DATE: May 23, 2023

TO: Mayor and Council Members

FROM: Economic and Community Development Department

SUBJECT: Set Public Hearing – Sidewalk Vendor Ordinance

RECOMMENDATION:
It is requested that the Mayor and Council Members set a public hearing for June 6, 2023, to consider an ordinance amending or repealing various municipal code sections regulating peddling, soliciting, and sidewalk vending, and adding a new Article 13 to Chapter 8 (Businesses, Trades and Professions) of the Municipal Code to comply with changes in State law.

BACKGROUND:
On September 17, 2018, then Governor Brown signed Senate Bill 946 (SB 946), relating to sidewalk vendors, into law (effective January 1, 2019) decriminalizing sidewalk vending and prohibiting local authorities from enforcing any laws regulating sidewalk vendors that are inconsistent with State law.

On September 23, 2022, Governor Newsom signed Senate Bill (SB 972) into law (effective January 1, 2023), creating a path for which compact mobile food operations (i.e., food carts) can be permitted by various Health Departments.

In addition, federal and State courts have issued rulings overturning or questioning the constitutionality of municipal codes regulating peddling and soliciting, such as placing leaflets on cars, door-to-door soliciting, and requiring permits for charitable soliciting. The City has certain municipal code sections that are substantially similar to the codes challenged in federal and State courts that are no longer enforceable and should be repealed.

DISCUSSION:
SB 946 prohibits cities from adopting regulations that do any of the following:

- Restrict the overall number of sidewalk vendors allowed to operate within the jurisdiction, except if directly related to objective health, safety, or welfare concerns.
- Require sidewalk vendors to obtain the consent or approval of any non-governmental entity or individual before selling goods or merchandise.
- Require sidewalk vendors to operate within specific parts of the public right-of-way, except if directly related to objective health, safety, or welfare concerns.
- Require sidewalk vendors to operate only in designated neighborhoods or areas, except if directly related to objective health, safety, or welfare concerns.
SB 946 declares that perceived community animus or economic competition are not valid “objective health, safety, or welfare concerns” to justify the imposition of time, place, or manner restrictions. In addition, SB 946 precludes local authorities from prohibiting sidewalk vendors in public parks. A limited exception is allowed where a concessionaire has been granted an exclusive concession for the sale of food or merchandise. In such case, the city can prohibit stationary sidewalk vendors but must still allow roaming sidewalk vendors. The city may impose additional time, place, and manner restrictions to sidewalk vending in public parks, so long as the restrictions meet at least one of the following criteria:

- They are directly related to health, safety, or welfare concerns.
- They are necessary to ensure the public’s use and enjoyment of the park’s natural resources and recreational opportunities.
- They are necessary to prevent an undue concentration of commercial activity that would unreasonably interfere with the park’s scenic and natural character.

Cities may prohibit sidewalk vendors within the immediate vicinity of permitted certified farmers’ markets, filming permit, a parade, or an outdoor concert, during the event operating hours. The City should also consider repealing various municipal code sections related to peddling and soliciting that are no longer enforceable due to federal and State court decisions.

A more detailed staff report will be provided for the Public Hearing.

**FINANCIAL/FUNDING ISSUES AND SOURCES:**
The City anticipates an increase to the General Fund, due to the requirement that all stationary and roaming sidewalk vendors obtain both a permit and business tax certificate.

**DESCRIPTION OF ANY ATTACHMENTS:**
Attachment No. 1 – Draft Ordinance

**PREPARED BY:**
Christopher E. Jackson, Sr. Economic and Community Development Director

**COUNCIL PRESENTER:**
Jerry Tucker, Code Enforcement Manager
APPROVAL VERIFICATION SHEET

DEPARTMENT HEAD APPROVAL: Christopher E. Jackson, Sr., ECD Dept. Director

CITY MANAGER APPROVAL: Artie Fields, City Manager
ATTACHMENT NO. 1
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF INGLEWOOD, CALIFORNIA
AMENDING OR REPEALING VARIOUS MUNICIPAL CODE
SECTIONS REGULATING PEDDLING, SOLICITING, AND
SIDEWALK VENDING AND ADDING A NEW ARTICLE 13
"SIDEWALK VENDOR PROGRAM" TO CHAPTER 8 OF THE
MUNICIPAL CODE TO COMPLY WITH CHANGES IN STATE
LAW

WHEREAS, on September 17, 2018, Governor Brown signed Senate Bill (SB) 946 relating to sidewalk vendors into law, effective January 1, 2019; and

