

Enforcement Comparison Table

In the draft policy document, staff recommends an alternative procedure of enforcing the provisions of the sidewalk vending ordinance. This alternative enforcement procedure would be collaborative with the sidewalk vendor and focus on educating sidewalk vendors about the City’s regulations and permit process. See below for a side-by-side comparison of the administrative citation procedure set forth in Hayward Municipal Code Section 1-3.07 and the proposed alternative enforcement approach.

Administrative Citation Procedure Hayward Municipal Code Section 1-3.07	Alternative Enforcement Approach
If a violation of the Hayward Municipal Code has occurred, an Administrative Notice in Lieu of Citation is sent to notify the individual of the violation. The notice also gives the individual a date to cure the violation.	If noncompliance is found, a verbal warning related to the specific violation will be given along with materials outlining the sidewalk vending regulations and permit process.
Staff reinspects for compliance on the date indicated in the notice. If noncompliance persists, then an administration citation is issued, and penalties and fees are assessed per Hayward Municipal Code Section 1-3.07 and the Master Fee Schedule.	If the noncompliance persists after initial verbal warning, a written warning will be issued specifying the regulation violated along with educational materials.
	If the noncompliance persists, the individual would be subject to the Administrative Citation procedures found in Article 7, Administrative Citations of the Hayward Municipal Code subject to the fines set forth in SB 946.

Existing Maximum Fines for Administrative Citations Per the 2023 Adopted Master Fee Schedule	Proposed Alternative Enforcement Approach Maximum Fines for Vending Without a Sidewalk Vending Permit	Proposed Alternative Enforcement Approach Maximum Fines for Violation of Any Other Provisions of this Chapter
First Violation: \$100.00.	First Violation: \$250.00.	First Violation: \$100.00.
Second Violation: \$200.00.	Second Violation within One Year of First Violation: \$500.00.	Second Violation within One Year of First Violation: \$200.00.

ATTACHMENT IV

Third and Subsequent Violations: \$500.00.	For Each Additional Violation within One Year of First Violation: \$1,000.00.	For Each Additional Violation within One Year of First Violation: \$500.00.
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