



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
950 MAIDU AVENUE NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 265-9854 www.mynevadacounty.com/cda

LOCAL REGULATIONS DEALING WITH ROADSIDE VENDORS

The following are some of the county and state regulations on roadside marketing:

1. Caltrans (State of California) and the County of Nevada Department of Transportation both have the same Right of Way rules, **and these DO NOT allow any type of sales within the Right of Way, which includes park and ride areas.**
2. The County's Zoning Ordinance LII-3.23 requires a "Temporary Commercial" administrative permit for fruit (produce) mobile food facilities (vehicles). The use is permitted only in commercial and industrial zoned properties, and outside of any public right-of-way. A maximum of 90 days per calendar year is permitted. The ordinance also requires that for roadside vendors "where applicable, temporary uses shall satisfy the Department of Environmental Health for the removal of solid waste and/or sewage." Environmental Health regulations require hand washing and toilets within 200 feet.
3. California Retail Food Code (CALCODE) section 114387 requires any person who operates a food facility shall obtain all necessary permits to conduct business, including but not limited to, a permit issued by the enforcement agency. In addition to the penalties under Article 2 (commencing with Section 114390), violators who operate without the necessary permits shall be subject to closure of the food facility and a penalty not to exceed three times the cost of the permit.
4. Food and Agricultural Code (FAC) section 861-For lots over 25 pounds of any produce proof of ownership, such as a bill of lading or bill of sale, is required. This proof must be available for review during county inspection of produce at the food facility.

FAC Section 47002- California farmers may transport for sale and sell California grown fresh fruits, nuts, and vegetables that they produce, directly to the public, which produce shall be exempt from size, standard pack, container, and labeling requirements, at a certified farmers market or at a retail stand located at or near the point of production. "At or near the point of production" from the Nevada County Agricultural Commissioner's interpretation of the FAC means the nearest main cross street from the farm which produced the product. All others transporting fruits and vegetables for sale need to meet standard packing and labeling requirements.

NO VENDING

NOTICE TO ALL MOBILE VENDORS

If you are found operating in violation of the California Health and Safety Code, Nevada County Zoning Ordinance, California Food and Agriculture Code or Penal Code, you will be cited and referred to the District Attorney's Office for prosecution.

Violators may face imprisonment in the County jail, civil or criminal penalties or monetary fines per violation.

For further information, please call:

Nevada County Community Development Agency

(530) 265-1222