

Communication from Public

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Date Submitted: 02/18/2020 05:26 PM
Council File No: 19-0002-S191

Comments for Public Posting: The Centers for Disease Control and Prevention (CDC) estimates that there are about 48 million cases of foodborne illness every year. <https://www.fda.gov/files/food/published/Most-Common-Foodborne-Illnesses-%28PDF%29.pdf>. —Note: Specialists enforce the requirements contained in the California Retail Food Code which is part of the California Health and Safety Code. It is modeled after the FDA "food code" which is based on the most current scientific knowledge of safe retail food handling practices. POINTS AND AUTHORITIES: SB946 - Prohibits cities from limiting the total number of vendors unless doing so is directly related to "objective health, safety or welfare concerns." <https://www.jdsupra.com/legalnews/california-cooks-up-sidewalk-vendor-law-54918/>. —51038- 51039. Prohibits local agencies from regulating sidewalk vendors except in accordance with Government Code Sections 51038 and 51039, and provides that existing ordinances regulating sidewalk vendors remain valid so long as they substantially comply with SB 946.4. It also states: (a) A local authority may adopt a program to regulate sidewalk vendors in compliance with this section. - (c) A local authority may, by ordinance or resolution, adopt additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns, including, but not limited to, any of the following: (1) Limitations on hours of operation that are not unduly restrictive. In nonresidential areas, any limitations on the hours of operation for sidewalk vending shall not be more restrictive than any limitations on hours of operation imposed on other businesses or uses on the same street. (2) Requirements to maintain sanitary conditions. The term "sanitary, (by definition: relating to the conditions that affect hygiene and health, especially the supply of sewage facilities and clean drinking water). Therefore this alone puts the "food vendor" - "Mobile Non-Permitted Unregulated Sidewalk Restaurants" under tents, camping in front of fully licensed and GRADED family restaurants who have paid fees, gained necessary permits to operate without unfair illegal competition on the doorstep or sidewalk in noncompliance of the laws that govern food preparation and with no water or bathrooms, and all required by Environmental Health Codes. This give an inspector the right ticket and require the "Food Vendor" to apply for Health Department Permits. SB946 Stated Requirements to maintain "sanitary conditions" This term "sanitary conditions" is a term open to enforce Environmental Health Code violations - CalCode regulates sanitary conditions, AND opens the interpretation to allow municipalities a way to govern and enforce the law. SB946 required local authority to adopt a sidewalk vending program to, among other things, not require a sidewalk vendor to operate within specific parts of the public right-of-way, except when that restriction is directly related to objective health, safety, or welfare concerns, and not restrict sidewalk vendors to operate only in a designated neighborhood or area, except as specified. The bill authorized local authority to, by ordinance or resolution, adopt additional requirements regulating the time, place, and manner of sidewalk vending, as specified, if the requirements are directly related to objective health, safety, or welfare concerns. Requirements necessary to ensure compliance with the federal Americans with Disabilities Act and other disability access standards; Requirements to obtain a permit or valid business license, possess a seller's permit from the California Department of Tax and Fee Administration, or obtain *additional licenses from other state or local agencies to the extent required by law; and/or Requirements that a sidewalk vendor submit information on his or her operations. —*Additional Licenses" is open to interpretation and this is where we recommend governing by Environmental Health for public health and safety laws of CalCode. -- CALIFORNIA RETAIL FOOD CODE, <https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/RetailFood/CRFC.pdf> - shows us how we can utilize existing CalCode to enforce Environmental Health Concerns. This gives the City, County and State a right to govern and a way to allow the local municipalities to enforce CalCode and protect the possibility of foodborne contamination to protect public health, safety and welfare concerns. —SANITARY CONDITIONS - 113719. Structural and sanitation requirements shall be based on the FOOD service activity to be conducted, the type of FOOD that is to be prepared or served, and the extent of FOOD PREPARATION that is to be conducted at the FOOD FACILITY. 3. 3. HEALTH DEPT. - "food vendors must comply with California Retail Food Code, which requires food vendors to obtain permits from the Department of Public Health CalCode.

