

CITY COUNCIL MEETING

FEBRUARY 3, 2026

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AGENDA**

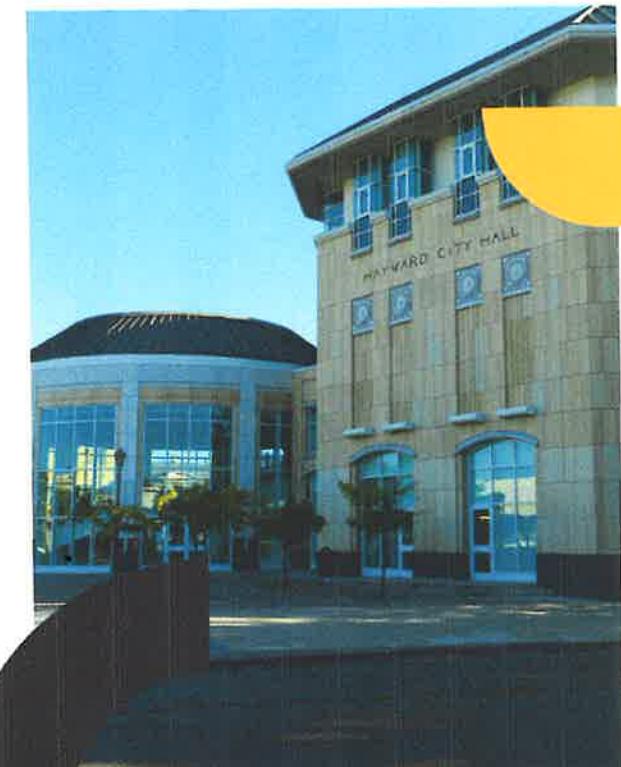
Public Comment

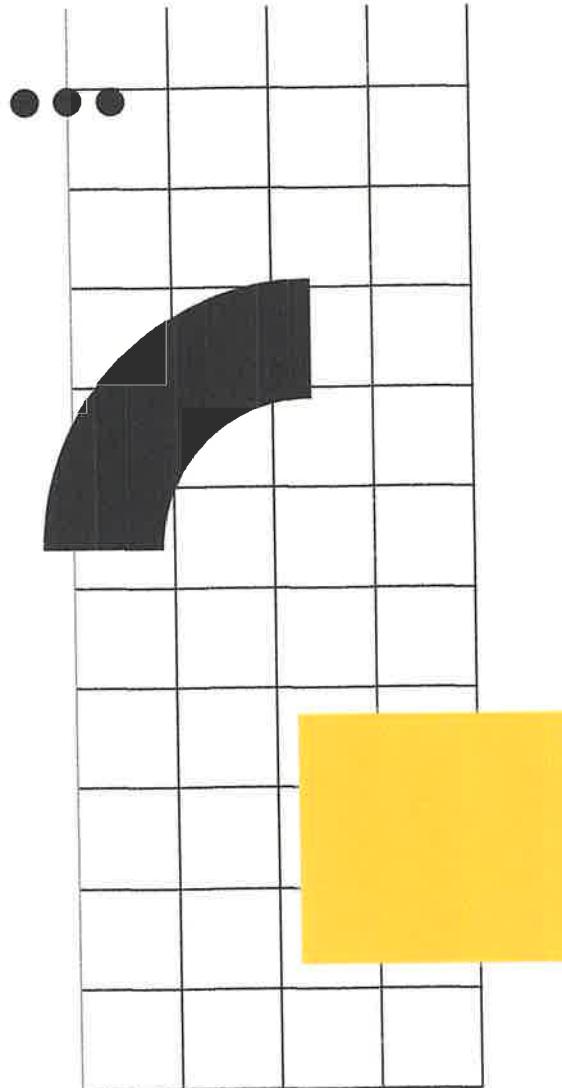
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Unpermitted Mobile Food Facility (MFF) Street Food Vendors

An Unfair Competition for Small Business in Hayward, CA

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Agenda

- Introduction
- What is the Problem
- Unfair Competition
- Utensil Restriction
- Sanitary Restrictions
- Unmatched job Competition
- Local Economy affected
- What we are asking For
- Closing Statements

Introduction

Throughout the years, small business have been an important part in the economy and growth of US, both at a local, county and National level. Not only do small businesses help in the contribution of taxes, they support local economy through paying all required permits, bills, and many other payments in order to have the doors open to the public. Most importantly small businesses are the foundations of our communities and should be listened to and valued as such.

