



COTTAGE FOOD HOME OCCUPATION PERMIT

DEFINITIONS:

HOME OCCUPATION. Any commercial activity conducted entirely within a particular dwelling unit by the inhabitants of such dwelling unit. HOME OCCUPATIONS are incidental uses that do not change the character of the dwelling unit nor adversely affect permitted uses in the surrounding area. HOME OCCUPATIONS include Cottage Food Operation uses.

INDIRECT SALES. An interaction between a Cottage Food Operator, a third party retailer, and a consumer; where the consumer purchases Cottage Food Products made by the Cottage Food Operation from a third party retailer. A third party retailer is a permitted retail food facility, such as a restaurant, grocery or food market that holds a valid operating permit from the County of Los Angeles in accordance with California Retail Food Code section 114381.

DIRECT SALES. A transaction between a Cottage Food Operator and a consumer, where the consumer purchases the Cottage Food Product directly from the Cottage Food Operator. Examples include, but are not limited to, holiday bazaars, temporary events, bake sales, food swaps, certified farmers' markets and community-supported agricultural subscriptions.

COTTAGE FOOD OPERATION. An enterprise with annual gross sales limits set forth under California Health and Safety Code Section 113758(a), operated by a Cottage Food Operator having no more than one full-time equivalent employee, conducted within a private home kitchen where the Cottage Food Operator resides, and where the Cottage Food Products are prepared or packaged for direct, indirect, or direct and indirect sales pursuant to Section 113758 of the California Health and Safety Code. A Cottage Food Operation may engage in the following sales activities subject to approval from the Los Angeles County Department of Public Health:

- A. Class A Cottage Food Operations may engage only in direct sales of Cottage Food Products including direct sale venues such as temporary events. Door to door sales shall be prohibited.
- B. Class B Cottage Food Operations may engage in both direct and indirect sales of Cottage Food Products such as a permitted third-party retail food facility.

COTTAGE FOOD OPERATOR. An individual who owns or operates a Cottage Food Operation in his or her private home kitchen.

COTTAGE FOOD PRODUCTS. Foods specifically listed as cottage foods approved by the California Department of Public Health and posted on its Internet Website and that are prepared for sale in the kitchen of the permitted area of a Cottage Food Operation. This list includes certain non-potentially hazardous foods. Typical food items include baked goods without cream, custard or meat fillings; candies; dried fruits and pastas; fruit pies; cereals; herbs; honey; jams and jellies; nuts; popcorn; roasted coffees and dried teas.

Conditions of Approval: The use of a home occupation which falls within the meaning of Cottage Food Operation as defined by BPMC § 153.220.040, shall comply with the following regulations:

1. *Spacing.* No Cottage Food Operation shall be approved if: (1) the property line of the site of the proposed use is located within 300 feet on the same street or the corner of a cross-street of the property line of any single family home where another Cottage Food Operation is located; or (2) if the proposed use is located within the same building of an apartment complex or other multi-family housing (i.e. condominium or townhomes) where another Cottage Food Operation exists.

2. *Employee.* Only one (1) employee, paid or unpaid, shall be permitted. This shall not include family members or a household member of the Cottage Food Operator.

3. *Parking and Loading Requirements.*

A) For single family homes, parking spaces in the property's garage or carport (if present) and driveway shall be available for the actual parking demand created by the use, including parking spaces for the applicant's own vehicles, a parking space for an employee, if an employee is present, and one parking space for customers if direct sales on the property are proposed.

B) For apartments and multi-family developments, the Cottage Food Operator's designated space(s) shall be available for the actual parking demand created by the use, including parking spaces for the applicant's own vehicles, parking spaces for an employee if employee is present, and one parking space for customers if direct sales on the property are proposed. On-site parking in an apartment complex or other multi-family residence requires approval from the property owner, landlord, homeowners association or property manager.

