



San Francisco Public Works
General – Director’s Office
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Public Works Order No: 300329

Regulations for Compact Mobile Food Operations in the Public Right-Of-Way

ADOPTING REGULATIONS FOR THE ISSUANCE OF PERMITS, APPROVAL OF VENDING LOCATIONS, AND INSPECTION OF COMPACT MOBILE FOOD OPERATIONS WITHIN PUBLIC RIGHTS-OF-WAY, EFFECTIVE AUGUST 26, 2026, AND ENFORCEMENT OF THE APPLICABLE REQUIREMENTS.

Purpose & Scope

Following the enactment of Ordinance No. 49-26 (File No. 250967, effective May 11, 2026), which amended Article 5.9 of the Public Works Code to address the operation of “Compact Mobile Food Operations” (“CMFO”) as defined in Public Works Code Section 184.80 and California Health and Safety Code Section 113831(c), these regulations address various location requirements and establish additional requirements and details concerning the operation of Compact Mobile Food Operations within the public right-of-way in furtherance of public health, safety, and welfare.

Terminology

Capitalized terms that are not defined in these regulations shall have the meanings set forth in Article 5.9 of the Public Works Code.

Compact mobile food operation vendor (CMFO vendor) refers to a person selling from a pushcart occupying no larger than 25 square feet of space [Senate Bill No. 972 114368.1](#).

Compact mobile food operation means a mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.

Prepacked non-hazardous foods and whole uncooked fruits and vegetables do not need a health permit if vendors occupy an area of 25 square feet or smaller. However, they still need to register with the Department of Public Health, complete an exemption form, and still require a permit for their location on the sidewalk.

Requirements for CMFO Within the Public Right-of-way

Vending Locations

- CMFO vendor must provide defined location(s) of where they intend to sell and identify whether the CMFO vendor seeks to be a “Stationary Vendor,” who “vends from one or more fixed locations,” or a “Roaming Vendor” who “moves from place to place and stops intermittently to complete a Vending transaction.” (Public Works Code Sec. 5.9-2.)
- CMFO vendor may not operate within the immediate vicinity of the activities or locations listed below a Certified Farmers’ Markets or Swap Meets, or activities that are authorized under a “Temporary Special Permit” without written consent from the Director of Public Works or their designee.
- Without written approval from the Director, a CMFO vendor may not sell food or operate in the immediate vicinity of an activity that is authorized under a temporary permit issued by the City - or any of its departments or agencies - for the temporary use of, or encroachment on, a sidewalk or other public area. Such temporary permits include encroachment permits, special event permits, temporary event permits (including those for filming, parades, or outdoor concerts), and such activities include those authorized under Article 6 of the Transportation Code (ISCOTT).
- CMFO vendor who is a Stationary Vendor may not operate in areas that are exclusively residential defined as Residential, Housing or “RH” districts in San Francisco Planning Code section 209.1.
- A CMFO vendor may not operate in United Nations Plaza or Hallidie Plaza unless they are an approved seller participating in a permitted Certified Farmers' Market at that location or have obtained written consent from the Director of Public Works. Public Works may restrict or deny approval of requests to vend in United Nations Plaza or Hallidie Plaza to protect public health, safety, or welfare. For example, Public Works may deny an application from a CMFO vendor for vending operations that would pose threats to pedestrian safety or obstruct access to the sidewalk.

Minimum Sidewalk Accessibility and Clearance Requirements

Public Works will not approve vending activities that would conflict with or otherwise cause non-compliance with the minimum sidewalk accessibility and clearance requirements described below.

- CMFO vendors may only vend on sidewalks that are at least fifteen (15) feet wide.
- CMFO vendors must maintain an unobstructed, accessible path of travel at least six (6) feet wide at all times and a vertical clearance of eight (8) feet. The Director may require a wider clearance based on site conditions, including pedestrian volume.
- All CMFO equipment must be mobile, actively attended, and promptly removed at the close of operations. Vendors may not alter the right-of-way, place freestanding signs, A-frames, or displays, or obstruct public access. Equipment must not interfere with utilities, construction, or

other permitted activity in the right-of-way, including under Shared Spaces, Café Table and Chairs, or Display Merchandise registrations.

- CMFO vendor must adhere to the following clearance requirements when operating proximate to the following locations:
 1. Eight (8) feet away from street art activities authorized by a Street Artist License approved by the Arts Commission.
 2. Seven (7) feet away from Fire Hydrants.
 3. Fifteen (15) feet away from a red (bus) zone or blue (on street accessible parking) zone.
 4. Six (6) feet away from curb ramps or driveways.
 5. Two (2) feet away along the curbside when operating adjacent to existing on-street parallel parking and cannot be adjacent to red, white and yellow curbs.
 6. Six (6) feet away from another vendor.
 7. Six (6) feet away from an entrance way to any building.
 8. Must be 500 feet away from any elementary, middle junior high or high school during the hours of 7:00 am – 9:00 am and 1:00 pm – 8:00 pm daily.
- CMFO vendors shall be located at least a minimum of six (6) feet away from other CMFO vendors on the same street.