WHEREAS, SB 946 decriminalizes sidewalk vending and prohibits local authorities from enforcing any law regulating sidewalk vendors that is inconsistent with state law; and

WHEREAS, state law defines a "sidewalk vendor" as "a person who sells food or merchandise from a pushcart, stand, display, pedal driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path;" and

WHEREAS, state law authorizes local authorities to adopt a sidewalk vendor program that is in compliance with Government Code sections 51036-51039; and

WHEREAS, on September 23, 2022, Governor Newsom signed SB 972 into law, effective January 1, 2023, modifying the California Retail Food Code to streamline the public health permitting and licensing process for sidewalk food vendors; and

WHEREAS, the Los Angeles County Department of Public Health is developing permitting and licensing procedures for Compact Mobile Food Operations that will apply to sidewalk food vendors in the City; and

WHEREAS, the City desires to amend or repeal various municipal code sections regulating sidewalk vendors that no longer comply with state law and adopt a new Sidewalk Vendor Program that complies therewith; and
WHEREAS, certain sections of the Inglewood Municipal Code regulating peddling and soliciting may no longer be enforced due to federal and state court decisions and need to be repealed;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

(Underline denotes added text and strikethrough denotes deleted text)

SECTION 1. A new Article 13 is hereby added to Chapter 8 of the Inglewood Municipal Code to read as follows:

"Article 13. SIDEWALK VENDOR PROGRAM

Section 8-161. Purpose and Findings.

Purpose. The purpose of this Article is to promote consistency in the application of this Sidewalk Vendor Program in conformance with state law.

Findings. The City Council hereby finds as follows:

1. Public sidewalks and other pedestrian paths (collectively "public right-of-ways") are intended for pedestrian travel; and

2. Federal and state laws require that cities meet certain accessibility standards for disabled persons traveling on public right-of-ways; and

3. Government Code sections 51036-51039 decriminalize sidewalk vending and allow the City to adopt a program regulating sidewalk vendors in compliance therewith; and

4. Sidewalk vendors take up space on public right-of-ways and attract customers so as to create additional obstacles for pedestrians to avoid while traveling on public right-of-ways; and

5. Sidewalk vendors and their customers may generate trash, noise and other impacts to public right-of-ways and abutting properties; and

6. Certain public right-of-ways are located next to venues where thousands of people assemble for events, creating significant demand for limited sidewalk space on event days, including, but not limited to, sidewalks located next to red curbs for
emergency vehicles, pedestrians entering and exiting buildings, and motor vehicles
dropping off and picking up passengers; and

7. Certain public right-of-ways are located next schools, places of worship,
hospitals, police stations, jails, fire stations, public transit facilities, or industrial
facilities protected by Penal Code sections 552-555.5, which require additional
restrictions on sidewalk vending; and

8. Certain public right-of-ways are located in public parks and exclusively
zoned residential areas which are not considered commercial areas and require
additional restrictions on sidewalk vendors; and

9. It is necessary for the City Council to adopt a well-regulated Sidewalk
Vendor Program to balance the competing uses of public right-of-ways in order to
protect the health, safety and welfare of the general public; and

10. Nothing in this Sidewalk Vendor Program shall be construed to prohibit
the prosecution of sidewalk vendors who fail to comply with other provisions of law not
preempted by Government Code sections 51036-51039, including, but not limited to,
trespassing, failing to pay taxes, selling counterfeit merchandise, selling food in
violation of the Health and Safety Code, and operating from a sidewalk located within
500 feet of a freeway ramp in violation of the Vehicle Code.

Section 8-162. Definitions.

Unless the contrary is stated, clearly appears from the context, or is superseded by
any applicable state law, the following definitions shall apply:

“Food” shall have the same meaning as Health and Safety Code section 113781,
as amended from time to time. As currently defined, food means a raw, cooked, or
processed edible substance, ice, beverage, an ingredient used or intended for use or for
sale in whole or in part for human consumption, and chewing gum.

“Impound” means to seize or take custody of vending equipment, food, or
merchandise because of a violation of any applicable law or regulation.

“Merchandise” means any tangible item or personal property offered for sale.
“Other pedestrian path” means a publicly maintained and paved path that is open to the public for the sole purpose of pedestrian travel. It does not include a median, parkway, crosswalk, bike path, trail, or ramp intended for use by physically disabled persons.