So. Cal Restaurant Association Org.

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February 14, 2020

COUNCIL FILE NUMBER: 19-0002-S191

TITLE: California Government Code Section 51039/Flexible Local Municipality
Enforcement / Non-Permitted Vending Violations / Amendment
SB946 DOES NOT OVERRULE CALCODE

Honorable Los Angeles Council:

On behalf of the public that you honorably represent, we at So-Cal Restaurant Association Organization ask... How do we work as a Team with restrictions of SB946, using the Law for the Law to protect the integrity of food prepared and sold by Unsanctioned Non-permitted Street Food Vendors who continue to operate illegally, ignoring the new 2020 rules set forth by LA City Council, violating CalCode food requirements that endanger the public, knowing SB946 does not overrule CalCode. <https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/MEHKO/CALIFORNIA%20RETAIL%20FOOD%20CODE%202019.pdf>

CONCERN: FDA & AMA - Goal: Food Foodborne illness is a common, costly, sometimes life threatening—yet largely preventable—public health problem. Many outbreaks and individual cases of foodborne illness result from consuming the two most common types of foodborne pathogens: Bacteria, like Salmonella, Listeria, or E. coli | Viruses, such as norovirus or hepatitis A - Symptoms range from relatively mild discomfort to very serious, life-threatening illness. Anyone can get a foodborne illness. But, some people have a higher risk, such as pregnant women, young children, older people, and those with weak immune systems. The Centers for Disease Control and Prevention (CDC) estimates that there are about 48 million cases of foodborne illness every year. <https://www.fda.gov/files/food/published/Most-Common-Foodborne-Illnesses-%28PDF%29.pdf>.

—Note: Specialists enforce the requirements contained in the California Retail Food Code which is part of the California Health and Safety Code. It is modeled after the FDA "food code" which is based on the most current scientific knowledge of safe retail food handling practices.

POINTS AND AUTHORITIES:

1. **SB946** - Prohibits cities from limiting the total number of vendors unless doing so is directly related to “objective health, safety or welfare concerns.” <https://www.jdsupra.com/legalnews/california-cooks-up-sidewalk-vendor-law-54918/>.

—**51038- 51039.** Prohibits local agencies from regulating sidewalk vendors except in accordance with Government Code Sections 51038 and 51039, and provides that existing ordinances regulating sidewalk vendors remain valid so long as they substantially comply with SB 946.4. It also states:

- (a) A local authority may adopt a program to regulate sidewalk vendors in compliance with this section. -
- (c) A local authority may, **by ordinance or resolution**, adopt additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective **health, safety, or welfare concerns**, including, but not limited to, any of the following: (1) Limitations on hours of operation that are not unduly restrictive. In nonresidential areas, any limitations on the hours of operation for sidewalk vending shall not be more restrictive than any limitations on hours of operation imposed on

other businesses or uses on the same street. (2) Requirements to maintain **sanitary conditions**. The term **“sanitary, (by definition: relating to the conditions that affect hygiene and health, especially the supply of sewage facilities and clean drinking water).** Therefore this alone **puts the "food vendor" - “Mobile Non-Permitted Unregulated Sidewalk Restaurants” under tents, camping in front of** fully licensed and GRADED family restaurants who have paid fees, gained necessary permits to operate without unfair illegal competition on the doorstep or sidewalk in noncompliance of the laws that govern food preparation and with no water or bathrooms, **and all required by Environmental Health Codes. This give an inspector the right ticket and require the “Food Vendor” to apply for Health Department Permits.**

SB946 Stated Requirements to maintain **“sanitary conditions”** *This term “sanitary conditions” is a term open to enforce Environmental Health Code violations - CalCode regulates sanitary conditions, AND opens the interpretation to allow municipalities a way to govern and enforce the law.*