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What is the Problem?

Everyday we see Hayward's number of unpermitted street food vendors growing, and moreover located directly in front of our small businesses.

Many of the unpermitted street food vendors are operating without permits or regulations during business hours directly affecting small business.



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Unfair Competition

- **Low prices in the final product:** due to the lack of financial commitment unpermitted street food vendors make such as rent (shared facilities, storage, etc.), federal and state taxes, insurance (i.e. workmans comp, liability, etc.), business related bills or permitting fees, unpermitted MFFs have the advantage of offering a final product with a lower cost to the public.

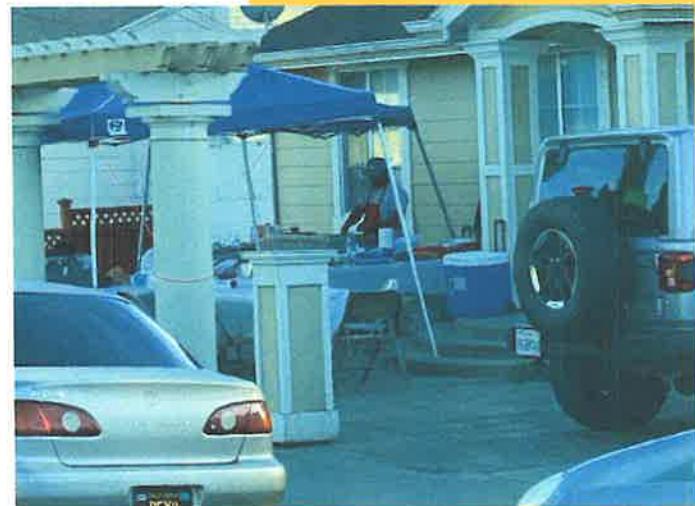


(W. Tennyson Rd)

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Unfair competition

- **Lack of contribution to taxes and fulfillment of requirements:** More people have begun to sell in front of their houses or in public right of ways and do not pay business taxes or abide by health and safety and other regulations, unlike a properly permitted business. All of which is a luxury small business owners don't have.



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Utensil Restriction

- **Use of containers and utensils prohibited by the county:**
Unpermitted street food vendors are not following utensil regulations, such as foam and other cheap plastic products all of which are prohibited by the City. Meanwhile, Small business in Hayward are following these requirements.



(Huntwood Rd)

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Sanitary Restrictions

- **Not following any Sanitary Regulations:** Many unpermitted street food vendors are not following simple requirements like hand washing or temperature control of the food. Whereas small businesses, we are working under these important health and safety regulations.



(Huntwood Rd)

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Unmatched Job competition

- Small business cannot compete with unpermitted street food vendors, having to pay a higher wage and or in cash [????]. It makes our job pool of applicants significantly smaller, and more challenging to keep open during business hours.



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Local Economy Effected

- A large number of unpermitted street food vendors are not from Hayward and many know and have experienced no enforcement when it comes to selling food on Hayward streets and public rights of way. Consequently, this leads to local people spending their money elsewhere rather back to the local economy and avoid generating taxes. This not only affects our small business but the communities as a whole because investing in small business is also investing in our communities.





State Bills and Laws

- The recent State Bills and codes **DOES NOT** prohibit the enforcement of unpermitted street vendors by any local or county agencies (only prohibits certain fines for selling as an unpermitted street vendor up until the local agency adopts a street vendor licensing ordinance).
- The recent State Bills and codes **DOES NOT** allow for sale of food in any public area in the State of California **WITHOUT** health and safety permits and other licensing, tax and insurance requirements.
- The recent State Bills and codes protect street food vendors right to sell **ONLY AFTER** all permitting and other requirements are met, and specifically states the requirements to obtain all proper permits is not trumped by the recent laws creating more lenient rules to become a street food vendor (i.e. SSI numbers are no longer a requirement, only CA DMV ID is needed to apply for a street vendor permit.)

What We Are Asking For



The City of Hayward create a strong enforcement program to stop unpermitted street vendors, in participation with local law enforcement and Alameda County Department of Environmental,



Create designated locations for MFF street vendors.