“Park” means a public playground, public recreation center or area, and any other public area owned or operated by the City for the purpose of public rest, play, recreation, enjoyment or gathering.

“Place of public assemblage” means every place of public amusement or entertainment, stadium, auditorium, theater, athletic field, concert hall or arena, or similar facility which has a capacity of ten thousand (10,000) persons or more.

“Public right-of-ways” means a sidewalk or other pedestrian path.

“Roaming sidewalk vendor” means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

“Sidewalk” is that portion of a highway, other than the roadway, set apart by curbs, barriers, markings or other delineation for pedestrian travel.

“Sidewalk vendor” means a person who sells food or merchandise from a pushcart, stand, display, pedal driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path.

“Stationary sidewalk vendor” means a sidewalk vendor who vends from a fixed location. A roaming sidewalk vendor who stops in one location for ten minutes or more to complete a transaction may be considered a stationary sidewalk vendor.

Section 8-163. Permit Required.

A sidewalk vendor shall obtain a permit from the City’s Permits and Licenses Committee before vending any food or merchandise within the City. The application procedures and permit fees outlined in Chapter 8, Article 3 of this Code apply to applicants for a sidewalk vendor permit. In addition thereto, the following provisions shall apply:
1. If an applicant is selling food or merchandise which requires a license or permit from another governmental agency, the applicant shall provide a valid copy of that permit or license to the Permits and Licenses Committee as part of the application for a sidewalk vendor permit; and

2. An applicant shall not be required to provide any information or documentation to the City that is prohibited by Government Code section 51038; and

3. Sidewalk vendors that use propane may be subject to additional regulations and inspections as adopted by the Permits and Licenses Committee.

Section 8-164. General Sidewalk Vending Regulations.

1. Residential Zones. Stationary sidewalk vendors shall not operate in any area that is zoned exclusively residential. Roaming sidewalk vendors may operate in exclusively zoned residential areas only between the hours of 9 a.m. and 6 p.m.

2. Mixed Residential Zones. Sidewalk vendors may operate in mixed residential zones only between the hours of 9 a.m. and 8 p.m.

3. All other zones. Sidewalk vendors may operate in all other zones only between the hours of 8 a.m. and 11 p.m.

4. Accessibility. Sidewalk vendors shall not operate in a manner that reduces the width of a public right-of-way to less than the minimum standards required by federal and state accessibility laws, as modified from time to time. Sidewalk vendors shall not operate in a manner that impedes access to entrances or exits of abutting properties, mailboxes, parking meters or pay stations, utilities, driveways, alleys, hydrants, crosswalks, ramps intended for use by disabled persons, public transit stations, rail crossings, bus stops, loading/unloading zones, parking spaces, and any location which law enforcement or emergency services personnel require unimpeded access to.

5. Sidewalk vendors shall not operate within ten (10) feet of any of the following: driveways, alleys or hydrants; crosswalks, street corners, traffic signals, or controlled intersections; public transit stations, rail crossings, or bus stops; loading/unloading zones; parking spaces or ramps intended for use by disabled persons.
(6) Sidewalk vendors shall not operate within one hundred (100) feet of any police station, school (K-12), place of worship, hospital, courthouse, jail, fire station, cemetery, or any facility identified in Penal Code section 554, during the facility’s hours of operation.

(7) Stationary sidewalk vendors shall provide a trash receptacle for customers and maintain a clean and trash-free area within ten (10) feet of their location, during their hours of operation. Stationary sidewalk vendors shall separate and recycle all recyclable materials in their trash receptacles.

(8) Sidewalk vendors shall not vend to customers in vehicles unless the vehicle is lawfully parked.

Section 8-165. Places of Public Assemblage and Other Special Locations.

In addition to the general regulations specified in Section 8-164, the following sidewalk vending restrictions shall apply when applicable:

(1) Places of Public Assemblage. Sidewalk vendors shall not operate on any public right-of-way located within one thousand (1,000) feet of a place of public assemblage. This prohibition shall apply beginning two hours before and ending two hours after each event held at a place of public assemblage. The City Council may modify these restrictions, by resolution and on a case-by-case basis, for special events like the Olympics, Super Bowl, or any other special event which entails substantial health, safety and welfare concerns.

(2) Parade Routes. Sidewalk vendors shall not operate on any public right-of-way that is alongside a parade route beginning two hours before and ending two hours after each parade.

(3) Farmer’s Markets. Sidewalk vendors shall not operate on any public right-of-way located within five hundred (500) feet of a Farmer’s Market beginning two hours before and ending one hour after a Farmer’s Market is held.

