



# **Promoting Financial Stability for Street Vendors in the Inland Empire and Greater California**

Bel Greenberg & Josh T. Meadows  
Pitzer College  
Critical Community Studies (ONT101)  
Research Methods for Community Change (ONT105)  
14 May 2020

## **Acknowledgements**

This project would not have been possible without our professors and our amazing community partners. We would like to thank the ICIJ staff for being so welcoming and answering our many clarifying questions. We especially want to give a huge thank you to Lyzzeth Mendoza for showing us the ropes and continuing to guide us through the messy yet ever important work of grassroots organizing. Even in the face of a global pandemic, ICIJ has remained a support system for the immigrants of the Inland Empire. We are so inspired by ICIJ's work and commitment, and hope to reconnect once we are back in Claremont.

As for Tessa, Jemma, and Jessica, you all have been a stabilizing presence for us amidst this chaos. Although this semester did not end the way any of us expected, you have impressed us greatly with your flexibility, positivity, and generosity. We know this semester was particularly demanding and we just want to thank you all for making CASA a priority. This program introduced us to entirely new ways to perceive the world and our role in it. These lessons were invaluable and we will take them with us throughout college and into our careers.

Lastly, we just want to shout out our incredible classmates. We could not have asked for a better group of people to spend 12+ hours a week with. Thank you for cultivating an environment in the classroom in which we could all learn and grow. We are so thankful for each and every one of you. We should all be so proud of ourselves!

## **Table of Contents**

I.	Introduction & Community Overview.....	4
II.	Literature Review.....	9
III.	Methods.....	14
IV.	Findings.....	17
V.	Conclusion.....	23
VI.	Bibliography.....	26

## **Introduction & Community Overview**

Senate Bill 946 was a major victory for California street vendors. Signed into legislation in September of 2018, SB946 implemented state-wide decriminalization of street vending. Before this important legislation, California street vendors were subject to over-policing and harassment from local authorities. Known as the Safe Sidewalk Vending Act, SB946 loosened regulations and established street vending as a legal activity. Street vendor advocacy is directly linked to immigrant justice efforts. Because of the relatively low start-up costs, many low-income and immigrant communities consider street vending as a possible employment opportunity. However, once the costs of permits and licensing, equipment and facility rental fees, and food supply start adding up, street vending becomes a less plausible route towards economic mobility.

Just as vendors were previously troubled with the variability and ambiguity of criminal laws in the past, vendors are now subject to the ambiguity of varying fees and rents. Not only could one vendor be paying significantly higher fees and rents than their competitor, but they also have no way of knowing whether or not those costs will be the same from one week to the next. Many people are required to take out loans and pay rents to comply with the law, burdening them with debt and cutting into their profits.

As college students in Claremont, the issue of street vending accessibility directly affects our neighboring communities. Pitzer College is located right outside of the Inland Empire, home to many immigrants from Latin America who cannot afford to live in Los Angeles County. Despite our proximity, the Claremont Colleges are relatively disconnected from the immigrant

communities of the Inland Empire. Only once we stepped outside of our higher education bubble could we understand the issues surrounding immigrant justice in the Inland Empire and throughout California.

This semester we interned with the Inland Coalition for Immigrant Justice (ICIJ), helping facilitate programs and produce resources to support economic stability for the local immigrant population. ICIJ promotes street vending as a plausible solution for economic mobility. Much of our work has revolved around presenting effective city ordinances to local governments, such as the San Bernardino City Council, that would improve conditions for their street vending population. As a grassroots organization, ICIJ does not have the funding to support all of its constituents with start-up loans. Although the coalition promotes street vending as a viable employment option for their community, they cannot finance all the permits and commissary costs. Instead, they support local vendors through their advocacy. Working with ICIJ has demonstrated the importance of creating a team dedicated to street vendor support; the economic burdens of street vending on immigrant and low-income communities can no longer be overlooked. Through our time at the organization, we have become committed and passionate about street vending accessibility, which would support immigrants both in our neighboring communities and throughout the state of California.

The Inland Coalition for Immigrant Justice is a leading organization that serves the Inland Empire's immigrant community. The coalition consists of over 40 immigrant justice groups, including faith-based, legal service, and worker's rights organizations. According to their website, ICIJ organically formed in 2008 when Rutilio del Riego, a Roman Catholic Auxiliary Bishop, called for the convening of immigrant leaders throughout the Inland Empire. ICIJ

inspires collective action to protect immigrant rights in the IE. Among ICIJ's partner organizations is The California Immigrant Policy Center, ACLU Southern California, and the Immigrant Center of San Bernardino. ICIJ is a multifaceted organization, advocating grand policy reform to improve widespread conditions for immigrants while also providing on-the-ground aid and response to individual cases of detention and deportation. The organization provides two distinct services to further its mission. For one branch, they focus on community engagement, cultivating close ties with members of the IE through workshops and forums. They've created an Emergency Response Network, a hotline that documents cases of immigrant enforcement activity and sends out volunteers to observe the actions of ICE and Border Patrol. Policy advocacy is the other branch of ICIJ's work, protecting immigrant rights at local, state, and national levels through lobbying and organizing.

Javier Hernandez has been the acting director of ICIJ since 2015. However, as interns, we work more directly with Lyzzeth Mendoza. Lyzzeth is the Community Engagement and Policy Associate: she works on policy initiatives and passing of ordinances throughout the IE, such as SB946. The coalition is currently leading campaigns on a range of issues, including health care reform and stopping the spread of immigrant detention facilities. ICIJ also works to promote immigrant economic prosperity through entrepreneurship such as street vending.