Vending Plots

To maintain minimum sidewalk accessibility and clearance requirements, a CMFO vendor may not occupy a portion of the sidewalk or other public area that exceeds five (5) feet in depth and five (5) feet in length, where length is the dimension parallel to the edge of the sidewalk. Each Vending Plot shall be located a minimum of six (6) feet away from any other Vending Plot, two (2) feet away from the back of the curb, and six (6) feet away from the entrance to any building.

Permit Application Process

A) The permit applicant shall provide a completed application form including all information and supplemental attachments as deemed relevant by Public Works, including:

1. A photo of the applicant.
2. A drawing of the CMFO, including measurements in inches.
3. A menu including the food they plan to sell.
4. Their proposed days and hours of operation.
5. Their top 3 preferred choices for outdoor locations or storefront address.

6. Roaming Vendors may submit a map exhibit that illustrates their route.

7. An attestation stating that any merchandise being sold is obtained legally.

Applicants list your top 3 choices for outdoor locations, which we encourage people to research ahead of time. Or you can operate a CMFO within a storefront.

If you want to be a roaming vendor, in addition to the above location requirements, roaming carts/wagons:

- Must submit a set route for approval
- Not have propane or butane, open flames, generators, CO2 tanks with more than 100 lbs. of CO2 (beverage dispensers), or liquid nitrogen

Business Registration and Proof of Ownership

CMFO vendor must clearly display a copy of their credentials, including San Francisco Business Registration, California seller's permit and CMFO Permits, while actively engaged in CMFO operations in the public right-of-way.

Fire and Health Requirements

- Vendors must have all required credentials and permits applicable to their operations, including any necessary the San Francisco Department of Public Health (SFPDH) and San Francisco Fire Department (SFFD) when using a power source, including but not limited to propane, butane or battery.
- Any required approvals from SFPDH and SFFD must be obtained within 90 days after conditional approval of a Public Works permit. If all required SFPDH and SFFD permits are not obtained within 90 days, your Public Works permit will no longer be valid.
- CMFO vendor shall comply with the latest Fire Code including providing and maintaining minimum distances required for building access, exit egress, and access to SFFD protection services.
- CMFO vendor is responsible for maintaining cleanliness within the immediate vicinity of their vending location.

Assignment, Sale, Rental, or Other Transfer of Permit Prohibited Requirements

1. Permittees shall not lease, rent, or otherwise assign approved vending locations to any vendor, whether permitted or non-permitted or rented to non-permitted vendors.

Exemptions

Vendors selling food via Compact Mobile Facilities may not be subject to Public Works regulation within this Order if the following conditions apply:

1. Food or drink products being sold as part of a fundraiser by a non-profit entity;
2. The operation of, or any sale within, a permitted Farmer's Market;
3. The operation of, or any sale within, a permitted Swap Meet;
4. Vending on property regulated by Article 7 of the Park Code, except UN Plaza and Hallidie Plaza;
or
5. Selling within areas permitted under Article 6 (ISCOTT) of the Transportation Code.

Good Neighbor Policies

CMFO vendors shall operate in accordance with the following "Good Neighbor Policies":

1. CMFO vendor shall be individually responsible for any garbage, detritus, or debris that directly results from their operating activity.
2. CMFO vendor shall contain noise and odors within the immediate area of their area to not cause a nuisance to neighbors.
3. CMFO vendor shall urge patrons to not litter and to maintain the safety, cleanliness, quiet, peace, and orderliness of the area.
4. CMFO vendor shall provide for proper and adequate storage and disposal of garbage, detritus, and debris.

Enforcement and Potential Penalties

A CMFO vendor's failure to comply with these regulations may result in Public Works' issuance of a Notice of Violation to the CMFO vendor and the imposition of Administrative Fines upon the CMFO vendor, according to Section 5.9-11 of the Public Works Code.

Public Works may compel a CMFO vendor to promptly cease sales when pedestrian access is obstructed by the CMFO vendor's operations and/or if the CMFO vendor does not possess a vending permit is unpermitted.

Suspension and Revocation

Suspension and Revocation of Permits

1. The Director may suspend or revoke a permit if the public interest requires the location for a different public purpose, including but not limited to a bicycle lane, bus stop, traffic reconfiguration, bulb-out, or any other pedestrian, bicycle, vehicular safety improvement, or other public use consistent with City policies.

