

Communication from Public

Name: Doug Smith

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Council File No: 19-1334

Comments for Public Posting: This ordinance is both unnecessary to achieve its stated purpose, and deeply harmful to low-income sidewalk vendors. The City's sidewalk vending ordinance and regulations (LAMC 42.13) already include numerous provisions regulating sidewalk accessibility and ADA compliance. These code sections are available should the City find the need to ensure ADA access. However, as dictated by state law and the City's own policies, these code provisions and regulations are enforced with non-criminal citations (Government Code sections 51038(c)(3) ("A local authority may, by ordinance or resolution, adopt additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns, including, but not limited to, any of the following...Requirements necessary to ensure compliance with the federal Americans with Disabilities Act of 1990 (Public Law 101-336) and other disability access standards."); and 51039(d)(1) ("A violation of a local authority's sidewalk vending program that complies with Section 51038...that regulate or prohibit sidewalk vendors in the jurisdiction of a local authority, shall not be punishable as an infraction or misdemeanor.") This proposed ordinance merely takes an activity that is currently regulated with non-criminal citations, as required by law, and adds it to a different section of the Municipal Code in order to reattach misdemeanor penalties. Creating an end-run around sidewalk vending decriminalization will be deeply harmful to low-income immigrant entrepreneurs struggling to gain a foothold in our economic recovery, while doing absolutely nothing to actually improve ADA access. The City absolutely needs strategies that increase access to public space without relying on blunt criminalization of vulnerable populations. This ordinance is not it. Please do not adopt the proposed ordinance. Sincerely, Doug Smith Supervising Senior Staff Attorney, Public Counsel