



April 8, 2014

City Hall
Council District 14: Councilman Huizar,
200 N. Spring Street Room 465
Los Angeles, CA 90012

RE: Plan to legalize sidewalk vending
Dear Councilman Huizar,

At our regularly held public meeting on April 8, 2014, the Board of Directors of the Downtown Los Angeles Neighborhood Council ("DLANC") voted to support this letter.

The Downtown Los Angeles Neighborhood Council has serious concerns regarding the legalization of sidewalk vending in the downtown area. We join the local BIDs in asking that you reconsider this action. Listed below are a few of our concerns.

1. **Sidewalk Repairs:** Sidewalk vending would allow the private commercial use of the sidewalk at a time when the City of Los Angeles is considering making the adjacent property owner responsible for sidewalk repair and replacement.
2. **Liability:** The City already pays millions of dollars in claims for slip and falls on sidewalks. Allowing private commercial use in the form of sidewalk vending blurs the responsibility for sidewalk slip and falls...how can property owners take responsibility for this when they do not control the use of the sidewalk adjacent to that property.
3. **ADA Compliance:** Sidewalks are often narrow & sidewalk vending can put the City at risk for ADA lawsuits & force pedestrians onto the street creating safety hazards. The City does not have the capability to enforce sidewalk vendors to comply with ADA.
4. **Trash Removal:** Sidewalk vending generates trash and unlike BIDs where property owners pay for trash removal on the public sidewalk there is no mechanism to ensure the payment of trash removal by sidewalk vendors.
5. **Permit Compliance:** Normally when the City allows private use of the public sidewalks, permits are required. In the case of sidewalk dining these permits are revocable & are expensive. Even special events using the public sidewalk require permits. This gives the community and neighbors a chance to comment & express their concerns about the use of the sidewalk. How will the public have input on sidewalk vending in their neighborhood? Will sidewalk vendors need a permit to sell at a particular location?

6. **Sales Tax and Property Taxes:** Commercial districts are integral to creating great neighborhoods and the addition of ground floor small businesses have been the key ingredient in the revitalization of every neighborhood in Los Angeles. Sidewalk vendors do not pay BID assessments and do not contribute to these neighborhoods. Bricks & mortar small businesses go through an expensive permitting process and spend a large amount of money providing restrooms and common areas for their customers. Sidewalk vendors have no such requirements & therefore have a competitive advantage over these neighborhood small businesses. In fact their common area is the public sidewalk which is paid for by property taxes, the responsibility of property owners and merchants through their rents. They are not paid for by sidewalk vendors.
7. **Quality of Life in Neighborhoods:** Mobile vendors who pay one parking ticket a day as their rent already use the sidewalk as their customer space and unfairly compete with neighborhood small businesses. Residents and businesses have no say as to where these mobile vendors locate or their hours of operation. Legitimizing sidewalk vending will continue to erode the viability of neighborhood businesses and will ultimately lead to the deterioration of the quality of life of its residents.
8. **Downtown is already overrun with mobile food vendors.** This is especially true on weekends. For example on Saturday March 22, 2014 there were 91 mobile food vendors in the fashion district concentrated in heavy pedestrian blocks. The highest pedestrian blocks had 8-9 mobile vendors per block. As the City has no control over where mobile vendors can set up it would be totally unsafe for pedestrians to be faced with sidewalk vendors taking the same portion of sidewalk as mobile vendors. Mobile vendors use the sidewalk for their customers who order food from the sidewalk. In order to ensure public safety no sidewalk vending should be permitted where curb parking is legal to prevent mobile & sidewalk vendors using the same portion of sidewalk. Otherwise it will be a significant safety hazard for pedestrians. Similarly it will also be a significant safety hazard to have sidewalk vending at intersections. Finally given the large number of unregulated mobile food vendors why is it necessary to allow sidewalk vending when anyone can participate in mobile vending in Los Angeles.

Sidewalk vending may appeal to some stakeholders in other areas, but adding sidewalk vendors to the mix in our area would be a hardship to our residents and businesses.

Thank you for your attention.

Sincerely,

TO BE VOTED ON APRIL 8, 2014

Patti Berman
President, DLANC

CC: Councilman Price CD9