2. The Director may suspend or revoke any permit issued under Article 5.9, for good cause, after a noticed public hearing, if it is determined that the permittee has engaged in or been found guilty of any of the following:
 - a. Fraud, misrepresentation, or false statement in the permit application.
 - b. Violation of applicable State law, the State Vehicle Code, this Article and Order, the San Francisco Municipal Code, or a determination by the Director of Public Health or Fire Marshal related to the operation of any CMFO by this permittee.
 - c. Violations as specified herein under another CMFO permit issued to the same permittee.
 - d. Operating in a manner that negatively impacts public health, safety, convenience, or welfare.
 - e. Habitual violation of the Good Neighbor Policies set forth in Section 184.94 of the Public Works Code.
 - f. Failure to operate at the permitted location for six or more months.

The Fire Marshal may also revoke an SFFD Permit and Inspection Decal for violation of the Fire Code or applicable State law. These actions may be taken in addition to, or separately from, any action by the Director.

3. If the Director determines that a permittee has exceeded the scope of the permit — in duration, area, or any other permit term or condition — the Director shall order the permittee to correct the violation within a specified time period. Any person vending in the public right-of-way without a permit shall be ordered to vacate immediately.
4. Failure to pay any assessed fee shall constitute good cause for immediate revocation and/or removal of unpermitted obstructions.

D. Penalties

1. **Criminal.** Any person who violates this Article or Order shall be guilty of an infraction at each location where the violation occurs, subject to a fine.
2. **Civil.** The Director may call upon the City Attorney's Office to seek injunctive relief, summary abatement, or recovery of civil penalties and reasonable attorney's fees.
3. **Administrative.** Permittees found in violation of this Article or Order may be subject to administrative citations. All administrative fines shall be assessed, enforced, and collected in accordance with Public Works Code Section 5.9-11.

E. Removal

1. The Director may order the immediate removal of any equipment of the CMFO vendor in the event that the equipment interferes with emergency services and/or where the vendor lack a permit and the equipment constitutes or poses any objective public health, safety, or welfare concerns. Upon notice, the permittee shall immediately remove the equipment. The CMFO vendor may not return to the location until the conditions prompting removal have been abated to the Director's satisfaction.
2. The Director may also order removal of any CMFO equipment placed in violation of this Article or Order. Notice shall be mailed to the CMFO owner and posted conspicuously on the CMFO equipment, and shall include:
 - a. The permit condition(s) violated;
 - b. The date and time the notice was posted;
 - c. The location of the CMFO equipment;
 - d. The identity of the person issuing the notice; and
 - e. A statement that the permittee has 48 hours to remedy the violation(s).

Hold Harmless Clause

As a condition of being permitted to vend on City sidewalks and/or property, as may be applicable, the CMFO vendor shall agree to comply with all applicable regulations.

In addition, the CMFO vendor shall agree to hold harmless, defend, and indemnify the City and County of San Francisco, including, without limitation, each of its commissions, departments, officers, agents and employees (collectively referred to as the "City") from and against all losses, liabilities, expenses, actions, claims, demands, injuries, damages, fines, penalties, suits, costs or judgements including, without limitation, attorneys' fees and costs (collectively, "claims") of any kind allegedly arising directly or indirectly from (i) any act by, omission by, or negligence of, Assignee or its subcontractors, or the officers, agents or employees of either, while engaged in the practices authorized by this Order, (ii) any accident, damage, death, or injury to any contractor or subcontractor, or any officer, agent, or employee of either of them, while engaged in the performance of the practices authorized by this Order, (iii) any accident, injuries or damages to any person(s) or accident, damage or injury to any real or personal property, good will, in, upon or in any way allegedly connected with the practices authorized by this Order from any cause or claims arising at any time, and potentially falls within this indemnity provision, even if the allegations are or may be groundless, false or fraudulent, which obligations arises at the time such claim is tendered to CMFO vendor by the City and continues at all times thereafter. The CMFO vendor shall agree that the indemnification obligations assumed under this Order shall survive expiration of the Order or completion of practices authorized by this order. The CMFO vendor shall assume all maintenance and liability associated with the items allowed to be placed in the public right-of-way under this Order.

Signatures:

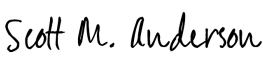
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EF36D8649D3544B...

Rivera, Javier (DPW)

Manager IV

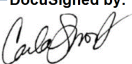
Date Signed: 8/25/2026 | 10:05:33 AM PDT

Signed by:

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Anderson, Scott (DPW)

Dep Dir IV

Date Signed: 8/25/2026 | 11:16:59 AM PDT

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073CF73A4EA6486...

Short, Carla (DPW)

Dept Head IV

Date Signed: 8/26/2026 | 6:39:29 PM PDT