



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Stripling

DATE: May 22, 2018

SUBJECT: STATE LEGISLATION: SENATE BILL 946

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the Legislative Committee’s recommendation to oppose Senate Bill 946 and transmit position statements to Senator Ricardo Lara, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Brown, and the League of California Cities.

BACKGROUND

Authored by Senator Ricardo Lara (D-33-Long Beach), Senate Bill 946 preempts local authority related to sidewalk vendors. For the purposes of this staff summary, a sidewalk vendor is anyone who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, or other non-motorized conveyance upon a sidewalk or other pedestrian path.

Specifically, this bill:

1. Requires a local authority to adopt a sidewalk vending licensing program, which can include:
 - a. Requiring the sidewalk vendor to possess a valid business license; and
 - b. Requiring the sidewalk vendor to possess a valid California Department of Tax and Fee Administration seller’s permit.
2. Requires that sidewalk vendors adhere to the California Health and Safety Code.
3. Requires a local authority’s licensing program to follow specific standards, including:
 - a. The location of a licensed sidewalk vendor may not be restricted unless the restriction is directly related to objective health, safety, or welfare concerns;

- b. The overall number of sidewalk vendor licenses issued may not be restricted unless the restriction is directly related to objective health, safety, or welfare concerns, based on the California Retail Food Code and the local enforcement agency; and
 - c. Sidewalk vendors may not be prohibited from selling food or merchandise in a public park. This would restrict the City from prohibiting sidewalk vendors to operate at any public park and would allow for sidewalk vendors to sell food and merchandise during events at public parks including the City's Concert in the Park series.
4. Authorizes a local authority to adopt, by ordinance or resolution, additional requirements regulating the time, place, and manner of sidewalk vending, as long as it does not conflict with the standards established in this bill.

Unless authorized through a City of Santa Clarita (City) issuance of a temporary, special, or conditional use or event permit, the City currently prohibits street vendors in any public right-of-way. Section 11.37 of the Santa Clarita Municipal Code outlines regulations related to sidewalk vendors. This bill would preempt the City's local ordinance related to street vendors and would require the City to adopt a sidewalk vending licensing system that would permit sidewalk vendors in the public right-of-way and public parks.

The City Council Legislative Committee met on May 8, 2018, and recommends that the City Council adopt an "oppose" position for Senate Bill 946.

ALTERNATIVE ACTION

1. Adopt a "neutral" position on Senate Bill 946
2. Adopt a "support" position on Senate Bill 946
3. Take no action on Senate Bill 946
4. Refer Senate Bill 946 back to the Legislative Committee
5. Other action, as determined by the City Council

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City of Santa Clarita's adopted FY 2017-18 budget.

ATTACHMENTS

SB 946 - Bill Text