As many of the staff members are locals of the Inland Empire, the organization has a strong partnership with the community. ICIJ relies on community voices to guide their decision making; a large part of the work is individual outreach. The coalition believes that the surrounding immigrant community—resilient after years of discrimination and

displacement—can be the organization’s strongest asset. ICIJ does not work for the community, they work with it.

As of 2016, the immigrant population in the IE was 972,476 people or approximately 21.5% of the total population. According to the ICIJ website, the majority of IE immigrants (520,760) live in Riverside County. As stated in UC Riverside’s *State of Immigrants in the Inland Empire* report, Latinxs represent a “greater share of immigrants in the Inland Empire than in the rest of Southern California.” The report documents that Latinxs, specifically Mexicans, constitute 49% of the total IE population and 69% of the foreign-born residents. The other large immigrant demographic is Asian, constituting 6% of the total population and 19% of the foreign-born population. Of all immigrants residing in the IE, 466,566 are naturalized citizens and 505,910 are non-US citizens (Center for Social Innovation et al. 2018). When the United States first took control of California in the mid-1800s, Mexicans and Asians were subordinated in the Inland Empire under a white agricultural elite. Through the Trump Administration’s recent immigration policies, Mexicans have now been further downgraded to illegal aliens (De Lara 113-26).

This paper was originally inspired by the San Bernardino City Council reconsidering their street vending policies. ICIJ initially asked us to research city ordinances throughout the country that promote vendor success which spun into this final project. First, we will review the available literature on street vending in the U.S., identifying where there are gaps in the research. The methods section follows, outlining how we collected and analyzed the data. Next, we will discuss our findings and determine what policies most effectively support the street vending

economy. We hope that ICIJ can use this research to guide San Bernardino's future policy construction and implementation.



## Literature Review

Street vendors in the United States have a complicated history related to issues of urbanization, public health, and capitalism. The popularization of street vending in American cities parallels the developing economics of the post-recession 1980s and 1990s. Vending is especially attractive to migrants due to its low education and investment capital requirements, acting as a viable employment option for people facing economic hardship (Sundarsingh 2016). Simopoulos and Bhat present the contradiction of street vending in major U.S. cities such as New York City and Los Angeles. Although mobile vendors are cultural anchors, city governments continuously regulate and even resist their presence. Vendors have been blamed for “contributing to traffic congestion, stealing business from local stores, and stigmatizing neighborhoods” (Simopoulos & Bhat 2000). Although street vending is an established trade, vendors have been prone to over-policing and harassment from authorities because of the perception that they illegally occupy public space (Wongtada 2013).

SB946 was approved by Governor Jerry Brown on September 17, 2018. The bill, in sum, “[prohibits] a local authority, as defined, from regulating sidewalk vendors” (SB946 2018). Prior to the bill’s passing, there was no state-enforced law protecting the rights of mobile vendors (Sidewalk Vendors 2019). Instead, regulation was left to local municipalities and in many cities, vendors could be fined, have their goods confiscated, or even face criminal charges simply for selling in the streets (Holmes 2020). SB946 was born out of the overdue recognition that street-vending “provides important entrepreneurship and economic development opportunities to

low-income and immigrant communities,” and thus should not be a cause for criminalization (SB946 2018).

SB946 successfully decriminalizes street vending on a statewide scale. However, the bill does not provide comprehensive protection for California street vendors. Even with the passing of SB946, sidewalk vendors lack an economic safety net. SB946 ensures that fines and police raids will decrease, though the government still fails to support the street vending economy.

Street vendors of Los Angeles and the surrounding areas of Southern California commonly belong to a specific demographic. According to Bhimji, food vending in Los Angeles shares a history with the immigration wave from Latin America to Southern California in the 1980s. A large proportion of street vendors in Los Angeles are undocumented, low-income, immigrant Latina women. As women of color, these street vendors are particularly vulnerable to harassment from police and city officials. Due to the fact that “permits are highly unaffordable and the process bureaucratic,” many undocumented vendors must sell their goods without proper authorization. Post-SB946, permits to sell in Los Angeles cost \$541 (Bhimji 2010). Munoz reports that “removal of street vendors increases when they are perceived to ‘encroach’ on sites targeted for redevelopment, and when residents and business owners repeatedly complain to the police.” Los Angeles had developed an anti-vending climate since immigrant street vendors were seen as undesirable in gentrifying neighborhoods (Munoz 2016). Prior to SB946, California legislation permitted authorities to implement regulations in order to exercise control over the immigrant population (Ehrenfeucht 2016). California’s street vending policies are some of the most restrictive in the country, making their vendors acutely susceptible to this unique set of

challenges and barriers. By the time Senate Bill 946 was enacted in 2018, the decriminalization of street vending was a necessity.

Understanding food cart and street vending holistically across the United States is inherently challenging. Although there exists a federally mandated U.S. Food and Drug Administration Food Code that applies to all vendors, each state and municipality often has its own set of additional laws and regulations (Novis 2017). For this reason, the best way of establishing a comprehensive overview of U.S. street vending is to look at the individual practices of some of the cities with the highest volume of street vendors. Included below is a table with all of the cities/counties that will be used in this research and a brief overview of their current regulations.