SB946 required local authority to adopt a sidewalk vending program to, among other things, not require a sidewalk vendor to operate within specific parts of the public right-of-way, **except when that restriction is directly related to objective health, safety, or welfare concerns**, and not restrict sidewalk vendors to operate only in a designated neighborhood or area, except as specified. The bill authorized local authority to, **by ordinance or resolution, adopt additional requirements regulating the time, place, and manner of sidewalk vending, as specified, if the requirements are directly related to objective health, safety, or welfare concerns.** Requirements necessary to ensure compliance with the federal Americans with Disabilities Act and other disability access standards; Requirements to obtain a permit or valid business license, possess a seller’s permit from the California Department of Tax and Fee Administration, or obtain ***additional licenses** from other state or local agencies to the extent required by law; and/or Requirements that a sidewalk vendor submit information on his or her operations.

—*“Additional Licenses” is open to interpretation and this is where we recommend governing by Environmental Health for public health and safety laws of CalCode.

SB 946 explicitly states “...perceived community animus or economic competition does not constitute an objective health, safety, or welfare concern.” TO this we state as representative of restaurants, who abide by health code practices, we are not approaching this with animus. Perceived community **animus (hostility or ill feeling) is not our position.** Our concerns have been consistent on the Public Health and Safety for possible foodborne illness as described by the FDA and AMA and the absolute laws of “CalCode” for objective health, safety or welfare concern.

— *The term “welfare” by definition is the health, happiness, and fortunes of a person or group, therefore, we as restaurant owners ask that these “food vendors” abide by the same grading system in place as brick and mortar with CalCode to protect the citizens for which these guidelines were written and we will all work among each other with health happiness and fortunes, for which IS AB946 purpose.* <https://cchealth.org/eh/food/pdf/calcode.pdf>. -

2. CALIFORNIA RETAIL FOOD CODE, <https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/RetailFood/CRFC.pdf> shows us how we can utilize existing CalCode to enforce Environmental Health Concerns. This gives the City, County and State a right to govern and a way to allow the local municipalities to enforce CalCode and protect the possibility of foodborne contamination to protect public health, safety and welfare concerns.

—SANITARY CONDITIONS

1. **113719.** Structural and sanitation requirements shall be based on the FOOD service activity to be conducted, the type of FOOD that is to be prepared or served, and the extent of FOOD PREPARATION that is to be conducted at the FOOD FACILITY.

2. **113725. Food facility inspection format**

(a) The ENFORCEMENT AGENCY shall utilize a standardized FOOD FACILITY inspection format for FOOD FACILITY inspections that includes all of the following:

- (1) The name and address of the FOOD FACILITY.
- (2) Identification of the following inspection criteria, which shall be the basis of the inspection report:
 - (A) Improper holding temperatures of POTENTIALLY HAZARDOUS FOODS.
 - (B) Improper cooling of POTENTIALLY HAZARDOUS FOODS.
 - (C) Inadequate cooking of POTENTIALLY HAZARDOUS FOODS.
 - (D) Poor personal hygiene of FOOD EMPLOYEES.
 - (E) Contaminated EQUIPMENT.
 - (F) FOOD from unAPPROVED SOURCES.

3. HEALTH DEPARTMENT - "Vendors must comply with a city's laws when vending in that city and the County's laws when vending in unincorporated areas. Vendors must also comply with state laws. For example, **food vendors must comply with the California Retail Food Code**, which requires food vendors to obtain permits from the Department of Public Health" <https://dcba.lacounty.gov/sidewalkvending/>.

