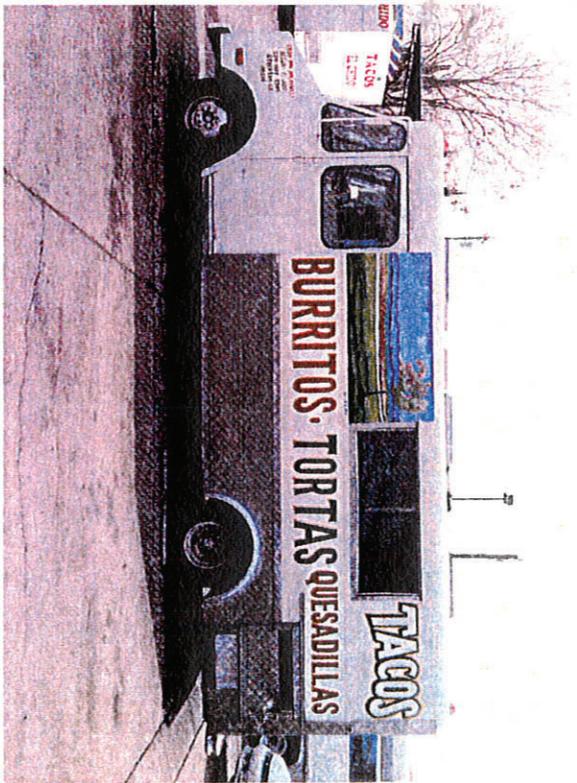
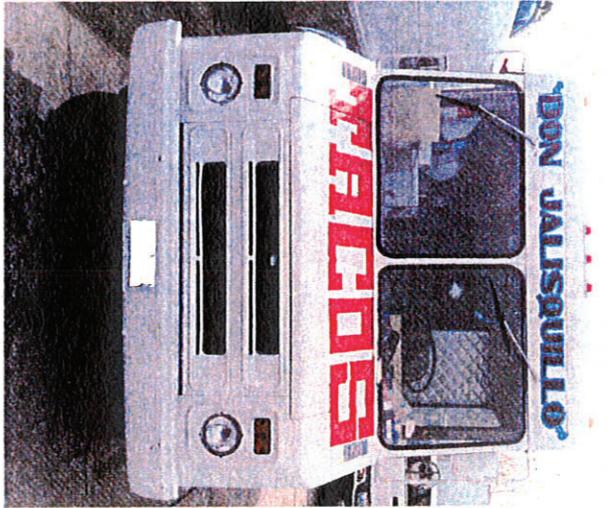
## MOTORIZED FOOD WAGON

### Forms Needed:

- Business License application
- DMV Registration for vehicle
- Certificate of Vehicle Insurance with expiration date and vehicle information
- Fire Safety Permit (Calif Fire Code 319) **ENCLOSED FOOD TRUCKS ONLY**
- San Joaquin County Health permit or vehicle sticker with expiration date
- (4) Color photos, one of each side of the vehicle showing the entire vehicle, front and back photos must include the vehicle license plate and license plate must be legible
- Verification of Commissary from the Health permit application
- If vending on private property you will need an Affidavit from the property owner stating that you are allowed to vend on the property

### Motorized Food Wagon:

- Annual Registration Tax - \$24.00
- State Disability Act Fee - \$ 4.00
- Annual Flat Rate Tax - \$50.00