	<b>S.B.</b>	<b>Riverside</b>	<b>L.A.</b>	<b>Austin</b>	<b>S.A.</b>	<b>N.Y.</b>	<b>D.C.</b>	<b>Miami</b>	<b>Portland</b>
Is street vending governed by state law? If so, which law?	SB 946 <sup>1</sup>	SB 946 <sup>1</sup>	SB 946 <sup>1</sup>	§228.221 <sup>8</sup>	§228.221 <sup>8</sup>	Pending <sup>11</sup>	Code 503.3 <sup>14</sup>	Chapter 5K-4 <sup>15</sup>	No
Is street vending governed by local law/ordinances? If so, which law/ordinances?	Pending <sup>2</sup>	No. 853 <sup>4</sup>	Vending Program <sup>7</sup>	Article 3 <sup>9</sup>	Vending Program <sup>10</sup>	License Program <sup>12</sup>	Joint with State <sup>14</sup>	Consumer Code <sup>16</sup>	No. 182760 <sup>17</sup>
Do you need a state permit to vend?	No <sup>1</sup>	No <sup>1</sup>	No <sup>1</sup>	Yes <sup>8</sup>	Yes <sup>8</sup>	No <sup>11</sup>	Yes <sup>14</sup>	Yes <sup>15</sup>	No
Do you need a local permit to vend?	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>9</sup>	Yes <sup>10</sup>	Yes <sup>12</sup>	N/A	Yes <sup>16</sup>	Yes <sup>17</sup>
Are you required to have a SSN?	No <sup>1</sup>	No <sup>1</sup>	No <sup>1</sup>	Yes <sup>8</sup>	Yes <sup>8</sup>	Yes <sup>12</sup>	No <sup>14</sup>	No <sup>16</sup>	No <sup>17</sup>
Are you required to undergo a background check?	No <sup>1</sup>	No <sup>1</sup>	No <sup>1</sup>	No <sup>9</sup>	Yes	No <sup>12</sup>	Yes <sup>14</sup>	No <sup>16</sup>	No <sup>17</sup>
Are you required to obtain a permit from the Department of Health?	Yes <sup>3</sup>	Yes <sup>5</sup>	Yes <sup>7</sup>	Yes <sup>8</sup>	Yes <sup>8</sup>	Yes <sup>12</sup>	Yes <sup>14</sup>	Yes <sup>15</sup>	Yes <sup>17</sup>
Are you required to undergo a fire inspection with a local fire department?	No <sup>3</sup>	No <sup>5</sup>	No <sup>7</sup>	Yes <sup>9</sup>	Yes <sup>10</sup>	No <sup>12</sup>	Yes <sup>14</sup>	No <sup>16</sup>	Yes <sup>17</sup>
Are there restrictions on the time of day you can vend?	Yes <sup>2</sup>	Yes <sup>6</sup>	No <sup>7</sup>	No <sup>8</sup>	No <sup>10</sup>	No <sup>12</sup>	No <sup>14</sup>	Yes <sup>16</sup>	No <sup>17</sup>
Are you required to prepare your goods in a central preparation facility?	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>8</sup>	Yes <sup>8</sup>	No <sup>12</sup>	No <sup>14</sup>	No <sup>16</sup>	No <sup>17</sup>
Has street vending been decriminalized here?	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>	No <sup>9</sup>	Yes <sup>10</sup>	No <sup>13</sup>	Yes <sup>14</sup>	Yes <sup>16</sup>	Yes <sup>17</sup>

Sources: <sup>1</sup> Sidewalk Vendors, 2019, <sup>2</sup> Whitehead, <sup>3</sup> "Become a Vendor", <sup>4</sup> Regulating Roadside Vending, 2007, <sup>5</sup> "Pedestrian Food", <sup>6</sup> Regulating Roadside Vending, 2019, <sup>7</sup> City of Los Angeles, <sup>8</sup> "Mobile Food Units", <sup>9</sup> "Requirements for Vending", <sup>10</sup> "Mobile Vending Requirements", <sup>11</sup> Relates to the regulation of street vendors, 2020, <sup>12</sup> NYC Business Solutions, <sup>13</sup> The Center for Urban Pedagogy and The Street Vendor Project, <sup>14</sup> District of Columbia Department of Consumer & Regulatory Affairs, <sup>15</sup> Florida Department of Agriculture and Consumer Services, <sup>16</sup> Miami-Dade County, <sup>17</sup> Portland Ordinance No. 182760

As of 2020, it was predicted that street vendors contribute \$3.6 billion dollars to the economy, with a growth of 1.7% since 2019. These numbers show that there is both a strong demand for street vendors themselves and an increasing recognition that street vending is a viable source of income (IBIS World 2020). Despite the appeal, it is important to recognize the sharp difference between the amount of money street vendors are making in sales and their income. The best source of these numbers comes from a 2012 survey from the Institute for Justice entitled *Upwardly Mobile: Street Vending and the American Dream*. Ultimately, the survey found that while individual street vendors brought in average annual sales of \$105,354, their average income was only \$14,855. Restrictions are responsible for the magnitude of the gap between sales and income.

The primary goal of this paper is to compare city ordinances throughout the U.S. and consolidate policies that best support street vendors in California. This research will provide legislators with constructive guidelines to implement in their cities and counties. The history of street vending in America has been researched by economists, sociologists, and anthropologists. However, prior to the decriminalization of sidewalk vending in California, exploration of vending centered primarily on policing, harassment, and permits. Research on street vendors has failed to look into the economic barriers for street vendors, such as equipment and rent costs. In this paper, we hope to demonstrate how cities throughout the U.S. support their street vending population so that local governments in California can borrow best practices.

