

# Memorandum

**TO: ALL DEPARTMENT PERSONNEL**

**FROM:** Paul Joseph  
Chief of Police

**SUBJECT: DUTY MANUAL ADDITION:  
PEDDLER INCIDENT RECEIPT**

**DATE:** January 20, 2026

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APPROVED

Memo# 2026-003

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## **BACKGROUND**

The Department has developed a standardized Peddler Incident Receipt to streamline field processes during peddler contacts and increase transparency and communication with both peddlers and partner City departments. The receipt allows officers to clearly identify and document the observed violation(s) at the time of contact and provide the peddler with an immediate written notice. Page two includes QR codes linking to current permitting information, operating requirements, and approved locations so peddlers have direct access to resources that support compliance. The original form will accompany the officer's report submitted to Code Enforcement for administrative review, creating a consistent and efficient process for all involved.

The following steps outline how officers will complete, document, and route the Peddler Incident Receipt during a peddler contact.

- Officers complete the Peddler Incident Receipt during the contact and explain each observed violation to the peddler.
- Officers request the peddler's signature to acknowledge that the information was explained and that they received the Receipt. If the peddler refuses to sign, the officer will note the refusal on the Receipt and proceed with the remaining steps. A refusal to sign is not a crime and does not meet the elements of resisting, obstructing, or delaying an officer under 148(a) PC.
- Officers provide the yellow copy of the Receipt to the peddler.
- Officers complete a General Offense report and place the white copy of the Receipt in the report box.
- The Court Liaison Unit forwards the report and Receipt to Planning, Building, and Code Enforcement for administrative citation review.

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**ANALYSIS**

The Duty Manual has been revised to reflect changes described below. Additions are shown in *italics and underlined*.

**R 1585      PEDDLER INCIDENT RECEIPT (FORM 204-29):**

*Added 01-20-26*

*This form is used when an officer contacts an individual engaged in peddling activity and observes a violation of the San Jose Municipal Code or applicable permitting requirements. The form provides an immediate written notice to the peddler identifying the observed violation(s) and includes a carbon-copy receipt that is issued to the contacted party at the time of the encounter.*

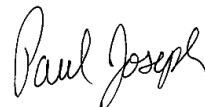
*The original form accompanies the officer's report submitted to the City of San Jose Planning, Building, and Code Enforcement Division for review for potential administrative action.*

*Page two of the form contains QR codes linking to current permitting requirements, approved operating locations, and additional information to assist the peddler in obtaining the proper permits. Department members should use this form to provide clear documentation, reduce ambiguity, and support consistent enforcement during peddler contacts.*

*A General Offense (G.O.) report is required when using this form.*

**ORDER**

Effective immediately, all Department personnel shall adhere to the above Duty Manual section.



Paul Joseph  
Chief of Police

PJ:SD

ATTACHMENT: PEDDLER INCIDENT RECEIPT

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**San José Police Department  
 Peddler Incident Receipt**

This receipt is not a citation. The information contained herein will be forwarded to the City of San José Planning, Building, and Code Enforcement (PBCE) Division for review for any administrative action, including a possible citation. If a citation is issued, PBCE will contact you at the address you provided below.

Date	Day	Time	Event No.
Location			District
Name			AKA
DOB	SSN	PFN	Phone
Gender	Race	Hair	Eyes
Height	Weight	S / M / T	
Address		City	State / Zip

