

Los Angeles Walks

losangeleswalks.org

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Los Angeles, CA 90013

April 13, 2018

Honorable Members of the City Council
Los Angeles City Hall
200 N. Spring Street
Los Angeles, CA 90012

Re: Sidewalk Vending Policy - CF 13-1493

Dear Honorable Members:

Los Angeles Walks writes in support of a comprehensive and inclusive Sidewalk Vending Program (Program) for Los Angeles. This Program should create opportunities for vendors to formalize their business and work without fear of criminalization, while promoting safety and accessibility in our public space. Unfortunately, the current proposal includes several policy elements that, if adopted, could prevent legal vending in wide swaths of the city in such a way that could cripple the entire Program. We urge the Council to consider and adopt the recommendations of the LA Street Vendor Campaign, as outlined in the coalition's January 11, 2018 letter. In particular, Los Angeles Walks urges the Council to consider the following:

1. Do not give private property owners authority to disallow (veto) vending on the public right-of-way near their property.

We strongly oppose giving private property owners veto power over a vendor's ability to work on the public sidewalk. Protecting certain favored businesses from perceived competition clearly exceeds the appropriate scope of this Program. As the LA Times Editorial Board notes, giving business owners veto power over what happens on the sidewalk would be "an unprecedented giveaway, allowing a private business to govern a public space. Doing so would invite extortion, as property owners could demand 'rent' from vendors for their permission to sell on the sidewalk."¹

This policy would also reinforce a hierarchy that values street vending less than other types of small businesses. It would elevate property ownership over micro-entrepreneurship and delegitimize street

¹ "Legalize Street Vending." Editorial. Los Angeles Times, November 25, 2017.



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[@heyimwalkinghere](https://www.instagram.com/heyimwalkinghere)

everyone walks in L.A.

vending as something not deserving of the same protections and opportunities afforded other businesses. This is not the message our public policy should send.

There is no need to pit one type of small business directly against another. Reasonable rules for vending location will already prevent vendors from obstructing the entrance to a brick and mortar business, and will require vendors to help keep the sidewalks clean. The Council could consider other procedures to resolve conflicts between businesses without discriminatory bans and unjust exclusions.

Giving certain private property owners absolute power to prohibit vending opportunities is a potentially fatal blow to this Program. We urge you to avoid including such a provision.

2. Do not allow Special Sidewalk Vending Districts to result in unjust exclusion of vendors.

Certain individual areas may exhibit unique dynamics that make the standard rules for vending unworkable. In these circumstances, it is appropriate to build in flexibility to adjust rules. But this should not create a backdoor tool to “opt-out” of the City’s program altogether, or impose onerous restrictions based on anti-vending sentiment. Instead, the creation of Special Sidewalk vending Districts should: (A) never result in the complete prohibition of vending in a community; (B) include appropriate size limitations for districts; (C) enable vendors and other stakeholders to initiate districts to expand vending opportunities; and (D) require City Council approval based on health and safety findings.

3. Promote public safety without arbitrary restrictions on opportunity.

The Sidewalk Vending Program should include reasonable rules on where and when vending may occur, in order to ensure accessible public sidewalks and safe business operations. However, the current proposal goes too far, and instead threatens to eliminate vending from wide swaths of the city that could safely accommodate it.

The Sidewalk Vending Program should not impose a limit of two stationary vendors per block face. Such an arbitrary restriction – applied uniformly to the City’s largest and smallest blocks alike – ignores the diversity of our built environment. Instead, the Council should allow more vending on the City’s larger boulevards and should allow vendor applicants to petition for additional locations on blocks where it will not negatively impact public safety.

The Sidewalk Vending Program should include reasonable rules on sidewalk placement to ensure safe passage and protect customers from unsafe proximity to vehicle travel. However, these rules should be thoughtfully crafted according to the realities of vending and pedestrian activity -- not copied directly from an old ordinance regulating news racks (LAMC section 42.00(f)(6)), as currently proposed.

The Sidewalk Vending Program should also relax the hours of operation in non-residential areas. Many vendors work outside the hours of 7:00am to 9:00pm to accommodate other pressures on their



schedules, such as childcare and supplemental employment, and to cater to consumer preferences. Stationary vendors operating away from residential neighborhoods should have the same limitations on hours of operation as brick and mortar businesses in that area.

We appreciate the Council’s thoughtful consideration of all the important elements of a fair and workable Sidewalk Vending Program. However, we are very concerned with the number of onerous restrictions that are currently proposed. The cumulative effective of imposing a property owner veto, special district “opt-out,” two-per-block cap, and restrictive hours of operation will be a massive eroding of opportunities for vendors to come into compliance. The success of this Program depends on it being accessible to low-income vendors. To achieve that success, we ask the Council to remove these unnecessary barriers.

Sincerely,



Emilia Crotty
Executive Director



April 11, 2018

Councilmember Curren Price, Jr.
Chair, Economic Development Committee
Los Angeles City Council
200 N. Spring Street, Room 420
Los Angeles, CA 90012

RE: Sidewalk Vending Ordinance – Protect the Historic Hollywood Walk of Fame/Immediate Enforcement Tools Needed

Dear Council Member Price:

As a member of the Hollywood Business Community I am writing to ask for your help in ensuring that any Citywide Sidewalk Vending Ordinance that is adopted *includes specific protections and robust enforcement for the Hollywood Walk of Fame.*

As you know, Hollywood Boulevard is the most famous street in the world and is home to some of LA's most crowded sidewalks. With tens-of-thousands of visitors each day, Hollywood is a unique area of the City with very specific public safety concerns surrounding the use of its sidewalks and protection of the Walk of Fame. Similarly, businesses located along Hollywood Blvd. will undoubtedly be impacted by legalized vending in ways that won't necessarily be felt in other areas of Los Angeles.


Having witnessed first-hand what inadequate enforcement of existing vendors already means for my business and others along Hollywood Blvd, I implore the City Council to ensure that robust funding for enforcement be a top priority in the ordinance that is adopted. *The enforcement model adopted should provide adequate resources for both complaint-driven and proactive enforcement throughout Hollywood. Staffing levels for enforcement of the ordinance MUST go above and beyond what is currently provided through the Bureau of Street Services.*

The Hollywood Business Community, along with CD-13, LAPD, and local stakeholders have been working tirelessly to regain control of Hollywood's public sidewalks. For years, the business community has complained about the proliferation of "characters", tour bus solicitors, and illegal sidewalk vendors due to inadequate enforcement. In recent months, the situation has deteriorated to the point where it creates public safety issues and reflects very poorly on Hollywood and this City.

We are all aware of the importance of the tourism industry in Hollywood and want to be sure that each and every individual leaves our City having had a pleasant and entertaining experience. It has become very apparent that aggressive solicitation on Hollywood Boulevard leaves a bad impression on the tourists that my business depends on. Unfortunately, for business owners and tourists alike, the situation on Hollywood Blvd. has already become a very real public safety concern that can no longer wait to be addressed until the City passes its Sidewalk Vending ordinance. *While I understand that the implementation of the final vending ordinance may inevitably take a while longer, I beseech this Committee and the full City Council to find a way to bring immediate enforcement relief to Hollywood Boulevard.*

Thank you for your time and consideration.

Sincerely,



(signature)

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E-mail: mshelton@naicapital.com

Phone: (310) 440-8500

CC: Councilmember Joe Buscaino
Councilmember Jose Huizar
Councilmember Mitch O'Farrell



April 13, 2018

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Los Angeles City Hall
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Sincerely,



Nelson Motto

Director of Shop Well Campaign