## Methods

In this paper, we are attempting to answer the following question: what existing laws and regulations across the U.S. best promote the success of street vendors? An overview analysis of the available literature and our own anecdotal experiences seem to suggest that fewer restrictions lead to increased profits. In other words, we're looking to prove that the cities with the more relaxed laws and restrictions best promote the long-term success of their local street vendors. Researching city and county ordinances in our literature review was a necessary precondition to understanding what existing laws best promote street vendor success. Compiling best practices from each city and county will guide us towards answering our research question.

Ideally, we would conduct our own survey of street vendors across our selected cities. However, this would be impossible given the timeframe, scope, and implications of COVID-19. To our benefit, the Institute of Justice's 2012 study *Upwardly Mobile: Street Vending in the United States* collected a survey of 763 street vendors across the country. Because we used data collected by the Institute for Justice, we were able to increase the scope of our research. This 20-page survey asked vendors about all aspects of their lives from demographics, income, and experience. Our primary task was to synthesize the data to produce findings relevant to our research topic, though our analysis is just the tip of the iceberg of how to interpret this data. Taken from an organization that strives for just and fair research, we are confident that the data, and thus our analysis, is credible and unbiased.

From the dataset, we isolated survey results from the seven cities that we selected as most valuable for this research. From there, we narrowed the data to only include vendors who sold

food (as they would be most impacted by policies such as SB946). We then separated the data based on whether or not the vendors were Hispanic. The groupings for each city include all food street vendors, Hispanic only food street vendors, and non-Hispanic food street vendors. We chose to make this separation not only because of our work with ICIJ but also because SB946 explicitly states that it's concerned with "economic development opportunities to low-income and immigrant communities" (Sidewalk vendors 2019). 51.6% of the population is Hispanic in Riverside and San Bernardino counties, thus suggesting that the majority of people from low income and immigrant backgrounds will be Hispanic. When researching ordinances and laws that benefit street vendors, we are in turn advocating for resources and opportunities that support some of our nation's most vulnerable populations. Determining policies that directly benefit street vendors will promote economic mobility for people of immigrant and low-income backgrounds.

From each category, we took the mean years experience in vending, the mean months needed to obtain a permit, the mean sales in dollars, and the mean income in dollars. We wanted to know what the barriers to entry are for vendors and what sort of returns they might find once entering into the trade. That information was then combined with census information such as population, industry percentages, and average income to paint a more complete picture of how street vendors compare to the greater workforce. We will use the already synthesized data found in the report and our own analysis of the raw data to draw conclusions on the combined impacts of street vending, city and state regulations, and demographics. In some cases, this was as simple as doing a visual assessment of the trends across cities and categories. However, in other instances, we conducted t-tests to evaluate whether or not there was statistical significance to

support our claims. By comparing living wage to the average income of street vendors in each city and by using the average time to obtain a permit as a measure of vendor success, we can determine which cities' ordinances best promote vendor economic prosperity in the form of simplicity of regulations and ease of restrictions. All of the statistical and organizational work done to obtain these values and conclusions can be found in the spreadsheet which will be included with this paper.

In choosing to use the Institute of Justice's data, we also recognize our own positionality that would impact the data gathering process. We are not people of low-income, minority, or immigrant backgrounds. We are not fluent in any language besides English. Therefore, trying to insert ourselves into the communities that rely on street vending could be problematic. Fortunately, the Institute of Justice's study has enough information that we can support our claims without addressing the potential problems that might arise in inserting ourselves into these communities. Our interpretations of the data, however, are wholly dependent on our social positions. Although we identify as dedicated activists of social justice, our analysis and final recommendations derive from white, educated perspectives. Our research is framed around theories of intersectionality, specifically the junction of race and class. Immigrant street vendors are unique in their positionality as culturally subordinated and economically vulnerable. Intersectionality theory reflects the interlocking systems of oppression that foreign-born street vendors face and thus is an important framework for our research.



## Findings

As our literature review suggests, there exists a disconnect between the sales and profits of street vendors across the country. This disparity varies greatly from one city to the next. As stated in the methods section, we hypothesized that less restrictions, most often in the form of city and county ordinances, are associated with better outcomes for street vendors. In order to obtain the following results, we synthesized data from the Institute of Justice's 2012 study *Upwardly Mobile: Street Vending in the United States*, the U.S. Census Bureau, and the Massachusetts Institute of Technology. A more complete set of numbers and statistics is included in our spreadsheet. However, we have presented a shorter table of the more important values here. Here is what we found:

	<b>LA</b>	<b>Austin</b>	<b>DC</b>	<b>Miami</b>	<b>NY</b>	<b>Portland</b>	<b>San Antonio</b>
<i>Percentage Hispanic (%)</i>	48.6	33.9	10.9	69.1	29.1	11.7	60.5
<i>Percentage Foreign Born (%)</i>	34.2	17.7	14.0	53.3	37.0	14.0	13.3
<i>Percentage in Poverty (%)</i>	14.2	12.0	17.2	16.0	18.9	12.0	17.2
<i>Percentage of Workforce in Accommodation &amp; Food Services</i>	8.2	7.9	5.7	9.1	7.8	8.7	10.1
<i>Accommodation &amp; Food Services Median Income (\$)</i>	21,494	20,845	21,907	21,577	25,796	21,408	16,343
<i>Average Experience in Street Vending (in years) [net]</i>	6.33 n = 6	4.72 n = 24	2.00 <sup>1</sup> n = 3	9.07 n = 43	8.59 n = 170	4.82 n = 11	7.84 n = 38
<i>Average Experience in Street Vending (in years) [Hispanic Only]</i>	8.5 <sup>1</sup> n = 4	3.27 n = 11	N/A	8.43 n = 21	6.56 n = 64	N/A	5.15 n = 19
<i>Average Experience in Street Vending (in years) [Non-Hispanic Only]</i>	2.0 <sup>1</sup> n = 2	5.86 n = 13	2.00 <sup>1</sup> n = 3	9.68 n = 22	9.81 n = 106	4.82 n = 11	10.53 n = 19
<i>Average Time (in months) Needed to Obtain a Permit [net]</i>	5.50 n = 6	4.82 n = 24	2.33 <sup>1</sup> n = 3	6.63 n = 43	6.95 n = 170	4.82 n = 11	4.88 n = 38
<i>Average Time (in months) Needed to Obtain a Permit [Hispanic Only]</i>	2.25 <sup>1</sup> n = 4	6.22 n = 11	N/A	5.47 n = 21	4.89 n = 64	N/A	3.41 n = 19
<i>Average Time (in months) Needed to Obtain a Permit [Non-Hispanic Only]</i>	12 <sup>1</sup> n = 2	3.85 n = 13	2.33 <sup>1</sup> n = 3	7.80 n = 22	7.79 n = 106	4.82 n = 11	6.21 n = 19
<i>Average Sales (\$) [net]</i>	200,000 <sup>1</sup> n = 1	52,1872 <sup>2</sup> n = 10	240,000 <sup>1</sup> n = 2	58,562 <sup>2</sup> n = 16	24,280 <sup>2</sup> n = 42	37,500 <sup>1</sup> n = 4	35,886 <sup>2</sup> n = 13
<i>Average Sales (\$) [Hispanic Only]</i>	N/A	32,500 n = 2	N/A	23,657 <sup>2</sup> n = 7	4,336 <sup>2</sup> n = 10	N/A	38,833 <sup>2</sup> n = 6
<i>Average Sales (\$) [Non-Hispanic Only]</i>	N/A	84450 <sup>2</sup> n = 8	240,000 <sup>1</sup> n = 2	85,711 <sup>2</sup> n = 9	30,732 <sup>2</sup> n = 32	N/A	32,935 <sup>2</sup> n = 7
<i>Average Income (\$) [net]</i>	40,000 <sup>1</sup> n = 1	19,925 <sup>2</sup> n = 10	27,000 <sup>1</sup> n = 2	21,563 <sup>2</sup> n = 15	11,950 <sup>2</sup> n = 41	15,400 n = 5	18,625 <sup>2</sup> n = 10
<i>Average Income (\$) [Hispanic Only]</i>	N/A	25,000 n = 1	N/A	9,426 <sup>2</sup> n = 7	3,885 <sup>2</sup> n = 12	N/A	22,333 <sup>2</sup> n = 6
<i>Average Income (\$) [Non-Hispanic Only]</i>	N/A	19,200 <sup>2</sup> n = 8	27,000 <sup>1</sup> n = 2	32,237 <sup>2</sup> n = 8	14,862 <sup>2</sup> n = 30	N/A	14,916 <sup>1,2</sup> n = 4
<i>Living Wage Needed To Support One's Self (\$)</i>	30,856	27,053	34,969	27,395	34,204	31,535	23,731

<sup>1</sup> Denotes a value with less than 5 data points of contributing data.

<sup>2</sup> Denotes a value where one or more outliers were excluded in obtaining these data points. See spreadsheet.

The data above reveals a number of important findings. To begin, in every city surveyed the median income for those working in accommodation and food services sat well below the living wage. The living wage is a value coined by Professor Amy K. Glasmeier at the Massachusetts Institute of Technology. She designed the living wage as a more realistic indication of what is often assumed through the federal poverty threshold. She writes that living wage is “a market-based approach that draws upon geographically specific expenditure data related to a family’s likely minimum food, childcare, health insurance, housing, transportation, and other basic necessities costs, [and the] effects of income and payroll taxes to determine the minimum employment earnings necessary to meet a family’s basic needs while also maintaining self-sufficiency” (Glasmeier 2020). For our data, the living wage needed to support oneself is calculated for individuals, excluding any dependents (both spouses or children). It’s important to note that as of 2019, only 36.48% of households in the U.S. were occupied by a single person, thus suggesting that many people also have to consider the costs of caring for dependents (Duffin). Not only do those working in food services fail to make a living wage, but in 2012 they sat well below the national median personal income of \$29,572 ("Real Median"). Because the income from street vending is on average higher, people look to street vending as a more lucrative profession within the industry.

The data shows that when it comes to both obtaining the necessary permits to operate and to translating vending into an ongoing career, Hispanic vendors do not have the same levels of success as non-Hispanic vendors. In every city with discernible data, Hispanic vendors had less average experience (in years) than non-Hispanics. In Austin and San Antonio specifically, the average experience for Hispanic vendors as compared to non-Hispanic vendors passed a

one-tailed t-test with a significance level of  $\alpha=0.1$ . This means that we are at least 90% confident that within these cities there's a statistically significant difference in the years experience street vending between Hispanic and non-Hispanic vendors. Similarly, if we combine all the data from our most telling cities (Austin, Miami, New York, and San Antonio), we obtain net average years of experience for Hispanic vendors of 6.35 as compared to 9.56 in non-Hispanic vendors. This means non-Hispanic vendors have nearly 44% more net experience.

Looking more positively, however, for every city with sufficient data with the exception of New York (which in this instance should be excluded because of the implications of its quota system on the number of vendors), average sales exceeded the living wage needed to support oneself, thus suggesting that mitigation of costs and restrictions would substantially benefit vendors. Ultimately, if cities and states were able to minimize the costs associated with street vending, they would be able to move the income levels of street vendors closer to both the national median income and the living wage needed to support oneself.