**APPROVED COMMISSARY FACILITIES**

**California Catering Service (No Carts)**

2440 South Airport Way  
Stockton, CA 95206  
**(209) 466-9000**

**El Gallo Commissary (No Carts)**

1301 South Sacramento Street  
Lodi, CA 95240  
**(209) 334-2573**

**California Truck Wash**

730 South California Street  
Stockton, CA 95203  
**(209) 464-9707**

**Union Catering Truck Center**

1717 South Union Street  
Stockton, CA 95206  
**(209) 298-5416**

**La Comercial**

2900 East Harding Way  
Stockton, CA 95205  
**(209) 464-4570**

**Commissary Azteca**

620 South Sacramento Street  
Lodi, CA 95240  
**(209) 224-8334**

**ICE CREAM TRUCKS ONLY**

**Pick N Go Ice Cream**

3588 East Carpenter Road  
Stockton, CA 95205  
**(209) 948-1749**

**Stockton's Wonderful Ice Cream**

1430 East Weber Avenue  
Stockton, CA 95205  
**(209) 361-5864**

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**FOR OFFICE USE ONLY:**

 ACCOUNT # \_\_\_\_\_  
 CUSTOMER ID # \_\_\_\_\_  
 LICENCE REF # \_\_\_\_\_  
 CLASS \_\_\_\_\_

**BUSINESS LICENSE TAX APPLICATION**
**NEW LIC** \_\_\_\_\_ Number of Employees: Full Time \_\_\_\_\_ Part Time \_\_\_\_\_ Temporary \_\_\_\_\_ Square Footage \_\_\_\_\_  
**CHANGE** \_\_\_\_\_ Change From \_\_\_\_\_ Date of Change \_\_\_\_\_ Bus Lic # \_\_\_\_\_

**NOTE:** Any change in ownership, address, or business activity, requires a new application. The City of Stockton does not guarantee that information on this form will be exempt from disclosure under the Public Records Act.

**BUSINESS INFORMATION:**

- Business Name (DBA) \_\_\_\_\_ Phone ( ) \_\_\_\_\_
- Business Address \_\_\_\_\_ Ste/Apt # \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
(Cannot be PO Box per CA Bus & Prof Code Section 17538.5) (List address where each individual consent to receive service of process AB2184 Sec 1600.)
- Business Mailing Address \_\_\_\_\_ Ste/Apt # \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
(If different from the service process address/Business address)
- Business Email Address \_\_\_\_\_

**5. Business involved in renting residential or commercial real estate (Stockton only):**
**Property Address** \_\_\_\_\_  
**Property Owner** \_\_\_\_\_ **Parcel #** \_\_\_\_\_

- Detail Description of Business Activity \_\_\_\_\_
- Standard Industrial Classification (SIC): \_\_\_\_\_ Major Group: \_\_\_\_\_
- Are you Chamber of Commerce Green Certified? Yes \_\_\_ No \_\_\_ (For information contact Chamber of Commerce (209) 547-2770)
- Start date in the City of Stockton \_\_\_\_\_ Estimated **Monthly** Gross Receipts in Stockton \$ \_\_\_\_\_
- Contractor's only:** Project Amount \_\_\_\_\_ CA Contractor's License # \_\_\_\_\_  
 Classification \_\_\_\_\_ Expiration Date \_\_\_\_\_  Annual  Quarterly Contractors License
- Seller's Permit # \_\_\_\_\_ SS# or Tax ID # \_\_\_\_\_
- Check One:  Single Owner  Partnership  Corporation  LP  LLC

**OWNER(S) INFORMATION:** (The following personal information is not public and will not be shared in accordance with city policy OL-103.) Proof of compliance with Business and Professions Code Section 17538.5(b)(2)(A)(B) may be submitted in lieu of home address.

- Name \_\_\_\_\_ Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Home Phone (\_\_\_\_) \_\_\_\_\_  
 Date of Birth \_\_\_\_\_ Driver's Lic or Other I.D.# \_\_\_\_\_ State \_\_\_\_\_
- Name \_\_\_\_\_ Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Home Phone (\_\_\_\_) \_\_\_\_\_  
 Date of Birth \_\_\_\_\_ Driver's Lic or Other I.D.# \_\_\_\_\_ State \_\_\_\_\_

**FOR OFFICE USE ONLY:**

ACCOUNT # \_\_\_\_\_

CUSTOMER ID # \_\_\_\_\_

LICENSE REF # \_\_\_\_\_

**CORPORATION, LLC, or LP INFORMATION:** (Must be Registered in California)

Name \_\_\_\_\_ Corp/LLC/LP # \_\_\_\_\_

**Names of Officers/Members**

President: \_\_\_\_\_ Secretary: \_\_\_\_\_

Vice President: \_\_\_\_\_ Treasurer: \_\_\_\_\_

Authorized Agent: \_\_\_\_\_ Contact Phone # \_\_\_\_\_

Authorized Agent: \_\_\_\_\_ Contact Phone # \_\_\_\_\_

**PLEASE NOTE:**

The Issuing of your Business License is for revenue purposes only. It does not relieve you from the responsibility of complying with the requirements of any other department of the City of Stockton and/or any other ordinance, law or regulation of the City of Stockton, State of California, or any other governmental agency.