C) On-street parking spaces may be used for persons picking-up and/or delivering materials for the Cottage Food Operation and third party retailers coming to the property if proposed.

D) If the proposed Cottage Food Operation will involve loading of food products into vehicles, such loading may occur anytime within an enclosed garage when the garage door is shut. Hours for loading vehicles outside of a garage are limited from 8:00 a.m. to 6:00 p.m. Monday through Friday, and 10:00 a.m. to 4:00 p.m. on Saturdays and Sundays. Vehicles shall not idle when being loaded.

4. *Noise Control.* Cottage Food Operations shall not create noise levels in excess of those allowed in the applicable residential areas in the noise element of the general plan or in excess of those allowed in residential property by Chapter 153 of this Code.

5. *Size.* Cottage Food Operations shall occupy no more of a residence than the lesser of: (1) thirty percent (30%) of the floor area of the dwelling excluding the garage area; or (2) the area permitted by the Department.

6. *No Signage.* Cottage Food Operations shall not install or post signage or advertisements identifying the Cottage Food Operation at the site or building where the Cottage Food Operation is located.

7. *No Outdoor Sales.* No outdoor sales or on-site sales shall be allowed at the site of the Cottage Food Operation.

8. *No dining.* If direct sales are proposed at the site of the Cottage Food Operation, no third parties or customers shall be permitted to dine at the Cottage Food Operation.

9. *Code Requirements.* While the use of a residence for a Cottage Food Operation shall not constitute a change of occupancy for purposes of building and fire codes, to the extent that building modifications are proposed (e.g. more walls for storage areas, new electrical panel for range) the Cottage Food Operation shall meet all Requirements of Chapter 150 (Building) of this Code.

10. *Operational Requirements.* Cottage Food Operations shall comply with the operational requirements as set forth in California Health and Safety Code Section 114365 et seq.”

COTTAGE FOOD OPERATIONS PERMIT

APPLICANTS NAME (COTTAGE FOOD OPERATOR): _____

IS APPLICANT THE OWNER OF PROPERTY WHERE THE COTTAGE FOOD OPERATION IS PROPOSED TO BE LOCATED? ____Yes ____No (if no, provide information below)

IF APPLICANT IS A TENANT, PROVIDE THE NAME AND PHONE NUMBER OF THE OWNER OF THE PROPERTY WHERE THE COTTAGE FOOD OPERATION IS PROPOSED TO BE LOCATED AND THE NAME OF THE PROPERTY MANAGER OR OTHER PARTY RESPONSIBLE FOR THE PROPERTY: _____

NAME OF COTTAGE FOOD OPERATION: _____

ADDRESS: _____ TELEPHONE NO. () _____

LIST OF COTTAGE FOOD PRODUCTS TO BE PREPARED AND PACKAGED FOR SALE: _____

TYPES OF SALES (i.e., direct, indirect, or both, see definitions at sections 153.220.050 and 153.220.100): _____

LOCATION OF SALES (Please be specific as to whether sales are at home, or other specified locations): _____

WILL THERE BE A FAMILY MEMBER OR HOUSEHOLD MEMBER INVOLVED IN THE COTTAGE FOOD OPERATION? IF SO, PROVIDE HIS/HER NAME: _____

WILL THERE BY A PAID OR UNPAID INDIVIDUAL INVOLVED WITH THE COTTAGE FOOD PRODUCTS WHO WORKS FOR THE COTTAGE FOOD OPERATION? IF SO, PROVIDE HIS/HER NAME: _____

IS THIS A "CLASS A" OR "CLASS B" COTTAGE FOOD OPERATION? _____

SUBMIT AN ACCURATE SCALE BUILDING DRAWING OF THE RESIDENCE SHOWING: (1) REGISTERED AND/OR PERMITTED AREAS, OR AREAS SHOWN ON APPLICATION SUBMITTED TO THE LOS ANGELES DEPARTMENT OF PUBLIC HEALTH FOR COTTAGE FOOD PRODUCT PREPARATION, PACKAGING, AND RELATED EXCLUSIVE STORAGE; (2) ALL DOORS AND EXITS; (3) ALL VEHICLE PARKING SPACES.

