

Contact Information

Neighborhood Council: Downtown Los Angeles Neighborhood Council

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Date of NC Board Action: 12/09/2014

Type of NC Board Action: For if Amended

Impact Information

Date: 01/07/2015

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 14-1062

Agenda Date:

Item Number:

Brief Summary: DLANC supports the proposed amendment to Subdivision 3 of Subsection B of LAMC (which regulates commercial sales in parks to prohibit unpermitted commercial vending), but is concerned with the possible overlap between the subject matter of Council File 13-1493 and Council File 14-1062. As such, DLANC requests that the effective date of the proposed ordinance be delayed to after the City has resolved the issue of permitting street vending.

Additional Information



December 9, 2014

Council File 14-1062

Honorable City Council
c/o Office of the City Clerk
Los Angeles City Hall
200 North Spring Street, Room 395
Los Angeles, CA 90012

Dear Honorable Members,

The Downtown Los Angeles Neighborhood Council requests that the following Community Impact Statement be added to Council File 14-1062, regarding reinstatement of a ban on commercial vending in public parks.

COMMUNITY IMPACT STATEMENT

The Downtown Los Angeles Neighborhood Council (“DLANC”) generally supports the proposed amendment to Subdivision 3 of Subsection B of the Los Angeles Municipal Code (which regulates commercial sales and services in parks to prohibit unpermitted commercial vending), but is concerned with the possible overlap between the subject matter of Council File 13-1493 and Council File 14-1062. To the extent such overlap exists, DLANC requests that the effective date of the proposed ordinance be delayed to after the City has resolved the issue of permitting street vending as described in Council File 13-1493.

The proposed amendment to Subdivision 3 of Subsection B of the Los Angeles Municipal Code reinstates a ban on commercial vending in public parks by replacing a previously suspended vending ban that was suspended by ordinance on October 1, 2005, as a result of litigation. Federal courts have now clarified the legal standard applicable to the regulation of vending in parks and the proposed amendment is intended to ensure that the City’s regulation of vending in City parks is consistent with these recent court rulings. *See Motion.*

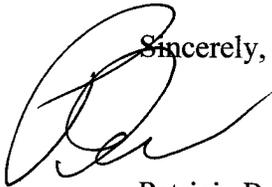
Unregulated vending in public parks may impede the public’s right to enjoy and recreate in parks and may cause visual blight and clutter. Further, if the City fails to prohibit the unregulated vending of commercial items and services, the City may face liability without the indemnity or recourse that is generally available to the City from the operators of an established, licensed or permitted business. Moreover, although we understand that it is not the intent of the City to prohibit the licensed and permitted sale of food, services or merchandise – it may be premature to enact the proposed ordinance before the issue of whether to permit street vending (as described in Council File 13-1493) is resolved. Accordingly, to the extent that there is overlap between the subject matter of Council File 13-1493 and Council File 14-1062, DLANC requests that the effective date of the proposed ordinance be delayed to after the City has resolved the issue of permitting street vending as described in Council File 13-1493.

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This Community Impact Statement is based on the action taken at the regularly scheduled Board of Directors meeting on October 14, 2014, when the Downtown Los Angeles Neighborhood Council adopted the following motion by a vote of 14 yes, 0 no, 3 abstaining and directed that a Community Impact Statement be filed reflecting its position.

Motion: “The Downtown Los Angeles Neighborhood Council generally supports the proposed amendment to Subdivision 3 of Subsection B of the Los Angeles Municipal Code (which regulates commercial sales and services in parks to prohibit unpermitted commercial vending), but is concerned with the possible overlap between the subject matter of Council File 13-1493 and Council File 14-1062. To the extent such overlap exists, DLANC requests that the effective date of the proposed ordinance be delayed to after the City has resolved the issue of permitting street vending as described in Council File 13-1493.”

Sincerely,



Patricia Berman
DLANC President

Sincerely,



Eric R. Garcia
DLANC Community Impact Committee Chair