Business Licenses are not transferable. It is your responsibility to renew your Business License whether or not you receive a renewal notice. If you are no longer conducting business in the City of Stockton, you must notify us in writing. To appeal a business license that has been denied see SMC 5.04.210.A.

**I HAVE READ AND UNDERSTAND THE TERMS ABOVE • I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.**

\_\_\_\_\_  
Owner/Authorized Signature Title Date

\_\_\_\_\_  
Owner/Authorized Signature Title Date

**Disability Access and Education Fee (SB 1186)**

\*\*State Mandated Disability Access and Education Revolving Fund.

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- o The Division of the State Architect at [www.dgs.ca.gov/dsa/Home.aspx](http://www.dgs.ca.gov/dsa/Home.aspx).
- o The Department of Rehabilitation at [www.rehab.cahwnet.gov](http://www.rehab.cahwnet.gov).
- o The California Commission on Disability Access at [www.cdda.ca.gov](http://www.cdda.ca.gov).

**BELOW IS FOR OFFICE USE ONLY: PLEASE DO NOT WRITE IN ADDITIONAL INFORMATION BELOW THIS LINE**

Processed By:		Date:	Business License Taxes/Fees	Amount
<b>Dept/Div Checked Must Approve or Deny</b>		<b>Authorized Signature and Date</b>	Registration Tax	
<input type="checkbox"/> Planning	Approved <input type="checkbox"/> Denied <input type="checkbox"/>		Mill Tax/Flat Rate Tax	
<input type="checkbox"/> Building	Approved <input type="checkbox"/> Denied <input type="checkbox"/>		Penalty	
<input type="checkbox"/> Fire	Approved <input type="checkbox"/> Denied <input type="checkbox"/>		Prior Year(s) Taxes	
<input type="checkbox"/> Police	Approved <input type="checkbox"/> Denied <input type="checkbox"/>		**State Mandated Disability Access and Education Revolving Fund	
<input type="checkbox"/> MUD/Stormwater	Approved <input type="checkbox"/> Denied <input type="checkbox"/>		Other: Adjustments/Credits	
<input type="checkbox"/> Other:	Approved <input type="checkbox"/> Denied <input type="checkbox"/>		Total Due	
			Expiration Date	

**PLEASE RETAIN A COPY FOR YOUR RECORDS**

**Stockton Municipal Code**  
**Chapter 5.72**  
**MOTORIZED FOOD WAGONS**

**5.72.010 Short title.** - This chapter shall be known as the “Motorized Food Wagon Ordinance.” (Prior code § 7-049)

**5.72.020 Purpose.** - The general purpose of these regulations is to promote the health, safety, comfort, convenience, prosperity, and general welfare by requiring that new and existing motorized food wagon vendors provide the community and customers with a minimum level of cleanliness, quality, safety, and security. (Prior code § 7-049.1)

**5.72.030 Definitions.**

“Business owner” means any person, firm, or corporation, which owns or controls any interest in any business engaged in vending as defined in this section.

“Commissary” means a food establishment in which food, containers, equipment, or supplies are stored or handled for use in motorized food wagons.

“Linear frontage” is the method used to determine distances as used in this chapter.

“Motorized food wagon” means any vehicle as defined in Section 670 of the California Vehicle Code, which is equipped and used for retail sales of prepared; pre-packaged; or unprepared, unpackaged food or foodstuffs of any kind on any public street, alley, highway, or private street, alley, or property within the City. For the purposes of this chapter, a motorized food wagon shall also include any trailer or wagon pulled by a vehicle.

“Persons” means any person, firm, partnership, association, or corporation, and includes, but is not limited to, owners, operators, drivers, lessors, and lessees of motorized food wagons.

