



NOTICE OF IMPOUNDMENT

For more information:



Receipt and Instruction for retrieval of items; Appeal process

DATE OF NOTICE:	TIME OF NOTICE:	DAY OF THE WEEK:	LOCATION:
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Notice Issued To (if known):	Sidewalk Vending Permit No. (if known and applicable):	
Address Information (if known):		
City:	State:	Zip Code:
Phone Number (if known):	Vehicle License Plate and State (if known):	

Description of Items Impounded (check all that apply): VENDING CART FOOD EQUIPMENT UTENSILS
 GOODS MERCHANDISE OTHER / ADDITIONAL INFORMATION: _____

Grounds for Impoundment - brief summary (check all that apply):

- O.M.C. 5.54.160.A.1: Vending food without a valid and displayed health permit.
- O.M.C. 5.54.160.A.2: Items reasonably appear to be unattended or abandoned on public or private property for 30 minutes.
- O.M.C. 5.54.160.A.3: Vending items without a Sidewalk Vending Permit and City Business License.
- O.M.C. 5.54.160.A.4: Vendor operates in violation of O.M.C. 5.54; refuses or fails to provide identification.
- O.M.C. 5.54.160.A.5: Vendor operates in violation of O.M.C. 5.54; and refuses or fails to remove items within 30 minutes.
- O.M.C. 5.54.160.A.6: Vendor is blocking or obstructing the sidewalk; not maintaining min. 48 inches of accessible path of travel.
- O.M.C. 5.54.160.A.7: Items in violation of any applicable federal, state, county or City laws, ordinances, and regulations.
- O.M.C. 5.54.160.A.8: Vendor is creating an imminent and substantial danger or environmental hazard.
- O.M.C. 5.54.160.A.9: Vendor has been cited three or more times with violating O.M.C. 5.54 within 24-months.
- O.M.C. 5.54.160.A.10: Items are evidence of a crime or booked as property after an arrest.
- O.M.C. 5.54.160.B: Vendor identified as a Repeat Offender; contacted 2 or more times in violation of O.M.C. 5.54.

Additional factual basis for impounding: _____

Impoundment holding period from date of impound: 30 day 60 day

Issuing Employee/Officer Name:	Signature:	Date:
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For questions regarding this notice of impoundment, contact the Code Enforcement Division at (714) 744-7244.

- PLEASE BE ADVISED THAT ITEMS THAT ARE PERISHABLE AND/OR CANNOT BE STORED SAFELY WILL BE DISPOSED.
- YOU HAVE THE RIGHT TO APPEAL THE IMPOUNDMENT, PLEASE SEE REVERSE SIDE FOR MORE INFORMATION.

YOU MAY RETRIEVE IMPOUNDED ITEMS AFTER THE IMPOUNDMENT HOLDING PERIOD FROM (check all that apply):

<input type="checkbox"/> City of Orange, Code Enforcement Div. 300 E. Chapman Avenue, Orange, CA 92866	<input type="checkbox"/> Private Tow Company (insert name, address, and phone number): _____ _____
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You will have to show proof of ownership to recover your items, excluding items that we immediately disposed of because they were perishable and/or could not be safely stored and pay any impound fees. Items will only be stored for either 30 or 60 calendar days after the applicable impoundment holding period checked above before they will be deemed unclaimed and classified as abandoned and forfeited to the City.

SEE REVERSE SIDE FOR MORE INFORMATION

Cease and Desist Order

You are hereby ordered to cease and desist the current operation of sidewalk vending activity in the City unless you have a valid City issued Sidewalk Vending Permit, Business License, Health Permit for food from the Environmental Health Division of the County of Orange Health Care Agency, if applicable, and are complying with all other regulations contained in Chapter 5.54 of the Orange Municipal Code (O.M.C.). You were found to be engaging in sidewalk vending activity on this date and operating in violation of the City Code which resulted in the impoundment of items including but not limited to the vending cart, food, equipment, utensils, goods, or merchandise. Please contact the Code Enforcement Division or visit the City's website at www.cityoforange.org for more information on how to obtain a Sidewalk Vending Permit and comply with the City Code.

Appeal Rights (Contesting an Impoundment)

How to Contest: You may contest the decision to impound your items within 21 calendar days of the date of impoundment. Pursuant to O.M.C. Chapter 5.54, you have the right to contest the impoundment at a hearing before an independent hearing officer. To request an appeal hearing, complete the section below (Request for Appeal) or complete the online form which is available on the City's website and deliver or mail it, together with payment of the appeal hearing fee to:

City of Orange
Attn: City Clerk's Office
300 E. Chapman Avenue, Orange, CA 92866

Your Request for Appeal and the appeal hearing fee must be received or postmarked within twenty-one (21) calendar days of the date that your items were impounded on this notice, or you lose your right to challenge the decision of the impoundment of your items by the City.

Hearing Procedure: After you have properly requested a hearing and paid the appeal hearing fee, you will be notified in writing of the location, date, and time set for your hearing within thirty (30) calendar days. If you are unable to appear on the scheduled hearing date, you have one opportunity to reschedule and must do so promptly, otherwise you will lose your opportunity for a hearing. If you fail to appear at your hearing, you will lose your hearing fee, as well as your challenge surrounding the decision of the impoundment of your items by the City. At the hearing, you will have the opportunity to provide testimony and evidence. The City Official will also explain why the impoundment action and notice was conducted.

Written Decision: The hearing officer will issue a written decision to affirm, modify, or reverse the impoundment of your items with reasons within thirty (30) days after the conclusion of the hearing. You will receive a copy of the hearing officer's written decision within five (5) working days. If the hearing officer agrees with you then the hearing officer will require the City to return the impounded items to you within fifteen (15) business days, excluding items that were immediately disposed of because they were perishable and/or could not be safely stored, refund the hearing fee, and not be required to pay the impound fee in order to retrieve your items. If the hearing officer agrees with the City, the City shall keep the hearing fee, but you can retrieve your items after the impoundment holding period indicated and upon payment of any applicable impound fees as provided in the City Code.

REQUEST FOR APPEAL

- 1) Name:**
- 2) Mailing Address:**
- 3) Phone Number:**
- 4) Reason for Appeal:**