—To date, Very few vendors have applied for the necessary HEALTH DEPARTMENT PERMITS. *We ask why are food vendors allowed to continue placing the public in danger of food borne illnesses? What was once illegal, is now legal and laws are already in place and must be enforced to protect Public Health Safety or welfare concerns.* **CLOSURE:** Other than vermin, the "No Water/Hot Water" - California Health and Safety Code Section 114192 is the number 2 reason for health inspection closures. This alone is immediate closure. This must be implemented under "Health, safety, or welfare concerns based solely on the recommendations by FDA, AMA standards for prevention of foodborne illness. **Can we use this?** <https://cap-press.com/pdf/Tour-Sarkissian%20CA%20Restaurant%20Law%202017%20supp%20WM.pdf>

4. LOS ANGELES: Using 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 traditional First Amendment activities. http://clkrep.lacity.org/online/docs/2013/13-1493_ord_draft_07-02-2018.pdf.

—**URGENCY CLAUSE.** Sec. 5. - The City Council finds and declares that this ordinance is required for the immediate protection of public peace, health and safety for the following reason: Many people are currently vending in the City of Los Angeles **without regulations which are needed to protect the health and safety of the public** and vendors. Regulations requiring the placement of vending equipment on approved City sidewalks will provide sufficient space for safe passage of pedestrians walking by a vendor and his or her equipment. **Regulations requiring vendors who sell food to complete a course in the proper way to handle food and requiring the Los Angeles County Department of Public Health to approve food carts used in the City will help prevent foodborne illnesses caused by the improper handling of food by vendors.** (b)12 In order for the City of Los Angeles to protect the health and safety of its residents, the Sidewalk Vending Program must become effective as soon as possible. For all these reasons, the ordinance shall become effective upon publication pursuant to Los Angeles Charter Section 253. ***Why is this being ignored? How can we use this to allow the municipalities to exercise the laws already in place in 2020 for the protection of health, safety or welfare concerns?***

5. LOS ANGELES CITY AND COUNTY INSPECTOR SAFETY: Perhaps the allowance of "Big Setups by Street Food Vendors" is dangerous. A direct complaint by Environmental Health is that their inspectors are in danger. Health departments inspectors cannot do anything about big setups, stating "We as the inspector are attacked verbally, with hostility by the line of people who go after the inspector for shutting down their food, while they are waiting to order and eat." **About the food** - "What am I as the inspector going to do with all the food?, and then there is all the paperwork?" **Why isn't this being addressed?**

6. STREET SERVICES: The visual site of Every Cart must not exceed a length of 72 inches, a width of 54 inches, or a height, including roof or awning, of 78 inches, **ONE PER LOCATION: Why isn't the visual**

sight of multiple cooking carts, propane, gas generators, un-permitted tents, no hand washing sink, no temperature control for cooking or hot holding, lack of basic food safety knowledge, bacteria allowed to grow unchecked, food exposed to contamination like unwashed hands, bird droppings, insects, dirt and dust, sneezes/coughs, dirty utensils undercooked food and food from un-inspected and unapproved sources **enough to close** them immediate? COMMON SENSE VISUAL ENFORCEMENT.

—**Permits for tents though building and safety** - Many Tents take up the entire side walk. With Wind driven accidents when the tent flies into oncoming traffic or to the sidewalk and people in harms way. There are rules in place for Health and Safety. RIGHT NOW: *a Vendor is considered Temporary.*

—*Considering the Tents are currently without Building and Safety permits, music being played loudly and seating provided - Consideration is that they are now Special Events (TSE) are a temporary use of building, property, or public way for the express purpose of allowing it to be used on a limited basis. As of January 2014, the current cost to file an application with LADBS is \$137.80 per event. Permits are required for temporary special events within the City that are not more than 5 days. The following qualify as a TSE, provided they have a maximum duration of 5 consecutive days: Tents or canopies, larger than 450 square foot, on a residential property. Tents or canopies, larger than 12 feet in length or width, on a commercial property. <https://www.ladbs.org/services/core-services/plan-check-permit/types-of-plan-checks-permits/special-event-permit>. **Tickets must be given to those whose Tents exceed the vendor plans as stated by the new vending ordinance.***