“Vend” or “vending” means the sale of prepared; pre-packaged; or unprepared, unpackaged food or foodstuffs of any kind from a motorized food wagon on private or public property. Vending from a motorized food wagon generally has the following characteristics:

1. Food is ordered and served from a take-out counter that is integral to the motorized food wagon;
2. Food is paid for prior to consumption;
3. Motorized food wagons from which the food is sold typically have a take-out counter and space for customer queuing;

4. Food and beverages are served in disposable wrappers, plates, or containers; and

5. Food and beverages are prepared and sold for off-site consumption.

“Vendor/operator” means any person who drives, operates, vends, and/or prepares food on or from a motorized food wagon. (Prior code § 7-049.2)

#### **5.72.040 Application.**

A person desiring to engage in a vendor operation, as defined by this chapter, shall submit a written application in a form acceptable to and with all supporting information required by the City. Such application shall be accompanied by a nonrefundable, nontransferable application fee in an amount as established by resolution of the City Council. Any such permit shall be required to be renewed annually and a separate nonrefundable, nontransferable application fee shall be paid yearly for such renewal application. Vendors must have the permit in their possession when vending. There must be at least one (1) vendor with a valid permit on a motorized food wagon whenever vending is taking place.

E. A vendor must obtain a background check in accordance with the requirements of Section 5.08.260 of this code.

F. Every business owner shall obtain a City business license. As part of the business license application, business owner shall provide the following:

1. Proof of current vehicle registration and a copy of an applicable vehicle insurance policy.

2. Four (4) photographs (showing different exterior views) of each motorized food wagon.

3. A copy of a current San Joaquin County Environmental Health permit. For a City business license renewal application, business owners must show proof of payment to a commissary for the prior 12 months.

4. If the motorized food wagon is located on private property, the business owner shall provide an affidavit in a form approved by the City from the property owner (if other than self) permitting the vendor to locate on the site. (Prior code § 7-049.3)

#### **5.72.050 Regulations for sales.**

It is unlawful for any person to vend, or attempt to engage in vending or operate any vehicle or conduct any business for the purpose of vending from any vehicle parked, stopped, or standing upon any public street, alley, highway, or property, or private street, alley, or property within the City except in accordance with all applicable provisions of this code. (Prior code § 7-049.4)

### **5.72.060 Location.**

A. A motorized food wagon may locate in the public right-of-way subject to the following conditions:

1. A motorized food wagon shall not operate within 300 feet of any school grounds, park, playground, or City-operated recreation center.

2. A motorized food wagon shall not operate within 100 feet of any street intersection controlled by a traffic light or stop sign.

3. In addition to the above, a motorized food wagon must comply with the following regulations, depending upon the type of use in which it is located:

a. Residential Use Area.

i. In a residential use area, a motorized food wagon shall move not less than 400 feet at least every thirty (30) minutes and may not return to a previous location or within four hundred (400) feet of a previous location on the same calendar day.

ii. Permitted hours of operation are from 7:00 a.m. to 8:00 p.m.

iii. A motorized food wagon may not be located within 400 feet of another motorized food wagon.

b. Commercial Use Area.

i. In a commercial use area, a motorized food wagon shall move not less than 400 feet at least every three (3) hours and may not return to a previous location or within 400 feet of a previous location on the same calendar day.

ii. Permitted hours of operation are from 6:00 a.m. to 12:00 a.m.

iii. If a motorized food wagon is located in a commercial use area and is within 400 feet of a residence, it shall comply with the requirements listed above for residential use area.

c. Industrial Use Area.

i. In an industrial use area, a motorized food wagon may operate 23 hours a day.

ii. If a motorized food wagon is located in an industrial use area and is also within 400 feet of a residence, it shall comply with the requirements listed above for residential use area.

4. No motorized food wagons shall be located or maintained on public property, including bicycle pathways, inconsistent with any other City regulations.

