



ORDINANCE TO AMEND RIVERSIDE MUNICIPAL CODE CHAPTER 5.38 - SIDEWALK VENDORS

Community & Economic Development

City Council
July 20, 2021

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BACKGROUND

1. Senate Bill 946 establishing sidewalk vending regulations in the State of California was adopted in January 2020.
2. Riverside Municipal Code Chapter 5.38 was amended in July 2020 to comply with new State Law and regulates sidewalk and pedestrian vending activity.
3. Restrictions on sidewalk vending must be directly related to an objective health, safety or welfare concern.



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BACKGROUND

4. At the time the City Council amended Chapter 5.38, they also instructed staff to explore other opportunities to regulate sidewalk vending specific to the City of Riverside.
5. Staff performed outreach with all involved City Departments (Police, Parks & Recreation, Traffic Engineering, City Attorney, Code Enforcement) as well as the Inland Coalition for Immigrant Justice.
6. Staff brought recommendations to the Land Use, Sustainability and Resilience Committee (Committee) on January 11, 2021.



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BACKGROUND

7. Committee directed staff to conduct additional community outreach and research other local codes/ordinances and bring it back for further consideration.
8. Staff conducted 2 virtual roundtable meetings to solicit feedback from a broad spectrum of the community and reviewed/compared numerous local codes regarding sidewalk vending.



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BACKGROUND

9. Opinions varied with 3 main perspectives emerging:

- a. Opportunities for vendors should be increased. Sidewalk vendors are an integral part of the community. They should have the same opportunities as other entrepreneurs.
- b. Stricter enforcement and rules should be applied due to health and safety concerns such as food safety, underage workers, crime related to late night vending, pedestrian safety in overcrowded areas, etc.
- c. The City should postpone the discussion for 12 months to allow local restaurants to recover from COVID-19 challenges without added competition.



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DISCUSSION

On May 27, 2021, staff presented to the Land Use, Sustainability and Resilience Committee with numerous options based on outreach and additional research of best management practices in other cities. The Committee directed staff to draft an ordinance with the following revisions and additions to the existing code:

1. Remove requirement for Social Security Number on permit application.
2. Remove discretionary language from permit approval section.
3. Create timeline for permittee to notify Permit Officer of changes to application to reduce ambiguity in code.
4. Allow permittee that was denied permit to appeal to legislative body instead of City Manager's Office.



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DISCUSSION

5. Extend time limits for roaming vendors in residential zones from 10 minutes to 30 minutes.
6. Eliminate pushcart dimension requirements as this aspect is self-regulating.
7. Eliminate prohibition on the use of sound making devices to allow sidewalk vendors to announce their presence in neighborhood. Limit prohibition to amplified sound only.



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DISCUSSION

8. Additional Restriction – Certain Parks as outlined below:
 - a) Stationary vendors in public parks may be prohibited outright where a city has entered an exclusive concessionaire agreement.
 - b) Otherwise, vendors may be restricted in a park owned or operated by the City, if the requirements are any of the following:
 - i. directly related to objective health, safety, or welfare concerns;
 - ii. necessary to ensure the public's use and enjoyment of natural resources and recreational opportunities; or
 - iii. necessary to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and natural character of the park.



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DISCUSSION

Open space reserves provide an opportunity for residents to enjoy the peace, solitude and natural beauty of the area without commercial distractions typically seen in an urban environment. Restricting sidewalk vending in these parks is necessary to preserve the natural characteristics and resources of open space parks. In addition, the terrain and topography of these parks can make operating pushcarts or setting up vending operations hazardous to operators and customers.



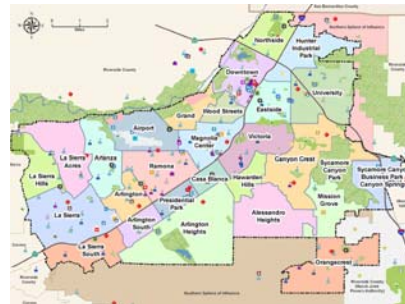
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DISCUSSION

1. Box Springs Mountain Open Space.
2. Challen Park Open Space.
3. Mount Rubidoux Park and San Andreas Avenue/Glenwood Drive between Tequesquite Avenue and 14th Street.
4. Pachappa Hill Open Space.
5. Quail Run Open Space.
6. Sycamore Canyon Wilderness Park.



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DISCUSSION

9. Additional right-of-way restrictions based on health, safety and welfare:
- Vending shall be prohibited within any designated bikeway, bike lane, or bicycle parking area.
 - Sidewalk vendors shall not obstruct access to public infrastructure including parking meters, parking pay stations, shared mobility parking zones, waste receptacles, etc.
 - Vending shall be prohibited adjacent to any portion of the curb designated as a passenger, commercial, or school loading zone via signage and/or curb markings.
 - Sidewalk vendors shall maintain an unobstructed 4-ft walking path at all times.
 - Vending shall be prohibited in all public street medians.



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DISCUSSION

Options that were proposed, but not recommended for inclusion were:

- Additional weekend and evening restrictions in the Downtown Entertainment District during peak hours (Thu-Sat 5pm-3am).
- Prohibitions on vending in Special Use Parks including White Park, Carlson and Riverwalk Dog Park and the Arlanza Community Garden.
- Prohibition on vending along Magnolia Ave in the Arlington Business District as this sidewalk is a shared pedestrian/bike lane.



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RECOMMENDATIONS

That the City Council:

Adopt the proposed Ordinance (Attachment 5) to amend RMC Chapter 5.38 – Sidewalk Vendors, as recommended by the Land Use, Sustainability and Resilience Committee.



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