



Ordinance Fact Sheet

TO: CITY COUNCIL DATE: JUNE 3, 2019
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 TITLE 6, TITLE 8, TITLE 10, AND TITLE 12 OF THE PASADENA MUNICIPAL CODE RELATED TO THE REGULATION OF SIDEWALK VENDORS

RECOMMENDED COUNCIL ACTION:

1. Find that the proposed amendments are 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); and
2. Conduct a first reading of the proposed ordinance.

BACKGROUND

This Ordinance was first introduced at the meeting of May 20, 2019. Following the introduction, it was pointed out that three aspects of the Ordinance, as introduced, should be revised as described below. As such, the Ordinance is on the Agenda for first reading again.

1. Clarification of the prohibition of selling animals on public sidewalks.
2. Clarification of the definition of "sidewalk" as "any surface provided primarily for the use of pedestrians."
3. The use of propane was prohibited on sidewalk vending carts, but should be allowed to provide for hot food and water.

MEETING OF 06/03/2019

AGENDA ITEM NO. 13

PURPOSES OF THE ORDINANCE:

The purpose of this ordinance is to provide additional revisions to the Pasadena Municipal Code to align with Senate Bill 946 relating to sidewalk vendors. Staff is proposing a vending program that expands economic opportunity for those aspiring to vend lawfully while placing limited regulations on vending to protect the public health, safety and welfare in the community's most densely crowded locations, and preserve the recreational enjoyment of the City's parks.

REASONS WHY LEGISLATION IS NEEDED:

In September 2018, Senate Bill 946 was signed into state law by Governor Brown, creating new regulations supporting the sale of food items and other merchandise by sidewalk vendors, and prohibiting a local authority from regulating sidewalk vendors, except in accordance with the provisions of the bill. On December 17, 2018, the City Council adopted Ordinance No. 7334. At that time, staff committed to bringing forward additional, less time sensitive, permitting and enforcement procedures that are directly related to objective health, safety, and/or welfare concerns.

The proposed additional revisions to the Pasadena Municipal Code are designed to codify access associated with the Americans with Disabilities Act; ensure the public's use and enjoyment of natural resources and recreational opportunities; and are recommended to increase vendor accountability and reduce conflict among vendors. In accordance with this proposed ordinance, the City Manager would have the authority to promulgate regulations as necessary to ensure compliance with state law.


PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

City staff and the general public will be impacted by this Ordinance.

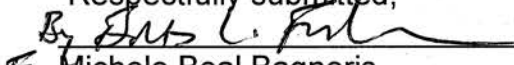
FISCAL IMPACT:

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.

Prepared by:




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Respectfully submitted,


Michele Beal Bagneris
City Attorney

Concurred by:



Steve Mermell
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