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August 20, 2018

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

Subject: An Ordinance Amending Section 42.13 of the Los Angeles Municipal Code to Create a New Sidewalk Vending Program, Amending Section 42.00(b) and Deleting Section (b)(5) to Remove the Prohibition Against Vending, and Adding Section 42.15.D.8 to Clarify that the New Sidewalk Vending Program Will Exclude First Amendment Activities – Council File No. 13-1493

Honorable Members:

Pursuant to Council Rule 38, the Bureau of Engineering has reviewed the draft ordinance prepared by the City Attorney under Report No. R18-0227 dated July 2, 2018 amending Section 42.13 of the Los Angeles Municipal Code to create a new sidewalk Vending Program, amending Section 42.00 (b) and deleting Section (b)(5) to remove the prohibition against vending, and adding Section 42.15.D.8 to clarify that the new Sidewalk Vending Program will exclude First Amendment activities.

The Bureau of Engineering under Section D 3 of the draft ordinance will provide support to the Sidewalk Vending Program. The Bureau of Engineering is not involved in the review and evaluation process for Licenses and Permits under this Program.

Recommendations for Effective Implementation:

- **Duties and Responsibilities of the Vending Service Provider: Develop Electronic Data File.** Under Section D of the draft ordinance, the City Council may establish certain areas as Special Sidewalk Vending Districts and create restrictions and conditions applicable in each Special Sidewalk Vending District. The Vending Service Provider should create and maintain the electronic data files on these Special Sidewalk Vending Districts on all sidewalks with restrictions and conditions for the Bureau of Engineering to display information on these Special Sidewalk Vending Districts as required under Section 42.13 D 3. The Bureau of Engineering recommends that creating and maintaining these electronic data files be added to Section C of the draft ordinance as part of the Duties and Responsibilities of the Vending Service Provider.



- **Duties and Responsibilities of the Vending Service Provider: Require Vending Service Provider to Use the Public Way Reservation System.** The Bureau of Engineering issues permits for construction in the public sidewalk and roadway areas as well as coordinating other activities such as filming in the public right of way areas. The Public Way Reservation System is the City's tool to coordinate activities in the public right of way areas. The Bureau of Engineering recommends that evaluating and coordinating applications for Licenses and Permits with the City's Public Way Reservation System be added to Section C of the draft ordinance as part of the Duties and Responsibilities of the Vending Service Provider to ensure that Licenses and Permits will not be in conflict with construction and other activities in the public right of way areas.
- **Special Sidewalk Vending Districts: Utilize NavigateLA** NavigateLA is the primary online tool for the Bureau of Engineering to display and share information in the City. Creating a dedicated layer in NavigateLA showing the Special Sidewalk Vending District locations as well as creating an electronic link to the data file for each Special Sidewalk Vending District from NavigateLA would allow the most accessible display of information for Special Sidewalk Vending Districts.

The Bureau of Engineering therefore recommends that Sections 42.13 C.1. (k) and 42.13 C.1. (l) be added and Section 42.13 D.3. be revised on the draft ordinance to effectively implement this Sidewalk Vending Program:

42.13 C.1. (k) Create and maintain the necessary data files and all conditions and restrictions applicable for Special Sidewalk Vending Districts approved by the City Council.

42.13 C.1. (l) Evaluate and coordinate applications for Licenses and Permits with the City's Public Way Reservation System to ensure that the Sidewalk Vending Program will not be in conflict of the use of the public right-of-way.

42.13 D.3. The Department of Public Works, Bureau of Engineering shall display on a dedicated layer in NavigateLA all Sidewalks with any restrictions for Special Sidewalk Vending Districts approved by the City Council based on data from the Vending Service Provider.

If you have any question regarding this matter, please contact Edmond Yew, Division Engineer of Land Development and GIS Division at (213) 202-3490.

Sincerely,



Electronically signed by 21866 on 08/20/2018 at 9:07:01 PM

Gary Lee Moore, PE
City Engineer

GLM/TA/EY:ab

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