

RESOLUTION

WHEREAS, any official position of the City of Los Angeles, with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the City of Los Angeles decriminalized sidewalk vending in 2017 and began a process in 2018 to create a formal program for regulating vending, including through the establishment of a permitting system and the creation of rules and regulations to govern the practice of vending in public spaces (C.F. 13-1493); and

WHEREAS, despite gains made by these efforts, the City continues to face barriers to formalizing its sidewalk vending economy—especially with regard to food vending—such that only 197 out of the estimated 10,000 sidewalk food vendors in the City of Los Angeles have been issued permits as of the end of January 2022, nearly two years after the implementation of the permit program; and

WHEREAS, under these conditions, the vast majority of sidewalk food vendors in Los Angeles are still operating informally, which not only means that they face the threat of citations, fines, and the confiscation of their carts and wares, but also that local government agencies in Los Angeles have limited means for ensuring food safety and other elements of public safety in the context of food vending; and

WHEREAS, the California Retail Food Code includes certain requirements that are applicable to restaurants, commercial kitchens, food trucks, and brick and mortar food facilities, but have proven to be excessively burdensome to sidewalk food vendors; and

WHEREAS, by removing unnecessary barriers that sidewalk food vendors face when applying for a health permit, public health agencies will have significantly greater ability to educate sidewalk food vendors and offer corrective measures to cart designs and standard operating procedures that will increase the overall health and safety of the sidewalk food vending industry; and

WHEREAS, on February 10, 2022, Senator Lena Gonzalez introduced SB 972, which would remove barriers to accessing food vending permits by creating a “compact food facility” category, require the State Department of Public Health to develop standardized sidewalk vending food carts, ease the application process to obtain a health permit, and reduce health permit fees; and

WHEREAS, SB 972 would make critical changes to the California Retail Food Code, including the following:

- Eliminate unnecessary and expensive equipment requirements for sidewalk based carts (compact mobile food facilities); and



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- Increase the discretion of local health departments to approve innovative equipment design for all mobile food facilities; and
- Enhance safe on-site food preparation of non-potentially hazardous foods, including healthy food like sliced fruit and vegetables; and
- Catalyze the manufacturing of safe and affordable code-compliant compact mobile food facilities at scale; and
- Replace harsh criminal penalties with non-criminal administrative fines for violations of the CRFC; and

WHEREAS, if the City of Los Angeles is to make any significant progress in formalizing its food vending sector, we require the support from the State Legislature to amend elements of the CRFC that make compliance infeasible for sidewalk food vendors; and

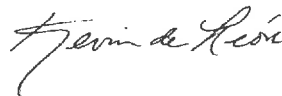
WHEREAS, passage of SB 972 would significantly help an estimated 10,000 food vendors doing business in Los Angeles to become compliant with the County's food safety and sanitation requirements, benefitting small businesses in our local communities, contributing to the local tax base, and maintaining a diverse and culturally vibrant food scene;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its ~~2022-2023~~ ²⁰²¹⁻²⁰²² State Legislative Program SUPPORT for SB 972 (Gonzalez), which would modernize the California Retail Food Code in order to remove barriers to accessing sidewalk food vending health permits by creating a "compact food facility" category, authorizing State agencies to develop standardized sidewalk food vending carts, easing the application process to obtain a health permit, and reducing health permit fees.

PRESENTED BY:



NITHYA RAMAN
Councilmember, 4th District



KEVIN DE LEÓN
Councilmember, 14th District



SECONDED BY:

CURREN D. PRICE, JR.
Councilmember, 9th District