**You were observed on the date, time, and location above committing the following violations:**

<input type="checkbox"/> 6.54.110 SJMC	Operating a peddler business without a valid peddler business permit.	<input type="checkbox"/> 6.54.230 SJMC	Using amplified sound while stationary in a motor vehicle or mobile unit.
<input type="checkbox"/> 6.54.130(A) SJMC	Peddling without a valid peddler employee license.	<input type="checkbox"/> 6.54.240(A)(1) SJMC	Exceeding 15-minute peddling time in a 2-hour period.
<input type="checkbox"/> 6.54.140 SJMC	Peddling from a fixed location without an approved location permit.	<input type="checkbox"/> 6.54.240(A)(2) SJMC	Stopping to peddle within 500 ft of school property.
<input type="checkbox"/> 6.54.205 SJMC	Peddling outside permitted hours of operation.	<input type="checkbox"/> 6.54.240(B) SJMC	Peddling from the wrong side of the vehicle (not curb-side).
<input type="checkbox"/> 6.54.210 SJMC	Failing to display peddler ID card while peddling.	<input type="checkbox"/> 6.54.250(A) SJMC	Mobile unit peddling within 25 ft of another stopped mobile peddler.
<input type="checkbox"/> 6.54.215(A)(1) SJMC	Peddling within 500 ft of a farmers' market, swap meet, or special event.	<input type="checkbox"/> 6.54.250(B) SJMC	Motor vehicle peddling within 200 ft of another peddler.
<input type="checkbox"/> 6.54.215(A)(2) SJMC	Peddling within 500 ft of a school during restricted hours.	<b>Other Section(s):</b>	<b>Other Description(s):</b>
<input type="checkbox"/> 6.54.215(A)(3) SJMC	Peddling within 500 ft of specified venues on event days.	<input type="checkbox"/>	
<input type="checkbox"/> 6.54.215(A)(4) SJMC	Peddling in a City-owned parking lot.	<input type="checkbox"/>	
<input type="checkbox"/> 6.54.215(A)(5) SJMC	Peddling on private property without owner consent.	<b>The City may impound a mobile unit and any associated equipment and any goods therein, for any of the following reasons:</b>	
<input type="checkbox"/> 6.54.215(B) SJMC	Blocking or obstructing pedestrian or vehicle movement.	<input type="checkbox"/> 6.54.405(A)(1)	Peddling in prohibited safety areas.
<input type="checkbox"/> 6.54.215(C) SJMC	Failing to provide or clean up required trash receptacle area.	<input type="checkbox"/> 6.54.405(A)(2)	Blocking exits, fire connections, or hydrants.
<input type="checkbox"/> 6.54.215(D) SJMC	Peddling food without a valid County Health permit.	<input type="checkbox"/> 6.54.405(A)(3)	Peddling food without a valid County Health permit.
<input type="checkbox"/> 6.54.215(E) SJMC	Violating state or local food, fire, or accessibility requirements.	<input type="checkbox"/> 6.54.405(A)(4)	Affixing or extending equipment into right-of-way or leaving it unattended.
<input type="checkbox"/> 6.54.215(F) SJMC	Affixing or chaining mobile unit to structures or leaving it unattended.	<input type="checkbox"/> 6.54.405(A)(5)	Refusing to provide ID while violating peddling rules.
<input type="checkbox"/> 6.54.220(A) SJMC	Using amplified sound between restricted hours.	<input type="checkbox"/> 6.54.405(A)(6)	Refusing to remove mobile unit after lawful order.
<input type="checkbox"/> 6.54.220(B) SJMC	Using amplified sound that disturbs the peace.	<input type="checkbox"/> 6.54.405(A)(7)	Peddling creating an imminent public safety hazard.

<b>Officer Signature</b>	<b>Badge</b>	<b>Date</b>
By signing below, I acknowledge that I have received a copy of this Peddler Incident Receipt and that the listed observations were explained to me. My signature does not constitute an admission of guilt or responsibility for any violation.		
Al firmar, reconozco que he recibido una copia de este Recibo de Incidente de Vendedor y que se me explicaron las observaciones indicadas. Mi firma no constituye una admisión de culpabilidad ni de responsabilidad por ninguna infracción.		
<b>Peddler Signature</b>	<b>Date</b>	



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Peddler Incident Receipt**

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Este recibo no es una infracción. La información contenida en este documento se remitirá a la División de Planificación, Construcción y Cumplimiento del Código (PBCE) de la Ciudad de San José para su revisión y para determinar cualquier acción administrativa, incluida una posible infracción. Si se emite una infracción, PBCE se comunicará con usted a la dirección que proporcionó.

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The City of San José encourages all peddlers and vendors to become permitted and follow the operating rules. Proper permitting helps protect your business, supports fair competition, and promotes public safety.

QR codes on this receipt link to detailed information about permits, operating requirements, and approved locations. The most up-to-date information is always available through the City of San José Office of Economic Development and Cultural Affairs and the San José Police Department Permits Unit websites.

Thank you for taking the time to review these requirements and for working with the City to operate safely and legally.

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La Ciudad de San José anima a todos los vendedores y comerciantes ambulantes a obtener sus permisos y seguir las reglas de operación. Contar con los permisos adecuados ayuda a proteger su negocio, promueve la competencia justa y la seguridad pública.

Los códigos QR en este recibo enlazan información detallada sobre permisos, requisitos de operación y ubicaciones aprobadas. La información más actualizada siempre está disponible en los sitios web de la Oficina de Desarrollo Económico y Asuntos Culturales de la Ciudad de San José y de la Unidad de Permisos del Departamento de Policía de San José.

Gracias por tomarse el tiempo de revisar estos requisitos y por colaborar con la Ciudad para operar de forma segura y legal.



Office of Economic Development and Cultural Affairs  
Oficina de Desarrollo Económico y Asuntos Culturales



Police Department Permits Unit  
Unidad de Permisos del Departamento de Policía