SUBMIT AN ACCURATE DRAWING OF THE SITE SHOWING PROPERTY LINES, EXISTING STREETS, STRUCTURES, DRIVEWAYS, PEDESTRIAN WALKS, AND ON- AND OFF- SITE PARKING AND LOADING AREAS.

| Please answer "Yes" or "No" to the following: | Yes | No |
|--|-----|----|
| 1. For Class A operations, have you <u>attached written proof</u> that you have registered the operation with the Los Angeles Department of Public Health, Environmental Health Division? | | |
| 2. For Class B operations, have you <u>attached written proof</u> that you have registered the business with the Los Angeles Department of Public Health, Environmental Health Division, and have received and passed the required County Health inspection? | | |
| 3. Has the operation applied for and paid required fees for a Cottage Food Occupation permit license from the City of Baldwin Park Business License and Planning Departments? | | |
| 4. Have you familiarized yourself with California law as it pertains to Cottage Food Operations? | | |

CONFORMANCE WITH STATE LAW

PLEASE VERIFY THAT THE COTTAGE FOOD OPERATION WILL CONFORM TO STATE LAW INCLUDING THE FOLLOWING REQUIREMENTS:

| Please answer "Will Comply" to the following: | Will Comply |
|---|-------------|
| 1. No cottage food product preparation, packaging, or handling may occur in the home kitchen concurrent with any other domestic activities, such as family meal preparation, dishwashing, clothes washing or ironing, kitchen cleaning, or guest entertaining. | |
| 2. No infants, small children, or pets may be in the home kitchen during the preparation, packaging, or handling of any cottage food product. | |
| 3. Kitchen equipment and utensils used to produce cottage food products shall be clean and maintained in a good state of repair. | |
| 4. All food contact surfaces, equipment, and utensils used for the preparation, packaging, or handling of any cottage food products shall be washed, rinsed, and sanitized before each use. | |
| 5. All food preparation and food and equipment storage areas shall be maintained free of rodents and insects. | |
| 6. Smoking shall be prohibited in the portion of a private home used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, while cottage food products are being prepared, packaged, stored, or handled. | |
| 7. Any persons with a contagious illness shall refrain from work in the permitted area of the cottage food operation. | |
| 8. Any persons involved in the preparation or packaging of cottage food products shall keep his or her hands and exposed portions of his or her arms clean and shall wash his or her hands before any food preparation or packaging activity in a cottage food operation. | |
| 9. All persons who prepare or package cottage food products shall complete a | |

| | |
|--|-------------|
| Please answer "Will Comply" to the following: | Will Comply |
| food processor course instructed by the California Department of Public Health within the next three (3) months. (Copies of each certificate issued are to be submitted to the County within three months of permit issuance.) | |
| 10. All cottage food products shall be labeled consistent with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 343 et seq.) and the label shall include: * "Made in a Home Kitchen" in 12-point type; * Name commonly used for the food product (i.e., "jam") * Name of the cottage food operation * The County Health Department registration number for the business; and * Product ingredients in descending order by weight. | |

AFFIDAVIT

BY SIGNING BELOW, I, THE OWNER/APPLICANT OF THE COTTAGE FOOD OPERATION, HEREBY ACKNOWLEDGE THAT ALL ANSWERS PROVIDED HEREIN ARE ACCURATE. I AGREE TO COMPLY WITH ALL PROVISIONS IN THE CALIFORNIA HOMEMADE FOOD ACT AS CODIFIED IN THE CALIFORNIA HEALTH AND SAFETY CODE. I UNDERSTAND THAT IF MY OPERATION DOES NOT COMPLY WITH ALL THESE CONDITIONS MY OPERATION WILL BECOME ILLEGAL AND MUST CEASE.

