



Ordinance Fact Sheet

TO: CITY COUNCIL DATE: DECEMBER 10, 2018
FROM: CITY ATTORNEY
SUBJECT: AMENDMENTS TO THE PASADENA MUNICIPAL CODE
RELATING TO SIDEWALK VENDORS

TITLE OF PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF AND ADDING A NEW CHAPTER 12.10 TO TITLE 12 OF THE PASADENA MUNICIPAL CODE RELATED TO REGULATION OF SIDEWALK VENDORS

PURPOSES OF THE ORDINANCE:

The purpose of this ordinance is to revise the Pasadena Municipal Code to align with Senate Bill 946 relating to sidewalk vendors before January 1, 2019.

REASONS WHY LEGISLATION IS NEEDED:

Existing law authorizes a local authority, by ordinance or resolution, to adopt requirements for public safety regulating any type of vending and the time, place, and manner of vending upon a street. In September 2018, Senate Bill 946 was signed into law by Governor Brown, creating new regulations supporting the sale of food items and other merchandise by sidewalk vendors. This new law prohibits local jurisdictions from imposing limitations on hours of operation any more restrictive than other businesses in the area and prohibits criminal penalties and criminal prosecution for violations. Beginning January 1, 2019, the bill would prohibit a local authority from regulating sidewalk vendors, except in accordance with the provisions of the bill. It provides that local jurisdictions may only impose additional restrictions and regulations when they are "directly related to objective health, safety, or welfare concerns."

12/17/2018

MEETING OF ~~12/10/2018~~

AGENDA ITEM NO. ~~15~~ 21

Staff will be bringing forward additional proposed revisions to the Pasadena Municipal Code to address additional issues for City Council consideration including, but not limited to: adopting additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns; additional permitting and enforcement procedures.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

On December 3, 2018, the City Council found that the Ordinance, as proposed, is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines, Section 15061(b)(3) (general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment).

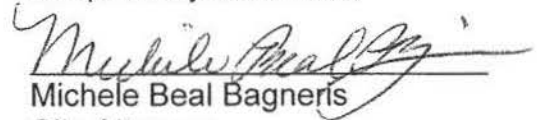
PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

City staff and the general public, including patrons, visitors, and business owners will be impacted by this Ordinance.


FISCAL IMPACT:

The new law allows for permit and/or licensure programs. The City's existing health permit and business license fees will apply to sidewalk vendors. It is anticipated that business license revenues and public sidewalk vendor permitting revenues will increase. The volume of increase is not able to be determined at this time. Additional costs may be incurred by City Departments related to enforcement of licensed and unlicensed vendors in new areas of the City.

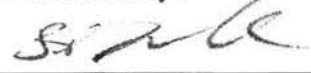
Respectfully submitted,


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Concurred by:


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