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(4) Filming locations. Sidewalk vendors shall not operate on any public right-of-way located within the boundary of a lawfully permitted filming location, during the hours specified in the film permit.

Section 8-166. Vending in Parks.

(1) Stationary sidewalk vendors shall not operate in any park if there is an agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire. The Permits and Licensing Committee or enforcement officer shall inform sidewalk vendors of any such agreement.

(2) Hours of operation. Sidewalk vendors may only operate in a park when the park is open to the public.

(3) Sidewalk vendors operating in a park may only use the public right-of-way. Sidewalk vendors shall not operate on the grass, soccer fields, basketball courts, playground areas, or any other activity areas. Sidewalk vendors shall not use, as part of their operations, any tables, benches or other park equipment provided by the City for the public’s use and enjoyment.

(4) Special Events. Sidewalk vendors shall not operate within five hundred (500) feet of any area in a park which is used for a special event, including, but not limited to, community day events, festivals, and Farmer’s Markets, unless they obtain a separate permit from the City to operate during that special event, or the organizer of the special event authorizes the sidewalk vendor to participate in the special event.

Section 8-167. Enforcement. Administrative Penalty.

(a) A violation of this Article by a sidewalk vendor who has a valid sidewalk vending permit from the City is punishable only by an administrative fine not exceeding the following:

(1) One hundred dollars ($100) for the first violation.

(2) Two hundred dollars ($200) for a second violation within one (1) year of the first violation.

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(3) Five hundred dollars ($500) for each additional violation within one (1) year of the first violation.

(4) The City may rescind a permit issued to a sidewalk vendor upon the fourth or any subsequent violation.

(b) A person engaged in sidewalk vending without a valid City permit is punishable only by an administrative fine not exceeding the following:

(1) Two hundred fifty dollars ($250) for a first violation.

(2) Five hundred dollars ($500) for a second violation within one (1) year of the first violation.

(3) One thousand dollars ($1000) for each additional violation within one (1) year of the first violation.

(c) Failure to pay an administrative fine shall not be punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized herein shall not be assessed.

(d) A violation of this Article shall not be punishable as an infraction or misdemeanor. No person alleged to have violated the provisions herein shall be subject to arrest except when otherwise permitted by law.

(e) A person receiving an administrative citation may request a hearing pursuant to Inglewood Municipal Code section 11-96.8. The administrative hearing shall be conducted in accordance with Chapter 11, Article 11.4 of the Municipal Code. When assessing an administrative fine pursuant to this Section, the hearing officer shall take into consideration the person's ability to pay the fine. The City shall provide the person with notice of the person's right to request an ability-to-pay determination and shall make available instructions or other materials requesting an ability-to-pay determination. The person may request an ability-to-pay adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program. If the person meets the criteria described in subdivision (a) or (b) of Government Code section 68632, the City shall accept, in full
satisfaction, 20 percent (20%) of the administrative fine imposed pursuant to this
Section.

Section 8-168. Impound.

(a) The City may impound equipment, food, or merchandise (collectively
“items”) from a sidewalk vendor as follows:

(1) The items are being used or sold in violation of federal or state laws or
regulations, including but not limited to, selling counterfeit merchandise, selling alcohol,
tobacco, cannabis, vaping products or paraphernalia, selling food without a permit from
the Department of Public Health, selling live animals, selling stolen merchandise.

(2) The sidewalk vendor does not possess a valid business tax certificate
pursuant to IMC Section 8-2 or a valid permit pursuant to Section 8-163, and refuses to
comply with an enforcement officer’s instructions to remove the items from the public
right-of-way.

(3) A permitted sidewalk vendor is vending in violation of any provision of
IMC Sections 8-164 or 8-165 and refuses to comply with an enforcement officer’s
instructions to move the items to an acceptable location/distance or remove the items
from the public right-of-way so as to be in compliance with the applicable provision.

(4) The items are left unattended or is abandoned.

(b) Items impounded as evidence of a crime shall be stored and released in
accordance with the procedures set forth in the Penal Code and any other applicable state
law. Items otherwise impounded shall be stored and released as follows:

(1) The enforcement officer shall provide the person from whom property was
taken with a receipt and instructions for the retrieval of the property. The receipt and
instructions shall either be given to the person from whom the property was taken at the
time the enforcement officer obtains the property or immediately mailed, by first-class
mail, to the person from whom the property was taken, if the person’s name and contact
information are provided to the enforcement officer.
(2) The receipt and instructions shall notify the person from whom the property was taken that the property must be claimed within 90 days after the enforcement officer obtains possession or the property will be disposed of in accordance with state law. Notwithstanding the foregoing, the City may immediately dispose of impounded items that are perishable or raise health and safety concerns.