SIGNED _____ DATE _____

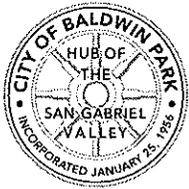
For City use only:

REVIEWED BY _____ DATE _____

TITLE _____

APPROVED ____ DENIED ____

If denied, reason(s) for denial: _____



City of Baldwin Park

14403 E. PACIFIC AVENUE, BALDWIN PARK, California 91706
 ATTN: Business License • (626) 813-5205

Business License Tax Application

BUSINESS LICENSE NO. _____ ACCOUNT NO. _____ EXPIRATION DATE _____
 Business Name _____ Bus. Phone (____) _____
 Business Location _____ Bus. Fax (____) _____
(Cannot be P.O. Box per State of California, Business & Professions Code-Section 17538.5)
 Mailing Address _____ Start Date _____
 Rate Type _____
 Sic Code _____
 Description of Business _____
 Ownership: Corporation Corp-Ltd Liability Partnership Sole Proprietor Limited Partnership Trust
 State Lic. No. _____ Lic. Type _____ Expiration Date _____
 Resale No. _____ FEIN No. _____ SEIN No. _____

Enter below names of Owners, Partners, or Corporate Officers:

Owner Name _____ Title _____ Soc. Sec. No. _____
 Address _____ Phone (____) _____
 Cell Phone (____) _____
(Cannot be P.O. Box per State of California, Business & Professions Code-Section 17538.5)
 Drivers Lic. No. _____

Owner Name _____ Title _____ Soc. Sec. No. _____
 Address _____ Phone (____) _____
 Cell Phone (____) _____
(Cannot be P.O. Box per State of California, Business & Professions Code-Section 17538.5)
 Drivers Lic. No. _____

In case of emergency, please contact:

Name _____ Phone (____) _____
 Address _____

Alarm Company:

Name _____ Phone (____) _____
 Address _____

| BUSINESS INFORMATION | | VENDING MACHINES | | Fees | |
|-------------------------|-------|---------------------|-------|------------------------|----------|
| Number of: | Fees: | Number of: | Fees: | | |
| Employees _____ | / | Pool Tables _____ | / | Minimum License Fee \$ | _____ |
| Professionals _____ | / | Game Machines _____ | / | Bus. Info. Total | _____ |
| Solicitors _____ | / | Juke Box _____ | / | Vending Machine Total | _____ |
| Apartments _____ | / | Cigarette _____ | / | Sub Total | \$ _____ |
| Rental-SFU _____ | / | Merchandise _____ | / | Assessment Fees | _____ |
| Trailer Spcs. _____ | / | 25¢ and over _____ | / | Penalty Fees | _____ |
| Hotel/Motel Units _____ | / | 24¢ and less _____ | / | Special Fees | _____ |
| Convalescent Beds _____ | / | Gum Ball _____ | / | Court Costs | _____ |
| Theater Seats _____ | / | Stamps _____ | / | TOTAL LICENSE FEE: \$ | _____ |
| Trucks _____ | / | Others _____ | / | | |
| Restaurant Seats _____ | / | | | | |
| Square Footage _____ | / | | | | |
| TOTAL \$: | | TOTAL \$: | | | |

PAYMENT OF A BUSINESS LICENSE TAX DOES NOT RELIEVE THE APPLICANT (BUSINESS) OF THE REQUIREMENT TO COMPLY WITH OTHER REGULATIONS OF THE CITY, COUNTY, STATE OR FEDERAL GOVERNMENT. I DECLARE, UNDER PENALTY OF PERJURY, THAT TO THE BEST OF MY KNOWLEDGE THE INFORMATION CONTAINED ABOVE IS TRUE AND CORRECT.

Date: _____ Signature of Owner or Representative: _____

Return application to above address and make check payable to CITY OF BALDWIN PARK