

MOTION BY SUPERVISORS HILDA L. SOLIS AND
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November 7, 2018

Sidewalk Vending Assessment and Recommendations (SB 946)

On September 17, 2018, Governor Jerry Brown signed the Safe Sidewalk Vending Act (SB 946) into law, which becomes effective on January 1, 2019. The bill defines a sidewalk vendor as a person who sells food or merchandise from a pushcart, stand, display, pedal driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path. Sidewalk vending is a prevalent industry and is a means of earning a living for many people in Los Angeles County, in particular women and immigrants. The recent passage of SB 946 will impact County vendors, brick-and-mortar businesses and community residents.

Key provisions of SB 946 include the prohibition of counties and cities from limiting where sidewalk vendors can operate, including public parks (unless there is an exclusive concessionaire under contract). The new law also prohibits requiring that sidewalk vendors ask permission from brick-and-mortar businesses or others to operate. SB 946 allows for regulations that are necessary to ensure health, safety and

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welfare, including limiting hours, requiring sanitary conditions, ADA compliance, and requiring sidewalk vendors to obtain a permit and/or license. Local authorities may adopt additional requirements regulating the time, place, and manner of sidewalk vending, such as operating hours, sanitary conditions, business licenses, and seller's permit, among others as appropriate and necessary.

WE THEREFORE MOVE that the Board of Supervisors

- 1) Direct the Department of Consumer and Business Affairs (DCBA), in collaboration with its Office of Immigrant Affairs, County Counsel, Department of Public Health, Department of Public Works, Department of Regional Planning, Sheriff's Department, Treasurer and Tax Collector, the Women and Girls Initiative, Workforce Development, Aging and Community Services, and other County departments and agencies as necessary and authorize DCBA to engage a consultant(s) as appropriate to:
 - a. Engage community and business stakeholders to gather feedback on the sidewalk vending industry and identify the needs of sidewalk vendors, brick-and-mortar businesses, and community residents;
 - b. Engage cities, counties, and other government agencies to review and identify best practices and policies, including Los Angeles County Metropolitan Transportation Authority's pilot program for sidewalk vendors in Westlake/MacArthur Park;
 - c. Assess past County efforts, including policy and program proposals developed by departments, and use as a foundation to inform a set of comprehensive and integrated policies and programs in light of SB 946;

- d. Assess current County policies and codes that impact sidewalk vending and recommend comprehensive and integrated policies and programs under the framework of health, public safety and welfare; and
- e. Provide a written report back with findings and recommendations by May 31, 2019.

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