

**SEC. 42.13. SIDEWALK AND PARK VENDING PROGRAM.**  
**(Title Amended by Ord. No. 186,478, Eff. 12/18/19.)**

A. **Definitions.** For purposes of this section, the following words or phrases shall have the following meanings:

1. **Citation.** An Administrative Citation issued pursuant to Article 1.2 of Chapter 1 of this Code.
2. **City.** The City of Los Angeles, a municipal corporation.
3. **Food.** Any type of edible substance or beverage.
4. **Goods or Merchandise (Merchandise).** Any item that is not Food.
5. **Park.** A "park" shall include every public park or other recreational facility in the City of Los Angeles which is owned, controlled, operated or managed by the Board of Recreation and Parks Commissioners.
6. **Person or Persons.** One or more natural persons, individuals, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnership, entities, associations, clubs or organizations composed of two or more individuals (or the manager, lessee, agent, servant, officer or employee of any of them), whether engaged in business, nonprofit or any other activity.
7. **Rules and Regulations.** Detailed requirements concerning the Vending Program meant to clarify and aid in the administration and enforcement of this section.
8. **Sidewalk.** Any surface in the public right-of-way intended for use by pedestrians.
9. **Vending Program.** The Vending Program regulates Vendors on Sidewalks and in Parks for the sale of Food or Merchandise.
10. **Vend, Vends or Vending.** To sell, offer for sale, expose or display for sale, solicit offers to purchase, or to barter Food or Merchandise, or to require someone to negotiate, establish or pay a fee before providing Food or Merchandise, even if characterized as a donation.
11. **Vendor.** A Person who Vends.

B. **Administration.**

1. Rules and Regulations to implement the Vending Program on Sidewalks shall be developed and recommended by the Department of Public Works, Bureau of Street Services. The Rules and Regulations for Sidewalks shall be approved by the Board of Public Works and adopted by the City Council through resolution. The Rules and Regulations to implement the Vending Program in Parks shall be developed and approved by the Board of Recreation and Parks Commissioners and adopted by the City Council through resolution. The Bureau of Street Services and the Department of Recreation and Parks shall post the Rules and Regulations on their websites.

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:  
**(Amended by Ord. No. 186,763, Eff. 9/18/20.)**

(a) \$291 until July 1, 2021.

(b) \$541 on and after July 1, 2021.

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. **(Amended by Ord. No. 186,478, Eff. 12/18/19.)**

4. The City Council shall select a vending service provider through a competitive process, consistent with City law. The Bureau of Street Services shall monitor and assist the vending service provider with its duties and responsibilities.

C. **Restricted Vending Locations.**

1. The City may establish through the adoption of Rules and Regulations certain limited areas where Vending may be restricted or prohibited. The Bureau of Street Services shall determine restrictions or prohibitions on Sidewalk Vending based directly on objective health, safety and welfare concerns. The Department of Recreation and Parks shall determine restrictions or prohibitions on Park Vending based on whether it is: 1) directly related to objective health, safety or welfare concerns; 2) necessary to ensure the public's use and enjoyment of natural resources and recreational opportunities; 3) necessary to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and natural character of the Park; or 4) necessary to comply with a condition in a deed conveying the property to the City. These restrictions or prohibitions shall be

detailed in the Rules and Regulations and adopted by the City Council through resolution. For purposes of this section, perceived community animus or economic competition does not constitute an objective health, safety or welfare concern, pursuant to applicable state law.

2. Restricted Vending locations, as well as all conditions applicable in each restricted Vending location, shall be detailed in the Rules and Regulations and include, but are not limited to, the following:

(a) Vending is prohibited within the immediate vicinity of an area designated for a temporary special permit issued by the City, provided that any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the City's temporary special permit are also provided to a Vendor permitted to operate in the area, if applicable. For purposes of this paragraph, a temporary special permit is a permit issued by the City for the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit, special event permit, or temporary event permit, for purposes including, but not limited to, filming, parades, or outdoor concerts. A prohibition on Vending pursuant to this paragraph shall only be effective for the limited duration of the temporary special permit.

(b) Vending is prohibited within 500 feet of: 1) the Hollywood Walk of Fame, Universal Studios and the El Pueblo de Los Angeles Historical Monument (as described in Chapter 25 of Division 22 of the Los Angeles Administrative Code); 2) Dodger Stadium, the Hollywood Bowl, the Staples Center and the LA Coliseum on event days; and 3) any other venue as determined by the Board of Public Works or Board of Recreation and Parks Commissioners and published in the Rules and Regulations.

(c) Vending at Venice Beach is limited to First Amendment protected expressive activities as set forth in Section 42.15.

3. The procedure for measuring the 500 foot vending restriction shall be specified in the Rules and Regulations. The Department of Public Works, Bureau of Engineering shall develop interactive maps available to the public disclosing locations with any restriction on Vending.

#### **D. Enforcement.**

1. A Vendor who is issued a Citation shall be subject to the following fines:

(a) Vending which violates a requirement in this section or in the Rules and Regulations, other than failure to possess a valid license or permit:

(1) An administrative fine of \$100 for a first violation.