In our sample, the cities that serve as the leaders for promoting street vending are Portland, Austin, and San Antonio. In Austin we found that Hispanic street vendors have an average income of \$25,000 where the living wage is \$27,053. In San Antonio, street vendors brought home an average income of \$22,333 where the living wage is \$23,731. While these numbers are still lacking, San Antonio and Austin are the two cities where the incomes are closest to the living wage, suggesting that their laws best promote street vending as a sustainable source of income. The average time needed to obtain a permit is only 4.82 months in both Portland and Austin, a tie for the lowest in our survey. Together, these figures suggest that certain cities' regulations and laws have led to better outcomes for their local street vendors.

The codes of these cities are significantly less restrictive and easier to navigate. Both Austin and San Antonio cities have restrictions regarding the safety of food preparation, which notably was one of the key points of SB946. There are few restrictions, however, around where vendors can sell their goods. As a consequence, when vendors are ready to sell in Austin or San Antonio, they can set up business in the most potentially lucrative locations. Most importantly, these cities have either a strong harmony between state and local regulations (as is the case in Texas) or a total consolidation of the two (as is the case in Portland). In Texas, nearly all restrictions fall under Texas Administrative Code's Rule §228.221, meaning that once you've obtained a state permit, it's relatively easy to get a city permit. In Portland, it's even easier because the state and city permits are combined.

Ultimately, our findings expand upon our hypothesis that less restrictions—or in Portland's case more consolidated restrictions—are associated with better outcomes for street vendors. These outcomes are measured in terms of disparity between average income and living wage and permit wait time. As was previously mentioned, SB946 leaves the nuances of the bill to be negotiated by each individual city. Although this seems positive, the research shows that adding additional restrictions on top of what already exists only prevents vendors from putting money back in their pockets.

Should California want to best advocate for its vendors, it should create statewide street vending regulations that supersede all local ordinances. This would mean that vendors do not need to navigate between multiple codes in multiple cities, instead, they just have one set of rules to follow. We believe that this will help increase profits and decrease costs. As is the case in

Austin and San Antonio, ordinances that only loosely regulate where vendors can sell their goods are most profitable.

The data used for this paper is not current; the survey was conducted in 2012. To make an even more definitive and strong argument, we would need an updated report. Some values, such as living wage poverty rates, have fluctuated greatly since 2012 but are not reflected in our research. Additionally, the nature of surveys requires self-reports. The data is inherently skewed by response bias. The data collection was conducted over the phone by the New Jersey-based polling company TechnoMetric. The survey was conducted in multiple languages, however, there was no vetting to check if the results were factual (Carpenter 2018). Street vendors may want to put out an image of success and prosperity, thus adjusting their sales and income reports. The 2012 report provides a solid template for research that could be conducted in 2020 to update the data. Our analysis of the data can also be used as a roadmap for future policy construction. The process of compiling data from cities and counties throughout the country, identifying which locations have the leading data in terms of income or sales, and determining which local policies account for the satisfactory outcomes could be used as a general layout to inform policy decisions in any field.

## **Conclusion**

By synthesizing data from seven different cities throughout the United States, we have determined what cities' ordinances best promote the economic success of street vendors. ICIJ can present this information to the San Bernardino City Council so that they have hard data to back up their appeals. These findings will be valuable for ICIJ to effectively lobby the San Bernardino City Council and other local policy-makers so that street vendors, many of whom are immigrants, can achieve economic prosperity.

If this paper proves anything, it's that we still have work to do to uplift the low-income, immigrant, and or Hispanic members of our communities, especially in the Inland Empire and California. SB946 was a tremendous step in the right direction in regards to promoting sustainable jobs and personal entrepreneurship. That being said, despite the intent of the legislation, there are still significant barriers to entry that most significantly impact these vulnerable communities in regards to street vending.

Given our findings and the limitations of the existing laws we make the following recommendations:

1. Create a statewide street vending permit system that will supersede existing city permits.

As the table found on page 12 in our literature review suggests, negotiating between the laws and restrictions from one city to the next can be incredibly challenging. For states like Texas where many of the major cities are hours away, this is less impactful. However, in the instance of California and particularly Southern California where Los Angeles, San Bernardino, and

Riverside border each other, competing restrictions are particularly detrimental. Vendors are left both navigating whether or not they're permitted to sell in a certain area and contemplating where is best to set up their business. Should there be a single permit system, vendors would simply have to ask themselves where it is best to sell their goods to maximize their profits. Portland, Oregon (Multnomah County) serves as an example of this.

2. Increase access to small business loans for minority vendors.

One of the negative implications of SB946 was that vendors become burdened by the expenses of updating or maintaining equipment and renting space in commercial kitchens. In a report from the Minority Business Development Agency at the U.S. Department of Commerce entitled *Disparities in Capital Access between Minority and Non-Minority-Owned Businesses*, researchers found that “low levels of wealth and liquidity constraints create a substantial barrier to entry for minority entrepreneurs because the owner’s wealth can be invested directly in the business, used as collateral to obtain business loans or used to acquire other businesses” (Fairlie and Robb 2010). Therefore, we believe that should we increase access to small business loans, especially those with low-interest rates, we could increase the number of people seriously considering street vending as a long-term income source and career. And finally,



### 3. Enact rent controls/caps on commissary kitchens.

The commissary kitchen requirement of SB946 means that vendors have to consider not only the costs of their own truck/cart but also the rent of a communal kitchen. It's no secret that rents in Southern California are incredibly high. An internet search of one popular kitchen in Los Angeles revealed that the minimum rent within the facility was \$30/hour with a \$1000 deposit ("Kitchen Pricing" 2020). These costs vary greatly from one place to the next and have the risk of fluctuating greatly. Therefore, we believe that enacting rent controls will make it easier for vendors to anticipate their ongoing costs and mitigate their startup costs.

