

ORDINANCE NO. _____

An ordinance amending Chapter 68 of the Los Angeles Administrative Code to retitle and update the special trust fund for the City's Sidewalk and Park Vending Program and to amend Los Angeles Municipal Code Section 42.13 to retitle the City's vending program and specify the graduated permit fee amount.

WHEREAS, the City's Sidewalk Vending Program is renamed as the Sidewalk and Park Vending Program;

WHEREAS, the City completed a fee study requested by City Council to set the rate for a permit fee to vend on sidewalks and in parks;

WHEREAS, revenue from permit fees and fines will be deposited in a special trust fund;

WHEREAS, a Sidewalk Vending Trust Fund was created in 1994 as part of a program to set up special sidewalk vending districts in the City; and

WHEREAS, the Sidewalk Vending Trust Fund is retitled as the Sidewalk and Park Vending Trust Fund and is updated to reflect the current administrative requirements pursuant to the City's current Sidewalk and Park Vending Program.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Chapter 68 of Division 5 of the Los Angeles Administrative Code is amended in its entirety to read as follows:

Sec. 5.460. Creation and Administration of the Fund.

(a) There is hereby created and established in the Treasury of the City of Los Angeles a special trust fund known as the "**Sidewalk and Park Vending Trust Fund**," hereinafter referred to as "**Fund**," to implement the provisions of Los Angeles Municipal Code Section 42.13.

(b) There shall be deposited in said Fund annual permit fees and any revenue from fines associated with violations of the Sidewalk and Park Vending Program.

(c) All interest and earnings attributable to the monies in the Fund shall be credited to the Fund and shall be devoted to the purposes of the Fund.

(d) The purpose of the Fund is to purchase or pay for salaries, expenses, equipment, materials, and services, in support of the Department of Public Works,

Bureau of Street Services, the Department of Recreation and Parks, and the Economic and Workforce Development Department. The moneys received pursuant to Subsections (b) and (c) will only be used in the administration of the Sidewalk and Park Vending Program pursuant to LAMC Section 42.13.

(e) Pursuant to Charter Section 344(a), at the close of each fiscal year, monies not expended from the Fund shall remain in the Fund and shall not revert to the Reserve Fund.

(f) The Fund shall be administered by the Board of Public Works, or its designee. Expenditures from the Fund shall be authorized by the Board of Public Works, or its designee.

Sec. 2. The title of Section 42.13 of the Los Angeles Municipal Code is amended to read as follows:

SEC. 42.13. SIDEWALK AND PARK VENDING PROGRAM.

Sec. 3. Section 42.13.B.2 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

2. The Board of Public Works, or its designee, in consultation with the Board of Recreation and Parks Commissioners, is authorized to issue Sidewalk and Park Vending Operating Permits for Vending Food or Merchandise at the following rate:

(a) \$291 until July 1, 2020.

(b) \$541 on and after July 1, 2020.

Sec. 4. Section 42.13.B.3 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

3. Beginning on January 1, 2020, Vending without a Sidewalk and Park Vending Operating Permit shall be unlawful. Before January 1, 2020, Vendors must Vend in accordance with this section and the Rules and Regulations.

Sec. 5. **URGENCY CLAUSE.** 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: The City Council finds this ordinance is necessary to ensure the vending permits required on January 1, 2020, will be available to any person who wishes to vend in the City. The Sidewalk and Park Vending Program will ensure vending will be done in a manner that preserves the health, safety and welfare of the public. For this reason, the ordinance shall become effective upon publication pursuant to Los Angeles Charter Section 253.

Sec. 6. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
BASIA JANKOWSKI
Deputy City Attorney

Date 11-7-2019

File No. 13-1493, 13-1493-S5, 19-0600-S155

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\LAAC 5.460 - Sidewalk Vending Trust Fund.docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____