LOS ANGELES: —City of Los Angeles Sidewalk Vending Rules: <https://streetsla.lacity.org/sites/default/files/Flyer.pdf>. There are no specifics about the food vendors requirement for a “Health Department permit which shall be attached to and prominently displayed on each Cart in use by a Vendor to sell Food” as per the ordinance. There is no mention of grading. ***This needs to change and upgrade with CalCode recommendations TO encourage “food vendors” to apply for the Health Department Permit with a letter grade.*** At the moment of visual inspection, if there is a vendor permit, but **NO Health Permit with a Letter Grade, and the Vendor IS PREPARING FOOD**, then the VENDOR must lawfully immediately cease operation, as per CalCode. This is a violation according to **SB946 - 51038-51039** - Stated Requirements to maintain “**sanitary conditions**” **AS by definition, This term “sanitary conditions” is a term to enforce Environmental Health Code violations, Ticketing and closure - CalCode regulates sanitary conditions, AND opens the interpretation to allow municipalities a way to govern and enforce the law. We must use this for Street Services.**

In the City of Fresno, a police escort is a normality to an illegally operating food vendor which is necessary for safety. They as a City and County are working together educating the public providing flyers reading “Food Safety is Important to Your Health - Eating from illegal vendors can make you and your family SICK. Prevent food-borne illnesses by avoiding food sold from illegal food vendors”. If a food vendor ignores the permitting system, including CalCode, their permits are revoked, and the carts are confiscated. They also have a provided location for all food vendors to meet with a commissary. Why is Los Angeles afraid to act on the laws that govern food safety?

What is a mobile food facility? Mobile food facilities include “high risk” vendors such as mobile food preparation unit vehicles, which are full-service food vehicles such as catering, taco or soft-serve ice cream trucks; limited food service vehicles, which are cooked-to-order carts that prepare food in an open manner, such as tacos and bacon-wrapped hot dogs; and food carts that prepare and serve steamed hot dogs. These are considered “high risk” because of the types of food offered and the high degree of food handling and preparation. <http://www.publichealth.lacounty.gov/docs/MobileFoodFacilityGrading.FAQ.ENGLISH.pdf>. ***When did this definition change?***

7. FIRE PERMITS - With heightened fire danger, using fryers, multiple propane stoves, multiple gas generators for lights, and **OPEN FLAME** full fire wood BBQ pits on streets ARE DANGEROUS. With this illegal practice, they are currently a FIRE, HEALTH, SAFETY AND WELFARE CONCERN. This alone should be reason to separate this from the vendor law, and become regulated as any restaurant with fire and safety concerns. <https://www.lafd.org/fire-prevention/industrial-and-commercial>. This must be

addressed since it is a common way of the Street Food Vendors preparation of food over unsanitary and unsafe locations.

8. FOOD DELIVERY/FOOD POISONING COMPLAINTS: *The illusion that every STREET FOOD VENDOR is Sanctioned by Public Health on sites like YELP etc., the consumer, may purchase food that is tainted with cross contamination of raw and cooked foods. The blatant disregard for Food Safety, the cleanliness factor alone setting up over contaminated surfaces, where when disturbed may send off spores of human feces and urine into the food that is being cooked... (especially since we are having a homeless issue, and it is no longer an offense to use the street as a "toilet") and this alone should make the our city council worried about the health and safety of the food prepared on a public sidewalk.

—Although SB946 allows Street Food Vendors any location to operate. The **LOURE** of existing customers from Brick and Mortar business and THE BLATANT use of their address these vendors are establishing themselves on YELP, INSTAGRAM, Grub Hub and utilizing the PICK-UP AND DELIVERY business, using registers, collecting UNREPORTED cash sales. Not only are they using the internet to promote the sale of the *sidewalk food business in front of existing permitted business that s not only financially hurtful, but the address is now used for complaints byTHEIR CLIENTS when food poisoning is reported* - This puts the brick and mortar in violation, major inspection and closure until the site is deemed safe, even though the food is proven to be sold by the street vendor. The complaint is directed solely on the address. **This must be addressed and changed.**

Today, local restaurants are losing essential business due to blatant use of street and sidewalk space in front of existing PERMITTED business. Financial loss is resulting in layoffs, and possible financial ruin, leading to CLOSURES. This will cause possible Commercial vacancy and loss of tax revenue for LOS ANGELES and for the STATE.

