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November 23, 2016

Honorable City Council
Room 395, City Hall
Los Angeles, CA 90012

Attention: Entertainment & Facilities Committee Report

**REQUIRING FARMERS MARKETS TO ACCEPT ELECTRONIC BENEFITS
TRANSFER (EBT) CARDS - COUNCIL FILE 15-1511**

Honorable Councilmembers:

Based on meetings with Council Offices and the Office of the City Attorney, and subject to approval of the City Council, the procedure for issuing Special Event Permits for Farmers' Markets by the Los Angeles Department of Building and Safety (LADBS) will be modified to require applicants to provide proof of Electronic Benefit Transfer (EBT) Cards acceptance by providing a Food and Nutrition Service (FNS) Number issued by the United States Department of Agriculture. This provision will be effective with the next renewal period of each Farmers' Market application.

I. Background

The Temporary Special Event (TSE) permits are typically required to be issued for the following locations of Farmers' Markets:

- On private property. TSE permits are issued by LADBS only.
- On public right of way. TSE permits are issued by L.A. Bureau of Street Services (BOSS) only.
- On public right of way and private combined. TSE permits are issued by both BOSS and LADBS.

II. TSE permits on private properties

The application for a TSE permit (tents, stages, and temporary change of use) is submitted to LADBS, and related fee is paid, online by the applicant at <http://www.ladbs.org/services/core-services/plan-check-permit/types-of-plan-checks-permits/special-event-permit>. LADBS is in the process of modifying this online submittal process to require applicants for Farmers' Markets to provide a Food and Nutrition Service (FNS) Number issued by the United States Department of Agriculture, as proof of EBT card acceptance. Additionally, LADBS is revising the TSE instruction sheet to include the EBT card requirement (<http://ladbs.org/docs/default-source/forms/inspection-forms/application-for-temporary-special-event-permit-in-app-08.pdf?sfvrsn=26>)

The online TSE permitting system will also be modified to add the following condition to TSE permits:

"Each Farmers' Market applicant obtaining a Special Event Permit is required to hold a Farmers' Market Certificate; shall accept Electronic Benefit Transfer (EBT) cards; and shall have a Food and Nutrition Service (FNS) Number issued by the United States Department of Agriculture."

Inspection for TSE is scheduled by the TSE inspector on the day of the event; and approval for the event is given when appropriate.

III. TSE permits on both Public Right-of-Way and private properties

The application for a TSE (tents, stages, and temporary change of use) is submitted to BOSS and paid for online by the applicant. Subsequently, BOSS notifies LADBS TSE inspector to issue a permit.

EBT card reader information is not verified by BOSS and therefore is not available to LADBS.

IV. Recommendations

That the City Council:

- 1) Instruct the Bureau of Street Services to verify that the Farmers' Market accepts EBT cards prior to notifying LADBS to issue the temporary special event permit for Farmers' Markets on the Public Right of Way.
- 2) Instruct LADBS to require Farmers' Markets applying for Temporary Special Event Permits to require a Food and Nutrition Service (FNS) Number issued by the United States Department of Agriculture as proof of EBT card acceptance. Additionally, place a condition on the permit requiring the applicant to accept Electronic Benefit Transfer (EBT) cards; and to have a Food and Nutrition Service (FNS) Number issued by the United States Department of Agriculture.
- 3) The enforcement of this requirement shall be based on the practices described in item **V. Enforcement.**"

V. Enforcement

Complaints regarding the acceptance of EBT cards at permitted Farmers' Markets on private property will be investigated and enforced by the LADBS Special Event Section. Violation of this condition will result in **revoking** the annual Special Event Permit. The complaints may be filed by calling 311.

LADBS will modify the online TSE permit application process and publish an Information Bulletin on the Department's website by February 1, 2017 requiring EBT card acceptance.

Please direct any questions regarding this report to Chief Inspector John Weight at (213) 482-0342. Should you need my assistance, please contact me at (213) 482-6800.



Osama Younan, P.E.
Executive Officer