

proposed replacement ordinance restricts vending, regulates performing, and prohibits the generation of excessive noise on the Venice Boardwalk and adjacent beach and public spaces in a manner consistent with the courts' rulings.

The Venice Boardwalk is a major tourist attraction in the City. Historically, the Boardwalk has served as a traditional public forum, rich with performance and visual artists, as well as other free speech activity. The amount of space on the Boardwalk available for performing and political advocacy is limited due to the size of the Boardwalk and the large crowds of visitors that the Boardwalk attracts. During time periods when the City has not regulated the activities on the Boardwalk, there has often been conflict, at times violent, over available vending and performing space, frequently requiring law enforcement to respond. Excessive noise also has created problems. Persons wishing to secure spaces often arrive before dawn and create loud noise in setting up their displays, thereby disturbing the public peace, including the peace of nearby residents, often requiring law enforcement to respond.

Unregulated, the Boardwalk is a place where only the strongest and earliest arrivals can secure space to exercise their rights of free expression without threat of intimidation by others seeking to secure space. Unregulated activities on the Boardwalk adversely affect the historic character of the Boardwalk, hamper rather than encourage a wide-variety of free speech activity, and jeopardize the public safety of visitors to the Boardwalk, resulting in an economic and cultural loss to the City. The Boardwalk requires reasonable time, place, and manner restrictions to retain its unique historic character as a center of performance, art, and other free speech activity, preserve its status as a tourist attraction, protect the commercial life of the Boardwalk, and ensure the safety and enjoyment of residents, visitors, artists, performers, and vendors alike. Due to the unique historical, geographical, and physical characteristics of the Boardwalk, it requires its own set of rules and regulations different from those in effect at other public spaces in the City.

After further consideration and having provided an opportunity for public comment, the Committee moved to recommended approval of the Ordinance to amend LAMC Section 42.15; instructing the RAP to post the appropriate signage once the Ordinance becomes effective; and instructing the RAP to make available a complete copy of LAMC Section 42.15 for review and copying as detailed in the above recommendations. This matter is now forwarded to Council for its consideration.

Respectfully submitted,

ARTS, PARKS, AND NEIGHBORHOODS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
KREKORIAN:	YES
WESSON:	YES
REYES:	ABSENT

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Not Official Until Council Acts