

# City of Los Angeles

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## Presentation on Sidewalk Vending

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June 18, 2015

# Background

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- Motion (Price-Huizar-Buscaino)
- Economic Development Committee Meeting (May 13, 2014)
  - First Status Report: Initial Community Input/Other Cities
- Economic Development Committee Meeting (December 2, 2014)
  - Second Status Report: Potential Framework
  - Instructions for Additional Community Input

# Current Sidewalk Vending Governance and Enforcement

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- Los Angeles Municipal Code
  - Current Law
  - Definitions
- City of Los Angeles Enforcement
  - Department of Public Works – Bureau of Street Services
  - Los Angeles Police Department
  - City Attorney – Administrative Citation Enforcement (ACE)
- Los Angeles County Enforcement
  - Los Angeles County Department of Public Health

# Response by LAPD and County Health Department Street/Sidewalk Vending Complaints

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- **Los Angeles Police Department**

- **Calendar Year 2014**

- 892 Citations Citywide
- 88 % of Citations ( 759)
  - Central Area (257)
  - Newton Area (239)
  - Rampart Area (263)
  - Hollywood Area (30)

- **County Public Health Department**

- **Calendar Year 2014**

- 2065 Complaints City of LA
  - Foothill (298)
  - Newton (275)
  - Rampart (186)
  - Hollenbeck (155)

\* Citations could include food trucks and carts on the street, alleyways and parks.

# Partial List of Organizations Providing Public Input

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- Central City Association
- Coalition for Humane and Immigrant Rights LA
- Downtown Business Improvement District (BID)
- Downtown Neighborhood Council
- East LA Community Corporation
- Highland Park BID
- LA Fashion District BID
- Leadership for Urban Renewal Network (LURN)
- Los Angeles Food Policy Council
- Los Angeles Metropolitan Churches
- Occidental College
- Public Counsel
- RISE LA
- South Park BID
- Street Vending Steering Committee

# General Issues Identified through Public Input Relative to Sidewalk Vending

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- Enforcement
- Trash and Abandoned Equipment
- Dumped Food
- Congestion
- ADA Concerns
- Potential Liability
- No taxes paid
- Harassment by Police and Businesses
- Extortion by Gangs and Businesses
- Need for Information
  - Business
  - Permits
  - Regulations
- Inadequate Equipment
- Food Safety

# Request for Additional Community Input

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1. Should the City continue to enforce existing sidewalk vending laws?
  - Municipal Code Section 42.00 (b)
  - Municipal Code Section 42.00 (m)
  - Complaint Driven
2. Should the City continue to prohibit sidewalk vending and increase enforcement?
  - More investigators?
  - More police officers?
  - Increased Penalties and Fines?
3. Should the City allow sidewalk vending?
  - Should the City establish regulations?
  - Should the City provide training and education?
  - Should enforcement be changed?

# 1. Status Quo

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Should the City to continue to enforce existing sidewalk vending laws?

- Municipal Code Section 42.00 (b) prohibits vending on City sidewalks and streets
- Municipal Code Section 42.00 (m) allows for the establishment of Special Sidewalk Vending Districts
- Complaint Driven



## 2. Status Quo and Increase Enforcement

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- Should the City to continue to enforce existing sidewalk vending laws?
  - Municipal Code Section 42.00 (b) prohibits vending on City sidewalks
  - Municipal Code Section 42.00 (m) which allows for the establishment of Special Sidewalk Vending Districts

AND

- Increase enforcement (complaint driven or patrol)?
  - Street Services Investigators
  - Police Officers
  - Penalties, Fees
  - Task Force

# 3. Program Elements Requiring Additional Input

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## Should the City allow sidewalk vending?

- **Regulation**

- Placement
- Fees and Permits
- Hours of Operation
- County Health Requirements

- **Training and Education**

- General Education about the program
- Food Handler's Certification
- Business Education
- State Seller's Permit
- City Business Tax Registration

- **Enforcement**

- Type and level
- Multi- Agency Coordination

## REGULATION

# Sample Placement Provisions

(Requested by the Economic Development Committee)