California has already proven its commitment to advocating for street vendors and our vulnerable communities. In line with that commitment, it's time to enact further changes, conduct additional research, and forge new alliances that make the state the best place to vend in the country.

## Bibliography

"Accommodation & Food Services." *Data USA*, Deloitte & Datawheel, 2020,

[datausa.io/profile/naics/accommodation-food-services](https://datausa.io/profile/naics/accommodation-food-services). Accessed 2 May 2020.

"Become a Vendor." *City of San Bernardino*,

[www.sbcity.org/about/sb\\_third\\_thursdays/become\\_a\\_vendor.asp](http://www.sbcity.org/about/sb_third_thursdays/become_a_vendor.asp). Accessed 6 May 2020.

Bhimji, Fazila. "Struggles, Urban Citizenship, and Belonging: The Experience of Undocumented Street Vendors and Food Truck Owners in Los Angeles." *Urban Anthropology and Studies of Cultural Systems and World Economic Development*, vol. 39, no. 4, 2010, pp. 455-92.

California State, Legislature, Senate. Sidewalk vendors. 1 Jan. 2019. 2017-2018 Legislature, 1st Reg. Sess., Senate Bill 946 (enacted).

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB946](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB946)

Carpenter, Dick M., II. "Street Vending in the United States: A Unique Dataset from a Survey of Street Vendors in America's Largest Cities." *Cityscape*, vol. 20, no. 3, 2018, pp. 245-56.

Center for Social Innovation, et al. *State of Immigrants in the Inland Empire*. U of California, Riverside, Apr. 2018.

The Center for Urban Pedagogy, and The Street Vendor Project. "Vendor Power!" *Making Policy Public*, 2009,

[www.wiego.org/sites/default/files/resources/files/United-States-of-America-A-Guide-to-Street-Vending-in-New-York-City.pdf](http://www.wiego.org/sites/default/files/resources/files/United-States-of-America-A-Guide-to-Street-Vending-in-New-York-City.pdf). Accessed 6 Apr. 2020. Infographic.

City of Los Angeles. "City of Los Angeles Sidewalk and Park Vending Program." *Bureau of Street Services*, 2020, [streetsla.lacity.org/vending](https://streetsla.lacity.org/vending). Accessed 5 Apr. 2020.

---. "City of Los Angeles Sidewalk Vending Rules." *Bureau of Street Services*, 1 Jan. 2019, [streetsla.lacity.org/sites/default/files/Flyer.pdf](https://streetsla.lacity.org/sites/default/files/Flyer.pdf). Accessed 5 Apr. 2020. Infographic.

De Lara, Juan. *Inland Shift: Race, Space, and Capital in Southern California*. Berkeley, U of California P, 2018.

District of Columbia Department of Consumer & Regulatory Affairs. "Vending Fact Sheet." [dcra.dc.gov/sites/default/files/dc/sites/dcra/service\\_content/attachments/VendingFactSheet.pdf](https://dcra.dc.gov/sites/default/files/dc/sites/dcra/service_content/attachments/VendingFactSheet.pdf). Infographic.

Duffin, Erin. "Number of Single-person Households in the U.S. 1960-2019." *Statista*, 22 Nov. 2019, [www.statista.com/statistics/242022/number-of-single-person-households-in-the-us/](https://www.statista.com/statistics/242022/number-of-single-person-households-in-the-us/). Accessed 14 May 2020.

Ehrenfeucht, Reina. "Designing Fair and Effective Street Vending Policy: It's Time for a New Approach." *Cityscape*, vol. 18, no. 1, 2016, pp. 11-26.

Fairlie, Robert W., and Alicia M. Robb. *Disparities in Capital Access between Minority and Non-Minority-Owned Businesses*. U.S. Department of Commerce, Jan. 2010. <https://www.mbda.gov/sites/mbda.gov/files/migrated/files-attachments/DisparitiesinCapitalAccessReport.pdf>

Glasmeier, Amy K. "About the Living Wage Calculator." *Living Wage Calculator*, Massachusetts Institute of Technology, 2020, [livingwage.mit.edu/pages/about](https://livingwage.mit.edu/pages/about). Accessed 5 May 2020.

Holmes, Mona. "Selling Street Food in LA Will No Longer Be a Crime Starting in 2019." *Eater LA*, Vox Media, 18 Sept. 2018, [la.eater.com/2018/9/18/17874900/street-vending-governor-brown-bill-sb-946-los-angeles](http://la.eater.com/2018/9/18/17874900/street-vending-governor-brown-bill-sb-946-los-angeles). Accessed 10 Apr. 2020.

IBIS World. "Street Vendors in the US Market Size 2002–2025." *IBISWorld*, 2020, [www.ibisworld.com/industry-statistics/market-size/street-vendors-united-states/](http://www.ibisworld.com/industry-statistics/market-size/street-vendors-united-states/). Accessed 5 Apr. 2020.

Institute for Justice. *Upwardly Mobile: Street Vending and the American Dream*. Arlington, Institute for Justice, 2012.

"Kitchen Pricing." *Chef's Commercial Kitchen Co-op*, 2020, [www.chefskitchens.com/prices](http://www.chefskitchens.com/prices). Accessed 7 May 2020.