(2) An administrative fine of \$150 for a second violation.

(3) An administrative fine of \$200 for a third violation and each subsequent violation.

(4) A violation occurring after 12 consecutive months with no violation shall be considered a first violation.

(5) A Vendor's license and/or permit may be revoked or suspended for the remainder of its term upon a fourth or subsequent violation.

(b) Vending without a valid license or permit:

(1) An administrative fine of \$250 for a first violation.

(2) An administrative fine of \$500 for a second violation.

(3) An administrative fine of \$1,000 for a third violation and each subsequent violation.

(4) A violation occurring after 12 consecutive months with no violation shall be considered a first violation.

(5) The administrative fines listed in this paragraph may be reduced from \$250 to \$100, \$500 to \$150 and \$1,000 to \$200 upon submission of proof of license and/or permit to the City Attorney's ACE citation processing center, as specified in the Rules and Regulations.

2. Additional fines, fees, assessments, or any other financial conditions beyond those authorized in Subsection D.1. shall not be assessed.

3. Unless otherwise specified herein, all Citations issued for violations of this section and the Rules and Regulations shall be enforced by the provisions set forth in Article 1.2 of Chapter 1 of this Code.

4. When issuing a Citation, the adjudicator shall take into consideration the Vendor's ability to pay the fine using the criteria described in Subdivision (a) or (b) of California Government Code Section 68632. Notice shall be given to the Vendor of his or

her right to request an ability-to-pay determination and instructions or other materials for requesting an ability-to-pay determination shall be available. The Vendor may request an ability-to-pay determination at the adjudication stage or while the citation remains unpaid, including when a citation is delinquent or has been referred to a comprehensive collection program. If the Vendor meets the criteria set forth herein, the City shall accept, in full satisfaction, 20 percent of the administrative fine, imposed pursuant to Subsection D.1.

E. **Services.** Unpermitted vending of services or anything other than Food or Merchandise in the City is unlawful and subject to the provisions of Section 11.00 of the Los Angeles Municipal Code. Vending of services is unlawful even if the vending of services is combined with the Vending of Food or Merchandise, and even if the services are deemed to be free of charge with the purchase of Food or Merchandise.

F. **Extortion.** Any extortion of a Vendor will be punishable under Section 518 of the California Penal Code and any attempted extortion of a Vendor will be punishable under Section 524 of the California Penal Code.

G. **Severability.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance that can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each provision hereof irrespective of whether any one or more of the provisions are judicially determined to be invalid, unconstitutional or otherwise unenforceable.



# City of Los Angeles Sidewalk Vending Rules



All sidewalk vending in the City of Los Angeles public right-of-way are governed by these rules, as of January 1, 2019.

## 1. Keep it clean. You must pick up trash and recycle.

All food vending carts or kiosks shall be equipped with refuse containers large enough to contain all refuse generated by the operation of such cart or kiosk, and the operator of the food vending cart or kiosk shall pick up all refuse generated by such operation within a 50-foot radius of the cart or kiosk before such cart is moved. All recyclable materials shall be separated from other refuse and disposed of in a manner consistent with the current City of Los Angeles (City) recycling policy.

## 2. Keep the sidewalk open for pedestrians and other uses.

No person shall install, use, or maintain any vending cart or kiosk which projects onto, into, or over any sidewalk or parkway when such installation, use or maintenance endangers the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such cart or kiosk unreasonably interferes with or impedes the flow of pedestrian or vehicular traffic, the ingress into or the egress from any residence or place of business, or the use of poles, posts, driveways, traffic signs or signals, hydrants, mailboxes, or other objects permitted at or near said locations. No vending cart or kiosk shall be so placed that the clear space for the passage of pedestrians upon the sidewalk is reduced to a width of less than five feet. No mobile or street vendor shall obstruct or cause to be obstructed the passage of any sidewalk, street, avenue, alley or any other public place, by causing people to congregate at or near the place where goods, wares, food, or merchandise of any kind is being sold or offered for sale.

- a) Distances from the following above ground facilities (AGF) shall be no less than three feet:
  - (1) Street lights
  - (2) Edges of tree wells
  - (3) Parking meters
  - (4) Above ground utility structure
- b) Distances from fire hydrants shall be no less than five feet.
- c) Distances from any existing subsurface utility box, valve, or vault shall be no less than two feet.
- d) Distance from face of curb and from edge of existing driveways shall be no less than 18 inches (*see Diagram 1*).
- e) Distances between vendors shall be three feet clear (*see Diagram 2*).
- f) No vending spaces will be permitted at bus stop locations, or at locations where there are existing above ground amenities such as street furniture (benches, bike racks), newsstands, and red curbs.
- g) No vending spaces will be permitted in roadway, medians, pedestrian islands, and bikeways.
- h) No stationary vending location shall be placed directly in front of any building. All stationary vending locations shall be placed 18 inches from the curb face.
- i) Distance from permitted activities including but not limited to construction related street or lane closures, special events, swap meets, filming, and farmer's markets shall be no less than 500 feet any boundary line of the permitted activity.
- j) Distance from an entrance way to any building, store, theatre, movie house, house of worship or place of public assembly shall be a minimum of 20 feet.
- k) Distance from any restricted vending location as defined in Los Angeles Municipal Code Section 42.13(c) shall be no less than 500 feet any property line of the restricted location.