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- No vending stand shall be situated near a curb with the back of said stand situated not less than 18 inches nor more than 24 inches from the edge of the curb. Additionally, no stand shall violate the following provisions:
    - Within 5 feet of any marked crosswalk;
    - Within 5 feet of the curb return of any unmarked crosswalk;
    - Within 5 feet of any fire hydrant, fire call box or other emergency facility;
    - Within 5 feet ahead and 45 feet to the rear of any sign marking a designated bus stop. No stand shall be installed within the marked bus zone;
    - Within 5 feet of any bus bench.
    - Within 10 feet of any transit shelter.
  - In front of an entrance to a business, including the curb area directly across from such entrance where the distance between the entry door and the stand is less than 10 feet;
  - In any location used, marked or posted for public utility purpose, public transportation purpose or government use;
  - Where placement unreasonably interferes with the use of poles, posts, traffic signs or signals, mail boxes or other objects legally permitted, but in no event shall the stand be closer than one foot from such objects;
  - Where placement interferes with the reasonable use or utility for display purposes of any display window of any building abutting the sidewalk or parkway, but in no event within 4 feet of such window;
  - Within 5 feet of any area improved with lawn, flowers shrubs, trees or street tree well;
  - Within 5 feet of any driveway;

Source: Bureau of Street Services

## REGULATION

# Sample Placement Provisions (Cont'd)

(Requested by the Economic Development Committee)

- Within 4 feet of any outdoor dining areas or patio dining areas;
- Within 20 feet of both sides of buildings officially designated Los Angeles Historical or Cultural Monuments. If there is a block in which all buildings have been so officially designated, then the Board, in consultation with the Cultural Heritage Commission, shall determine siting on such block face for up to four (4) stand. An owner of a building which has been designated as a Historical or Cultural Monument may petition the Board of Public Works to allow stand on the sidewalks in front of their building if the placement of such stand will not interfere with Historic or Cultural nature of the building. The Board shall listen to evidence from all interested parties and make its determination based on the totality of the evidence.
- Within 20 feet of both sides of visual public art work created, funded or managed through the City's Municipal Art Program including, but not limited to, murals, sculptures and fountains.
- Where placement impedes the flow of pedestrian traffic by reducing the clear space to less than 6 feet or, impedes access to or the use of abutting property, including, but not limited to, residences and places of business.
- Notwithstanding any other paragraph of this subdivision, no person shall install, use or maintain any stand where placement endangers the safety of persons or property.
- No stand shall be installed within 4 feet from any permanently installed structure in the public Right-of-Way, which is not otherwise specifically identified in this subdivision.
- Within one foot of any utility cover, vent screen or other object that is flush mounted with the sidewalk, except that if the owner or person in control of the below grade sidewalk installation needs additional space for emergency or non-routine maintenance of the installation, any stand which interferes with such maintenance may be requested to be temporarily removed to accommodate the required maintenance and then be reinstalled.
- Within 4 feet to the front and 10 feet to the rear of any parking meter and where there are no parking meters on the curb, 10 feet from the front of any marked parallel parking place.

Source: Bureau of Street Services

# Fees and Permits

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- If a sidewalk vending program is adopted by the City Council, fees could be established to support the cost of the program. A fee study would be conducted with fees to be determined depending on the scope of the program.
- The total number of permits, number of permits issued per entity or individual, the parameters and limitations on the number of permits per sidewalk, and other requirements related to the place, time and manner for vending on City Sidewalks, are to be determined by yet-to-be developed guidelines to be prepared by the Bureau of Street Services and subject to City Council approval.

# Sample Hours and Days of Operation

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- Hours and days of operation may vary by location and are subject to guidelines established and approved by the City Council.
  - Examples of existing Street Vending Programs
    - San Francisco: 6:00 AM – 3:00 AM
    - Chicago: 5:00 AM – 2:00 AM

## EDUCATION

# Sample Curriculum and Training Program

(As Requested by the Economic Development Committee)

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### **Series 1 (Required)**

- Rules and Regulations
- Permit Process, costs and requirements
- Business Tax Registration, Insurance and State Seller's Permit
- Requirements of Vending Equipment and Food Production
- Introduction to Resources

### **Series 2 (Optional)**

- Business Plan
- Finance and Accounting
- Marketing/Web/Social Media
- Preparation for Loan Qualification
- Taxes and Government Regulation

Source: Economic and Workforce Development Department

## ENFORCEMENT

# Agencies Responsible for Enforcement

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- Public Works Department ~ Bureau of Street Services
  - Street Services Investigators
- Los Angeles Police Department
  - Police Officers
- City Attorney
  - Administrative Citation Enforcement Program



# Bureau of Street Services

## - Preliminary Enforcement Options-

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### Under Any Sidewalk Vending Model

- Option 1
  - Additional 5 Investigators
    - Dedicated to specifically respond to Sidewalk Vending complaints (\$500,000)
- Option 2
  - Additional 9 Investigators
    - Dedicated to specifically respond to Sidewalk Vending complaints and engage in minimal patrol of specified areas. (\$900,000)
- Option 3
  - Additional 17 Investigators
    - Dedicated to proactively patrol specified pre-designated areas. (\$1.7 Million)