<http://www.publichealth.lacounty.gov/eh/docs/RefGuideFoodInspectionReport.pdf> **Public Education for PREVENTION OF FOOD BORNE INFECTIONS - DISEASE - CONTAMINATION** <https://www.cdc.gov/foodsafety/foodborne-germs.html>. **Health Code Requirements for. Health Code Requirements. Community Events in LA County - including Farmers Markets.** <http://www.publichealth.lacounty.gov/eh/docs/Events/EventRequirements.pdf> **County of Los Angeles · Department of Public Health ENVIRONMENTAL HEALTH. FY 2019-2020 PUBLIC HEALTH AND FINANCIAL MANAGEMENT FEE SCHEDULE.** <http://publichealth.lacounty.gov/eh/docs/LicensePermitFees.pdf> **Cottage Food Operation - AB 1616.** <http://www.publichealth.lacounty.gov/eh/misc/CAHomemadeFood.htm>

*In the sale of complete menu driven food. The full on operation offers a more than one type of food, thus, competition for customer is a MAJOR CONCERN. The right to operate in the normal and customary way of doing business is difficult when the STREET FOOD VENDOR - **Mobile Unregulated Un-permitted Restaurant Camping in front of the brick and mortar business** can freely operate in front of business district without police, fire, health, or regulations making this a complete free for all . The losers are those who follow the law. WE must protect the community for which an life savings has been made to improve the economy, provide jobs, and with paid fees that pay for inspectors.*

DISCUSSION AND RECOMMENDATIONS:

SB946 DOES NOT OVERRULE CALCODE. Until there is an amendment to SB946, how can we work around what the state is permitting? Who is this law protecting, the lawful or the unlawful? The decriminalization of street vendors, was not to ignore the laws that govern food prepared on the street that ignore public health safety or welfare. CalCode takes precedence. The law is protection.

By Los Angeles allowing a 6 month grace period for vendors to apply for permits, outreach and education, since January 2020 there has been an outburst of lawlessness. According the Environmental Health, applications for Health Department Permits do not match the growth of more street vendors who are operating a full on restaurant business on the sidewalks. The blatant fact that the Environmental Health Department, Public Health Inspector has no jurisdiction over the Street food vendor, unless there is an application or an actual permit with an address to monitor and enforce the County or state CalCode. We ask for both the City and County administrators meet together and discuss the process of working hand and hand. Ignorance at this level of government is not acceptable. WE would like to facilitate a meeting. Will you join us?

The flaw by fear of breaking with SB946, is just that. We cannot fear what is right. Los Angeles City, County and the State can no longer blatantly IGNORE "CalCode", basic food safety. First we have to ask ***"Why is there no reference to Cal Code in SB946?"*** Then we have to look at the law and interpret it using existing laws in place that supersede this law to protect the public health, safety, and welfare concern. <https://emd.saccounty.net/EH/FoodProtect-RetailFood/Pages/CalCode.aspx> - The stated goal of the Food Protection Program is to ensure that the food sold and served is safe, wholesome, and produced under sanitary condition. We cannot wait for an outbreak of foodborne illness of a Restaurant under a tent on the street "Street Food Vendor". What if this happens on our watch? We ask, Is it going to take a reported Death to deal with the issue? We as a whole cannot ignore the recommendation by the FDA & AMA as stated above.