## 3. Some areas are No Vending Areas



- a) Vending is prohibited within 500 feet of:
  - (1) The Hollywood Walk of Fame, Universal Studios and the El Pueblo de Los Angeles Historical Monument, Staples Center/LA Live (as described in Chapter 25 of Division 22 of the Los Angeles Municipal Code);
  - (2) Dodger Stadium, the Hollywood Bowl, and the LA Coliseum/Banc of California Stadium on events days; and
  - (3) Any other venue as determined by the Board of Public Works.
- b) Vending at Venice Beach is limited to First Amendment protected expressive activities.
- c) Schools or any postsecondary educational facility attended by secondary pupils or private kindergarten, elementary, or secondary school facilities.

A map for each location will depict the boundaries. Appropriate signs with the no vending area will be posted at these locations.

## 4. Keep produce bagged or protected from bugs and vermin, and follow state laws on produce

All produce regulated by the California Department of Food and Agriculture (CDFA) shall be handled, transported, displayed or disposed of in accordance with all CDFA regulations as they now exist or as amended from time-to-time, but not limited to, the following:

- a) All produce or commodities under quarantine by the CDFA will be protected or safeguarded in an approved manner by being bagged or screened to prevent infestation; any open display is prohibited.
- b) All produce, commodities, or their husks, cores, rinds, or pits shall be sealed in plastic bags before disposing.
- c) Every food vendor shall have a receipt, invoice, bill of lading or other acceptable proof of origin of all produce or commodities under quarantine.
- d) All produce or commodities under quarantine that are sold, offered for sale, or transported within the quarantine area, must be of commercial origin.
- e) Any violation of this section may result in the seizure of produce or commodities.

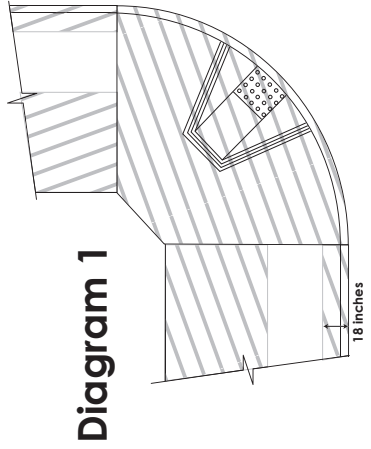
## 5. Keep all your permits up to date

All sidewalk vendors must possess all applicable business, tax and health permits required by the State, County, and or City.

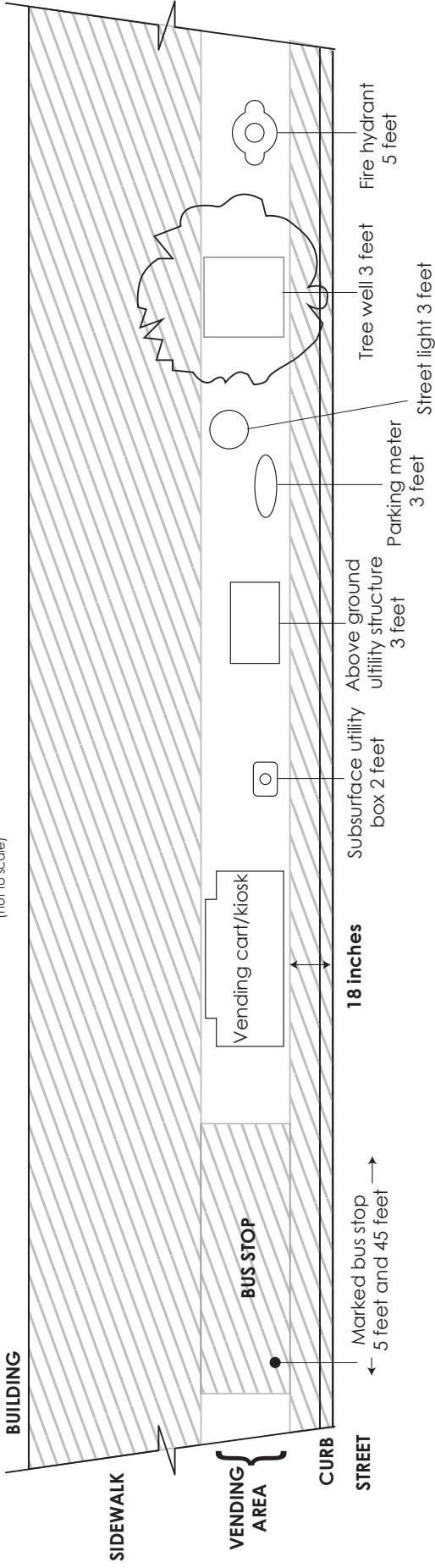
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213-847-6000



# City of Los Angeles Sidewalk Vending Rules



**Diagram 3**  
(not to scale)



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