*Source: Bureau of Street Services*

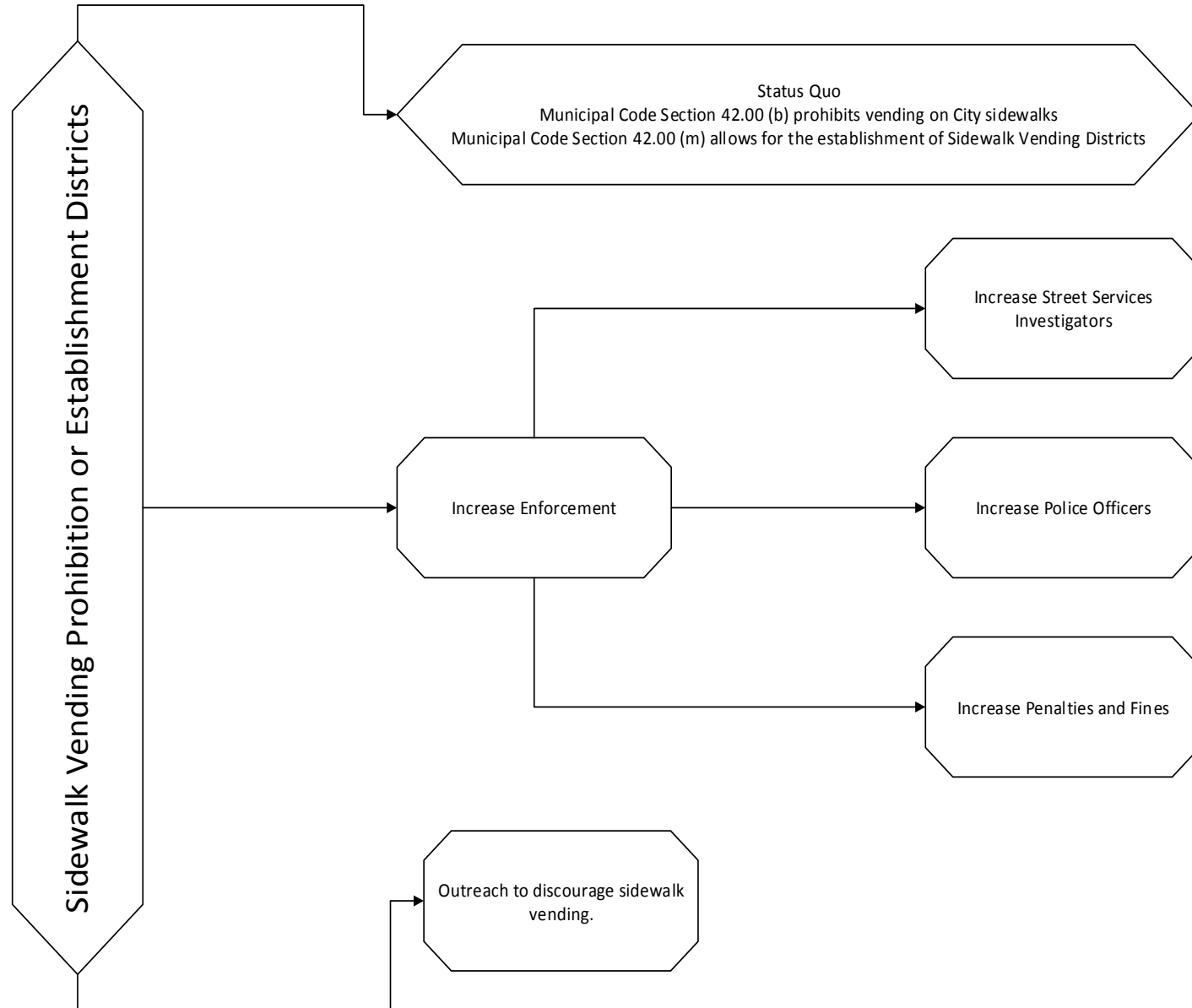
## DESIGN MODELS

# Sidewalk Vending Models

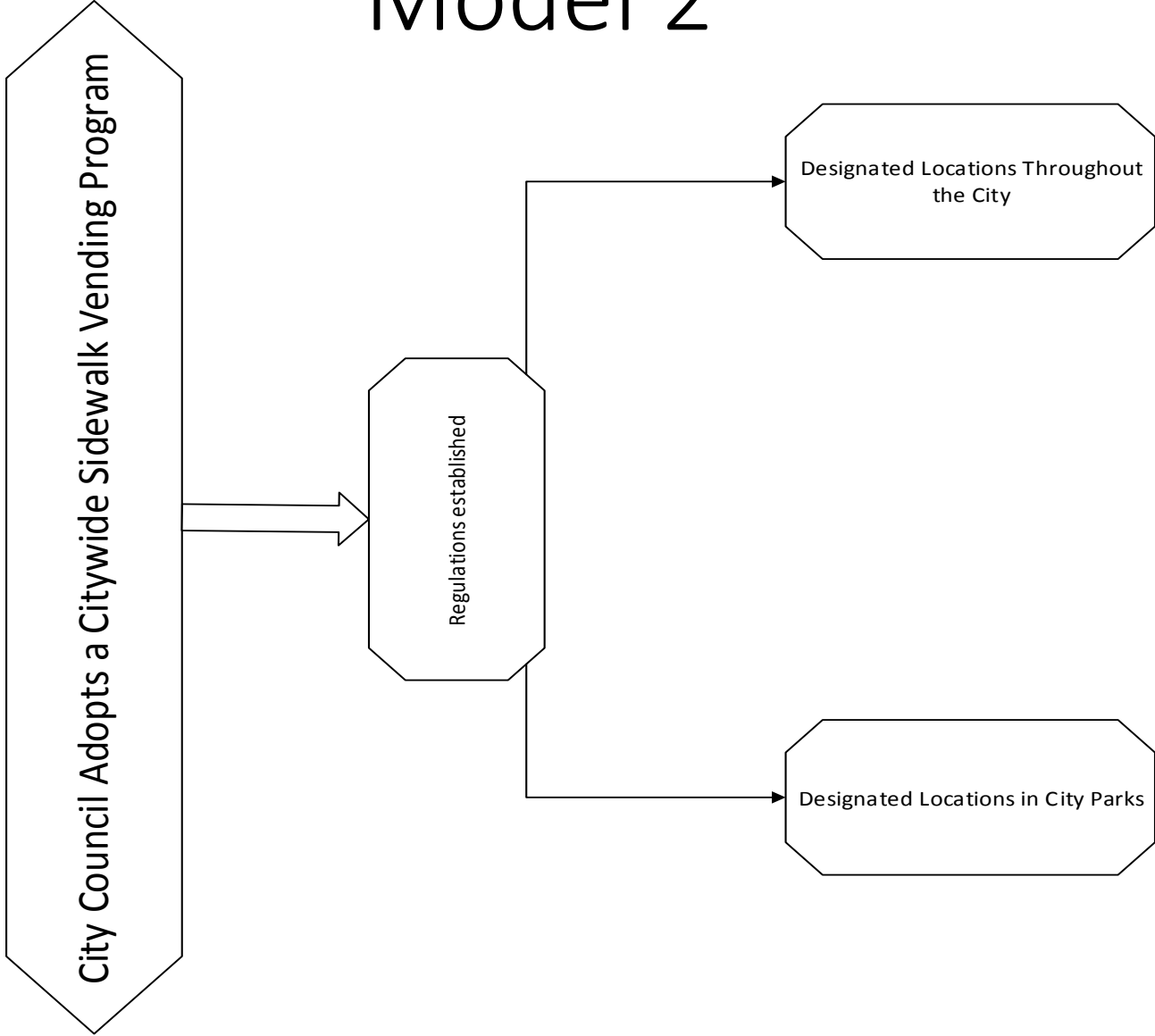
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- Model 1
  - Sidewalk Vending Status Quo
    - Municipal Code Section 42.00 (b) prohibits vending on City sidewalks
    - Municipal Code Section 42.00 (m) allows for the establishment of Special Sidewalk Vending Districts
    - Increased Enforcement
    - Outreach and Education to discourage illegal sidewalk vending.
- Model 2
  - Sidewalk Vending Permitted Citywide
  - General regulations and procedures established for Citywide Sidewalk Vending Program
    - Application and fee process designed for individual locations throughout the City
    - Enforcement regulations, penalties, and fines established for Citywide Program
- Model 3
  - Community Driven Model
  - Communities throughout the City submit sidewalk vending proposals for Council approval