We must support the written Los Angeles Council Resolution by Councilman Lee to amend SB946, and the motions made by Councilman Koretz - requesting allowance and freedom of our local municipalities to do their job, remembering that what was once illegal was based solely on health, safety and and resolve this deliberate omission of protected Cal Code enforcement. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB946 *See attached Street Vending CLA Report.pdf

Street Services need our help and must work along side the Health Department. They must be given jurisdiction to honor the law that protects the public from anything that may cause physical harm. With growth of new street food vendors now preparing food literally on streets, over **red curbs**, etc.. and with the amnesty of six (6) months, we know that afterward, if there is no support for our municipalities to prevent criminal activity, with only 311 complaint overload and little personal to deal with the whole of 88 cities, In the Los Angeles where most restaurants are located when compared to other cities and counties in the whole of California... WE have to have to hire more inspectors to deal with the growing enterprises. *In essence SB946 has opened the door, with legality, to harm the public by ignoring the Public Health Department Rules and Regulations to prevent outbreaks of food borne illness which include food borne illness as described by the FDA and AMA. CalCode - <http://publichealth.lacounty.gov/eh/DSE/RetailFoodInsection/desfood.htm>*

*"In our opinion, the City as lost site of the finances and services. How can the city sustain inspectors, if the money comes from fees paid. It is an inspection fee for service, which are used to hire inspectors. Unlicensed vendors are relieved because there is no money generated. "We are providing education, without giving dates for compliance." - **Street Services 1/2020***

*"Police need to present with Health Department inspectors to safely approach the Street Vendor while we address issue to protect us against the growing criminal element. There has to be structured sweeps organized" - **Health Department Inspector 1/2020***

*The political arena is pushing politicians to ignore laws already in place. What is benefit? **Los Angeles Police Department 1/2020***

*"The danger of multiple gas generators along side propane tanks, BBQ pits using open flame is a major concern. Our hands are tied and this must be addressed." **1/2020 Fire Department Captain***

It is also a concern of our restaurant owners asking why is our city and county allowing unfair business practice, when this illegal practice is resulting in loss of permitted business revenue? Why, with fire danger, is the City and County allowing open flame bbq pits on the streets, without a sanctioned place to serve and protect the integrity of the food being served to the public?

With a permit fees reduced for six months (equalling just under a dollar a day) our city is allowing these STREET FOOD VENDORS - *MOBILE UNREGULATED STREET RESTAURANTS OPERATING UNDER TENTS to operate without paying any rent.* WHY ARE THEY ALLOWED TO OPERATE RENT FREE? It is with permit fees that more inspectors can be hired to regulate and prevent additional Street Food Vendors violations - With the cost of high rents, property taxes, permit fees from both the county and city to be in business, and add the employee costs, employment tax, water and power, gas, sanctioned food costs, and much more to even remain in business, is the city more concerned with the rights of those who do not follow the law and are a **HEALTH, SAFETY, FIRE AND WELFARE CONCERN.**

Does our fine City and County of Los Angeles realize that by allowing RENT FREE UNSANCTIONED STREET RESTAURANTS who are a danger to the public, they are now liable for any accidents, injury or illness that may occur? The unfair practices by our government, by not doing something, they are saying **“we are permitting this illegality to continue.”** Without action, even with said regulations in place, the fact that they are now operating and accumulating more and more sites after 5 p.m., this is a bigger issue. Otherwise, what is being said it that after 5 p.m., it is ok to break the. We must abide by the law remembering ***SB946 DOES NOT OVERRULE CalCode.***

Unless we work together and consider all the possibilities presented in this presentation, **This will not end, just like the homeless issue, medical marijuana issue and WITHOUT ENFORCEMENT, this illegal activity of unsanctioned unregulated street vendors under tents who operate as full restaurants,** our City is now the place to live freely without law and it is okay.

WE are hopeful that by providing an illumination of these considered thoughts, along with the links to the information that supports our concerns, it will be open to discussion with these points and authorities. We are encouraging the City and County to work with the departments that are set forth to govern and protect, using each resource under the law from City of Los Angeles, County of Los Angeles, Environmental Health, Street Services, Fire Department, Police and Building and Safety,

Concerned and Hopeful,

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