Mobile Food Units, Texas Administrative Code § 288.211 (Department of State Health Services), adopted October 11, 2015.

"Mobile Food Vendors." *Florida Department of Agriculture and Consumer Services*, 2020, [www.fdacs.gov/Business-Services/Food-Establishments/Mobile-Food-Vendors](http://www.fdacs.gov/Business-Services/Food-Establishments/Mobile-Food-Vendors). Accessed 6 Apr. 2020.

"Mobile Sales and Mobile Food Service Operations Requirements and Guidelines." *Miami-Dade County*, 25 Jan. 2017, [www.miamidade.gov/permits/mobile-sales.asp](http://www.miamidade.gov/permits/mobile-sales.asp). Accessed 6 Apr. 2020.

"Mobile Vending Requirements." *City of San Antonio*, 2020, [www.sanantonio.gov/Health/FoodLicensing/Mobile/MobileVending](http://www.sanantonio.gov/Health/FoodLicensing/Mobile/MobileVending). Accessed 6 May 2020.

Munoz, Lorena. "Agency, Choice and Restrictions in Producing Latina/o Street-vending Landscapes in Los Angeles." *Royal Geographical Society*, vol. 48, no. 3, 2016, pp. 339-45.

New York State, Legislature, Senate. Relates to the regulation of street vendors. 2019-2020 Legislature, 1st Reg. Sess., Senate Bill S6817A, referred to Committee 28 Oct. 2019.

Novis, David. "Food Truck Food Safety." *Food Quality & Safety*, Wiley Periodicals, 19 Aug. 2017, [www.foodqualityandsafety.com/article/food-truck-food-safety/](http://www.foodqualityandsafety.com/article/food-truck-food-safety/). Accessed 5 Apr. 2020.

NYC Business Solutions. "Street Vending." Nov. 2010, [www.nyc.gov/html/sbs/nycbiz/downloads/pdf/educational/sector\\_guides/street\\_vending.pdf](http://www.nyc.gov/html/sbs/nycbiz/downloads/pdf/educational/sector_guides/street_vending.pdf). Infographic.

O'Kane, Josh. "Why Low-Income Entrepreneurs Fail to Sustain Their New Ventures." *The Globe and Mail*, Phillip Crawley, 8 June 2018, [www.theglobeandmail.com/report-on-business/careers/business-education/why-low-income-entrepreneurs-fail-to-sustain-their-new-ventures/article30349088/](http://www.theglobeandmail.com/report-on-business/careers/business-education/why-low-income-entrepreneurs-fail-to-sustain-their-new-ventures/article30349088/). Accessed 5 May 2020.

"Pedestrian Food Vendors Permit Application." *City of Riverside*, [www.riversideca.gov/finance/pdf/Pedestrian-Food-Vendor-Application.pdf](http://www.riversideca.gov/finance/pdf/Pedestrian-Food-Vendor-Application.pdf). Accessed 6 May 2020.

"Real Median Personal Income in the United States." *Federal Reserve Bank of St. Louis*, 10 Sept. 2019, [fred.stlouisfed.org/series/MEPAINUSA672N](http://fred.stlouisfed.org/series/MEPAINUSA672N). Accessed 2 May 2020.

Regulating Roadside Vending, Riverside Municipal Code § 853, 2007.

Regulating Roadside Vending, Riverside Municipal Code § 853.1, 2019.

"Requirements for Vending Permits." *Austin Transportation Department*, City of Austin,

[www.austintexas.gov/sites/default/files/files/Transportation/Right\\_of\\_Way/REQUIREMENTS\\_FOR\\_VENDING.pdf](http://www.austintexas.gov/sites/default/files/files/Transportation/Right_of_Way/REQUIREMENTS_FOR_VENDING.pdf). Accessed 6 May 2020.

"Riverside-San Bernardino-Ontario, CA." *Data USA*, Deloitte & Datawheel, 2020,

[datausa.io/profile/geo/riverside-san-bernardino-ontario-ca-metro-area](https://datausa.io/profile/geo/riverside-san-bernardino-ontario-ca-metro-area). Accessed 6 May 2020.

Sidewalk Vendors, Portland Ordinance No. 182760, effective June 5, 2009.

Simopoulos, Artemis P., and Ramesh Venkataramana Bhat. *Street Foods*. Basel, Karger, 2000.

Sundarsingh, Alexandra. *Eating outside the Boundaries: A Historiography of Street Food*.

University of Illinois at Urbana-Champaign, Nov. 2016.

"U.S. Census Bureau Releases 2018 Families and Living Arrangements Tables." *United States*

*Census Bureau*, U.S. Department of Commerce, 14 Nov. 2018,

[www.census.gov/newsroom/press-releases/2018/families.html](http://www.census.gov/newsroom/press-releases/2018/families.html). Accessed 5 May 2020.

Whitehead, Brian. "San Bernardino Eases Restrictions, Updates Rules on Street Vending." *San*

*Bernardino Sun*, MediaNews Group, 9 June 2019,

[www.sbsun.com/2019/06/09/san-bernardino-eases-restrictions-updates-rules-on-street-vending/](http://www.sbsun.com/2019/06/09/san-bernardino-eases-restrictions-updates-rules-on-street-vending/). Accessed 5 Apr. 2020.

Wongtada, Nittaya. "Street Vending Phenomena: A Literature Review and Research Agenda."

*Thunderbird International Business Review*, vol. 56, no. 1, 2013, pp. 55-75.