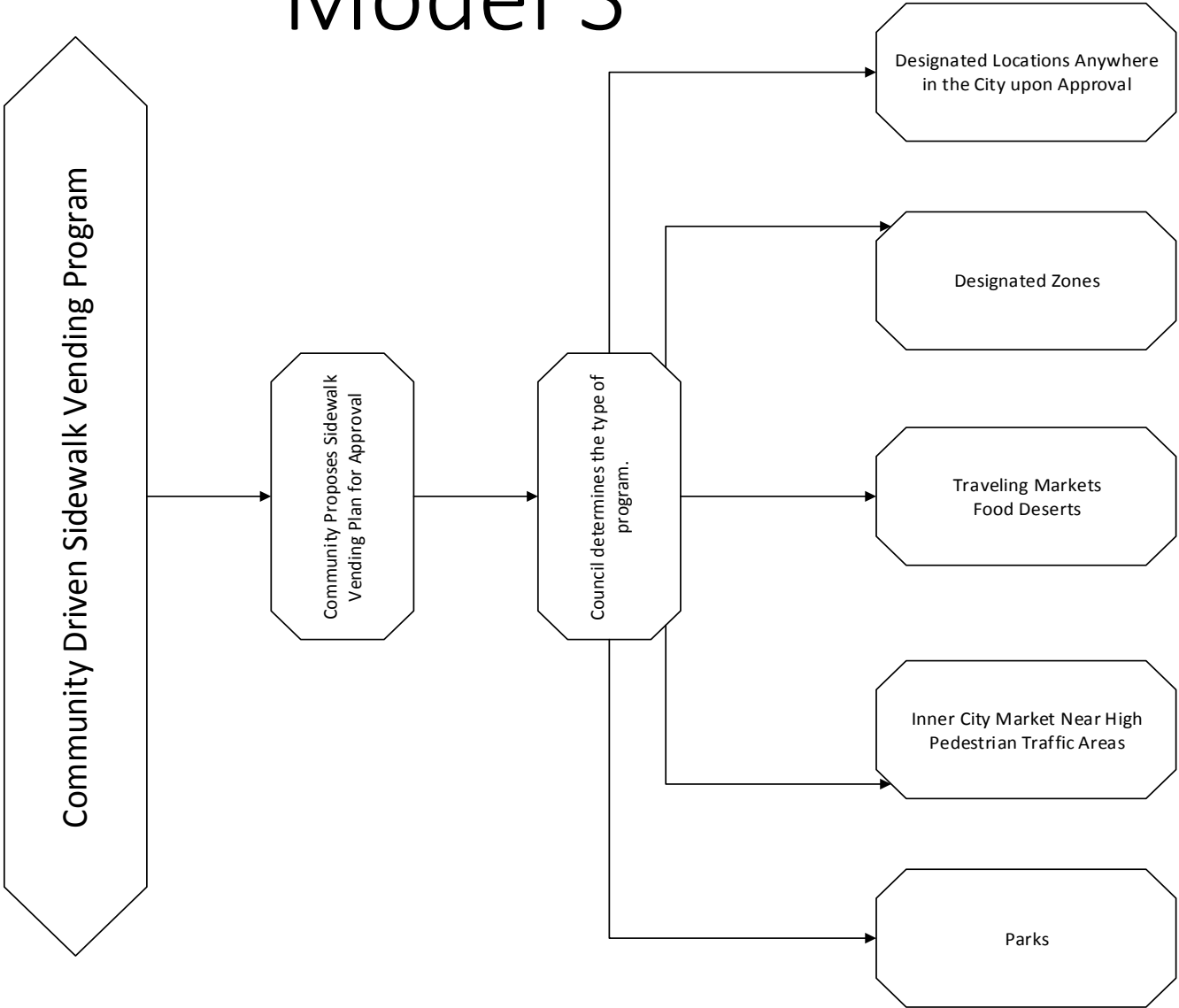
# Model 1



# Model 2



# Model 3



Sidewalk.Vending@lacity.org

<http://sidewalkvending.lacity.org>

**Thursday, May 28, 2015**

Chicago Building  
Boyle Heights City Hall  
2130 E. 1st Street  
Los Angeles, 90033  
6:00 P.M to 8:00 P.M

**Thursday, June 18, 2015**

Los Angeles City Hall  
John Ferraro Council Chambers  
200 N. Spring Street  
Los Angeles 90012  
6:00 P.M to 8:00 P.M

**Thursday, June 11, 2015**

Van Nuys City Hall  
14410 Sylvan Street  
Van Nuys 91401  
6:00 P.M to 8:00 P.M

**NEW LOCATION**

**Thursday, June 25, 2015**

Watts Labor Community Action Committee  
Phoenix Hall  
10950 S. Central Avenue  
Los Angeles, CA 90059  
6:00 P.M to 8:00 P.M