



City of Walnut Creek
Development Review Services
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Door-to-Door Sales / Leafleting / Charitable Solicitors / Vendor Carts

Background: Activities such as door-to-door sales, leafleting, peddling, collecting for charity, and operating a vendor cart are regulated by several sections of the Walnut Creek Municipal Code. In general these activities fall under the following five categories:

Charitable Solicitor: A person who a) requests donations (monetary or otherwise) or sells goods or services for a charitable or non-commercial purpose, and b) operates from door to door, or from a temporary location such as a public sidewalk. *Refer to Section 6-5.02(a).*

Commercial Solicitor: A person other than a Charitable Solicitor who a) offers a service to be performed in the future, or an item for sale for future delivery, and b) operates from door to door, or from a temporary location such as a public sidewalk or hotel room. This classification applies even if the person is not collecting advance payment, soliciting payment or money, or carrying a product sample. *Refer to Section 6-5.02(b).*

Itinerant Merchant: A person other than a Charitable Solicitor who a) sells goods or services to be rendered at the point of sale, and b) operates from door to door, or from a temporary location such as a public sidewalk or hotel room. This classification is sometimes referred to as a peddler or transient merchant. *Refer to Section 6-5.02(d).*

Handbill Distribution: The distribution of any unsolicited handbill, circular, leaflet, flyer, pamphlet, paper, booklet, or other printed or written material. This classification applies to both commercial and non-commercial activities. *Refer to Section 4-6.101(a).*

Vendor Cart: A temporary cart or stand which sells or serves food, drinks, plants, or flowers. *Refer to Section 10-2.1.403(G).*

Action: The applicable regulations for the above described uses are summarized as follows:

Charitable Solicitor

1. Must register with the Business License Division (§6-5.03(a));
2. Cannot operate in the public right-of-way within 500 feet of school grounds prior to 4pm on school days (§6-5.06);
3. Cannot operate from a stationary location in the public right-of-way (§6-5.06);
4. Cannot operate in a congested location that impedes the public (§6-5.06);
5. Cannot set up tables, stands, or other similar objects in the public right-of-way (§4-8.02);
6. May set up tables, stands, or other similar objects in outdoor locations on private property (with the property owner's permission), for the purpose of soliciting funds, contributions, etc., but cannot set up tables, stands, or other similar objects in these locations for the purpose of selling goods or services except where permitted by the underlying zoning district regulations and all other applicable sections of the Zoning Ordinance (§10-2.3.121);

7. Cannot operate on private property where “no solicitors”, “no peddlers”, or other similar signs are clearly posted (§6-5.08).

Commercial Solicitors and Itinerant Merchants

1. Must register with the Business License Division (§6-5.03(a));
2. Must obtain a Business License (§6-5.03(b));
3. Must obtain a Home Occupation Permit if their business address is the same as their home address and is located within Walnut Creek (§10-2.3.107);
4. Cannot operate in the public right-of-way within 500 feet of school grounds prior to 4pm on school days (§6-5.06);
5. Cannot operate from a stationary location within the public right-of-way (§6-5.06);
6. Cannot operate in a congested location that impedes the public (§6-5.06);
7. Cannot set up tables, chairs, or other similar objects in the public right-of-way (§4-8.02);
8. Cannot set up tables, stands, or other similar objects in outdoor locations on private property, except where permitted by the underlying zoning district regulations and all other applicable sections of the Zoning Ordinance (§10-2.3.121);
9. Cannot knock on doors or otherwise disturb persons in their home between the hours of 8pm and 8am (§6-5.07);
10. Cannot operate on private property where “no solicitors”, “no peddlers”, or other similar signs are clearly posted (§6-5.08).

Handbill Distribution

1. Cannot place any handbills on any vehicle (§4-6.102)
2. Must register with the Business License Division if the leaflets advertise the sale of goods or services for commercial or charitable purposes (§6-5.03(a));
3. Must obtain a Business License if the leaflets advertise the sale of goods or services for commercial purposes (§6-5.03(b)).

Vendor Cart

1. Cannot be located within the public right-of-way (§4-8.02).
2. Requires a Temporary Activity Permit (§10-2.3.118(B));
3. Are only allowed on private property for uses that are typically associated with the primary use of the facility (i.e. a flower cart in front of a flower shop, a coffee cart in front of a coffee store) (§10-2.3.118(C)(3)(c));
4. Are only allowed where permitted by the underlying zoning district regulations and all other applicable sections of the Zoning Ordinance (§10-2.3.118(C)(3)(c));