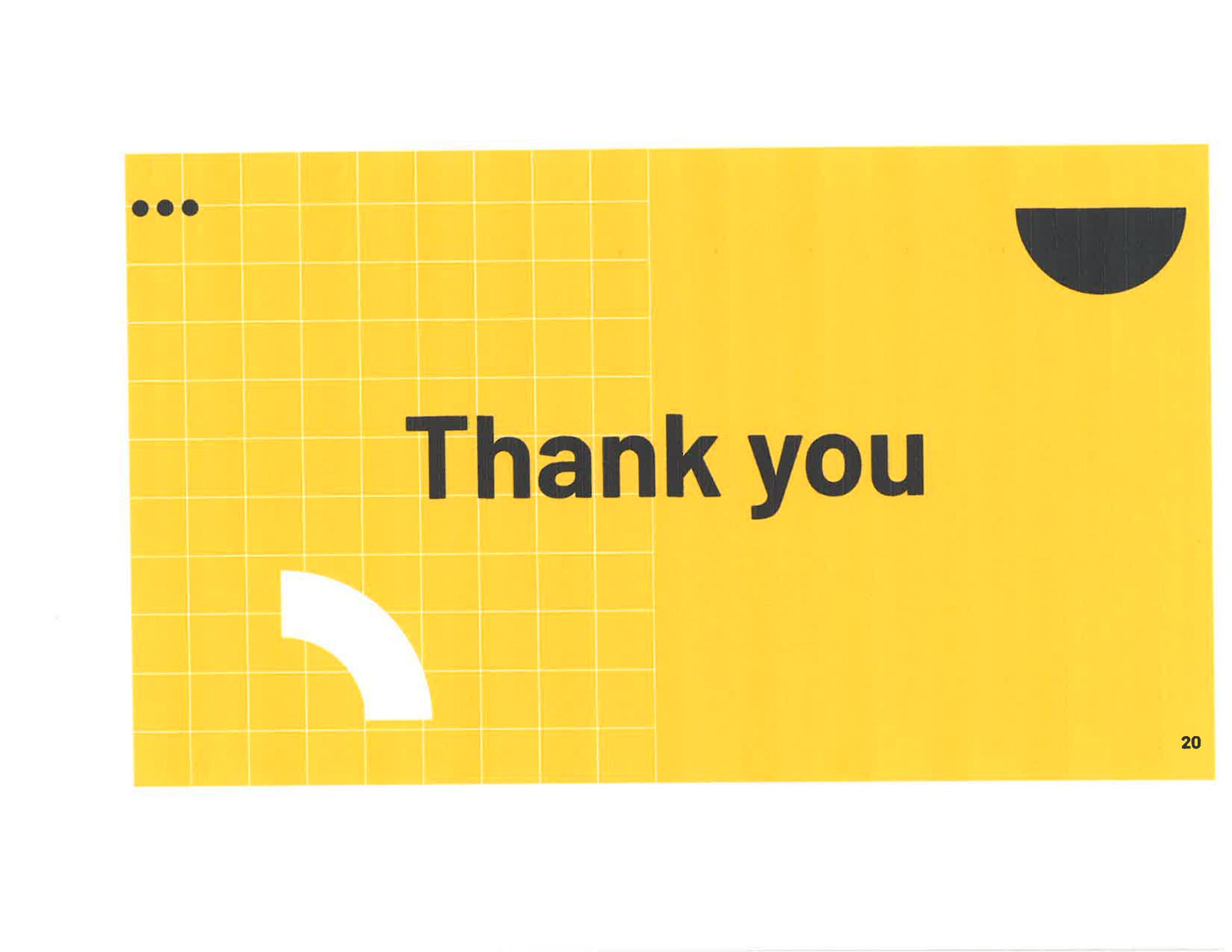
Make resources more accessible to small businesses.



Help small business feel supported by the city.

Concluding Statements

- In conclusion, small business continue to suffer on a daily basis because of unpermitted street vendors. We understand everyone's situation has been rough since COVID 19, small business were most affected by this because we depend on the community patrons to stay afloat. Right now we are seeing more and more businesses struggle to even survive and small business closing down due to the effects of the pandemic, inflation and bankruptcy and is more common than most people realize. We ask for your support in helping us, as small businesses owners, and to listen as we voice our concerns because street vendors have shown that they are direct and unfair competition.



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Thank you