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MOTION

The Boardwalk at Venice Beach (Boardwalk) is world-famous for its free performances and public expression activities. The framework and protection for the Boardwalk's long tradition of performance and free speech is dependent upon Los Angeles Municipal Code (LAMC) Section 42.15 which prohibits most commercial vending on the Boardwalk but protects free speech activities and limited vending protected by the First Amendment.

LAMC Section 42.15 has been amended numerous times for the purpose of ensuring that visitors and residents alike are provided with the opportunity to visit a Boardwalk that is safe and enjoyable for all, and ensuring performers and expressionists are given every opportunity to express themselves. The narrow Boardwalk can accommodate only a limited number of performers and other activities protected by the First Amendment. Without the Venice Beach Boardwalk regulations prohibiting non-First Amendment vending, those engaging in First Amendment activities will be denied the ability to use Venice Beach Boardwalk for their constitutionally protected activities and visitors will have a less enjoyable experience.

After the most recent amendments to the LAMC Section 42.15, Council District Eleven became aware of illegal, commercial vending that was occurring on the Boardwalk as a result of vendors exploiting provisions in LAMC Section 42.15 designed to allow vending of items protected by the First Amendment.

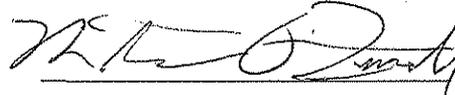
Unlawful and/or unregulated vending harms the Boardwalk and must be addressed because (1) tourists are deterred from visiting or shopping at the Boardwalk as they are approached, solicited and sometimes harassed by these vendors who may be competing unfairly; (2) due to the limited amount of space, unregulated vending prevents people from engaging in performance, art, advocacy or other expressive activities; (3) the tables, carts and stands belonging to persons engaged in vending impedes the orderly movement of pedestrian traffic and may make the Boardwalk unsafe by interfering with the City's ability to effectuate crowd management and control; and (4) unregulated vending causes visual clutter/blight and creates unnecessary, excessive and annoying noise on the Boardwalk.

In order to protect and enable lawful, first amendment activities and constitutionally protected vending, the City should amend LAMC Section 42.15 to address and eliminate the new forms of illegal commercial vending on the Boardwalk.

I THEREFORE MOVE that the City Attorney be requested to report to the City Council within the next 30 days with a status report on the latest proposed amendments and/or revisions necessary to the LAMC Section 42.15 to combat new forms of illegal commercial vending on the Venice Beach Boardwalk.

PRESENTED BY: 
MIKE BONIN
Councilmember, 11th District


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SECONDED BY: 

ORIGINAL