B. A motorized food wagon may locate on private property subject to the conditions listed in **Section 16.80.020(B)(4)** of this code. (Prior code § 7-049.5)

**16.80.020 Accessory uses and structures.**

*B. **Nonresidential.** Provides standards for accessory uses and structures that may be related to nonresidential uses.*

*4. **Motorized Food Wagons.** Motorized food wagons shall:*

*a. **Private Property.***

*i. Be incidental to a primary use excluding auto/vehicle services: inoperable vehicle storage, auto/vehicle services: parking facilities, auto/vehicle services: vehicle storage;*

*ii. Have a valid business license;*

*iii. Be located in industrial and commercial zoning districts;*

*iv. Use of motorized food wagons during special events, shall be permitted subject to Chapter [16.164](#) (Temporary Activity Permits);*

*v. Not be located on a vacant parcel;*

*vi. Be located on pavement per City standards;*

*vii. Not utilize, or be located on, parking spaces required for the primary use;*

*viii. Not interfere with access, driveways, aisles, circulation, or operate in a place resulting in a traffic hazard; and*

*ix. Comply with the requirements of the County Health Department.*

*b. **Public Right-of-Way.** Only be permitted on public rights-of-way, subject to Section [5.08.280](#) of the Municipal Code.*

**5.72.070 Exemptions.**

A. Any person engaged in vending where such person has been authorized by the City to engage in such activity by a special event permit, lease, real property license, agreement, or other entitlements issued by the City.

B. Any person delivering any goods by vehicle where such goods have been ordered in advance for such delivery from any business located at a permanent location and which goods are being delivered from such location to the customer by vehicle, regardless of the point of sale. (Prior code § 7-049.6)

**5.72.080 Application of other laws and regulations.**

A. The provisions of this chapter prohibiting the stopping or parking of a vehicle shall apply at all times or at those times specified by this chapter, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a Police Officer or official traffic control device.

B. The provisions of this chapter imposing a time limit on stopping or parking shall not relieve any person from the duty to observe other more restrictive provisions of the California Vehicle Code, this code or any other ordinances of the City, prohibiting or limiting the stopping or parking of vehicles in specified places or at specified times. (Prior code § 7-049.7)

**5.72.090 Condition/appearance of vehicle.**

A. The motorized food wagon shall display, in plain view and at all times, current permits and licenses.

B. The motorized food wagon shall be entirely self-sufficient in regards to gas, water, and telecommunications. Should any utility hook-ups or connections to on-site utilities be required, the vendor shall be required to apply for appropriate permits to ensure building and public safety and consistency with applicable building codes.

C. The vendor shall not discharge items onto the sidewalk, gutter, storm inlets, or streets. (Prior code § 7-049.8)

**5.72.100 Condition/appearance of site.**

A. The site shall be maintained in a safe and clean manner at all times.

B. No tables, chairs, fences, shade structures, or other site furniture, (permanent or otherwise) or any free standing signs shall be permitted in conjunction with the motorized food wagon.

C. Exterior storage of refuse, equipment, or materials associated with the motorized food wagon is prohibited. (Prior code § 7-049.9)

**5.72.110 Lighting.**

The vendor shall install adequate lighting to ensure customer safety. Lighting shall be directed downwards and away from public streets and adjacent properties. (Prior code § 7-049.10)

**5.72.120 Sanitation.**

A. All motorized food wagons shall operate out of a commissary pursuant to California Health and Safety Code Section 114287.

B. All motorized food wagons shall be equipped with refuse containers large enough to contain all refuse generated by the operation of such a vehicle, and the vendor of the motorized food wagon shall pick up all refuse generated by such operation within a 25-foot radius of the vehicle before such vehicle is moved. No vendor shall dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated, or otherwise provided by and under the control of such vendor.

C. A motorized food wagon shall comply with California Health and Safety Code Section 114299.5 regarding the availability of adequate toilet facilities for use by food service personnel. (Prior code § 7-049.11)

**5.72.130 Safety and security.**

A. No vending shall be permitted except after the motorized food wagon has been brought to a complete stop and parked in a lawful manner.

B. The vendor shall install signage in a visible location indicating that loitering is not permitted and customers may only remain on the lot for up to 15 minutes after receiving their food.

C. The vendor shall enforce the no loitering rule. (Prior code § 7-049.12)

**5.72.140 Applicability of regulations to existing business.**

The provisions of this chapter shall be applicable to all persons and businesses described herein whether the herein-described activities were established before or after the effective date of the ordinance codified in this chapter. (Prior code § 7-049.13)

**5.72.150 Penalty.**

A violation of this chapter shall constitute a misdemeanor. Notwithstanding the foregoing, a violation of this chapter is an infraction when the prosecutor files a complaint charging the offense as an infraction. (Prior code § 7-049.14)