

RESOLUTION

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, on January 1, 2019, California Senate Bill (SB) 946 (Lara) became effective establishing broad guidelines for local jurisdictions that choose to adopt a sidewalk vending program, including the following provisions:

- Prohibits local jurisdictions from establishing rules and regulations that require sidewalk vendors to operate within specific parts of the public right-of-way, unless it is directly related to objective health, safety, or welfare concerns; and
- Allows local jurisdictions to adopt additional requirements regulating the time, place, and manner of sidewalk vending if such requirements are directly related to objective health, safety, or welfare concerns; and
- Authorizes local jurisdictions to prohibit sidewalk vending near permitted certified farmers' markets or swap meets, and near areas designated for a temporary special permit issued by the local authority; and
- Provides that enforcement of sidewalk vending violations are restricted to administrative fines; and

WHEREAS, in 2018, the City Council adopted rules and regulations in compliance with State law and is currently in the process of establishing a permit-based system; and

WHEREAS, given that State law restricts municipalities to administrative fines, municipalities find themselves without the proper enforcement tools to effectively encourage compliance; and


WHEREAS, the Government Code should be amended to allow municipalities more flexibility in order to effectively regulate and protect our permitted vendors, families, and visitors;

NOW, THEREFORE BE IT RESOLVED, that the City of Los Angeles include in the 2019-2020 State Legislative Program SUPPORT or SPONSORSHIP of legislation and/or administrative action to amend California Government Code Section 51039 to allow local municipalities with compliant sidewalk vending permit programs more flexibility when enforcing non-permitted vending violations.

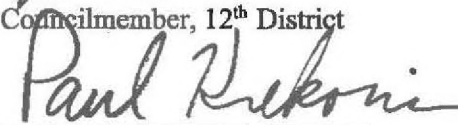


DEC 04 2019

PRESENTED BY:


JOHN S. LEE
Councilmember, 12th District

SECONDED BY:



ORIGINAL