(3) If the owner or person responsible for unattended or abandoned items cannot be identified, or if a person refuses to provide identification for the issuance of an administrative citation, the enforcement officer shall document the date, time period and location the items were observed, the circumstances supporting the enforcement officer's finding that the items were unattended or abandoned, any reasonable attempt to locate the owner of such items, including refusal to provide identification, a complete description of such items, including any items that were immediately disposed of because they were perishable or raised health and safety concerns. This document shall be maintained by the City with any impounded property. The impounded items must be claimed with 90 days after the enforcement officer obtains possession or the items will be disposed of in accordance with state law.

(4) A person whose property is impounded pursuant to this Section may request an administrative hearing within 30 days of impound by the City. The administrative hearing shall be conducted in accordance with Chapter 11, Article 11.4 of the Municipal Code and may be held at the same time as the administrative hearing on any related administrative citation issued under this Article.

(5) The City Manager or Department charged with enforcing this Article may develop additional regulations for the storage and release of impounded items.”

SECTION 2. Inglewood Municipal Code section 1-18.1 is hereby amended as follows:

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“Section 1-18.1. Specific Violations Deemed Infractions.

(a) The following sections of the Inglewood Municipal Code are specifically declared to be punishable as infractions: Sections 3-22, 3-22.1, 3-31, 3-41(1)—(5), 3-43, 3-45, 3-49, 3-50, 3-53, 3-54, 3-56(1), 3-59, 3-61, 3-64.1(1)—(5), 3-65(a), 3-65.1(a), 3-65.2(a) and (b), 3-65.3, 3-65.4(a), 3-66, 3-69, 3-74, 3-80, 3-96, 4-2, 4-4, 4-15, 5-18.1, 5-18.2, 5-21, 5-23.4, 5-28, 5-29, 2-29.1, 5-30, 5-31, 5-33, 5-34, 5-35, 5-36, 5-37, 5-38, 5-44, 5-49, 5-50, 5-57, 5-61, 5-63, 5-64, 5-65, 5-66, 5-67(a)—(v), 5-82, 5-83, 5-84, 5-85, 5-117, 6-2.4, 7-17, 7-18, 7-19, 7-26, 7-44, 8-2, 8-2.1, 8-46, 8-48, 8-56, 8-66.2, 8-67.5, 8-68(1), 8-68(2), 8-69, 8-69.1, 8-74, 8-74.29, 8-74.30, 8-74.32, 8-74.37, 8-74.38, 8-74.40, 8-74.41, 8-77.1, 8-77.2, 8-78, 8-78.1, 8-78.2, 8-78.4, 8-79, 8-79.1, 8-79.2, 8-79.3, 8-79.4, 8-80, 10-3, 10-4, 10-6, 10-8, 10-9, 10-10, 10-11, 10-13, 10-14, 10-16, 10-17, 10-18, 10-45, 10-153, 11-49, 11-61(1), 11-61(2), 11-61(3), 11-70.2(1)—(18), 11-95, 11-104, 11-106, 12-3, 12-12F, 12-15(a)—(e), 12-40, 12-40.1, 12-64.3, 12-59, 12-72, 12-75, 12-77, 12-79, 12-80, 12-81, 12-93.

(b) Notwithstanding Section 1-18, and pursuant to California Vehicle Code Sections 40200 through 40273, any violation regulating the standing, stopping, or parking of a vehicle declared to be punishable as an infraction shall be subject to a civil penalty as set forth in the City’s Schedule of Parking Penalties (IMC 3-81.2).”

SECTION 3. Inglewood Municipal Code section 5-67 is hereby amended as follows:

“Section 5-67. Unauthorized Use of Park Facilities Prohibited.

It shall be unlawful for any person, without the written permission of the Parks, Recreation and Community Services Director within any public park to:

(a) Make or kindle a fire except in picnic stoves or fireplaces provided for that purpose;

(b) Camp or lodge therein. “Camp or lodge” means to erect, maintain or occupy a camp facility for the purpose of living accommodations. “Camp facility”
means one or more of the following: tents, huts, other temporary physical shelters, cots, beds, sleeping bags, hammocks or bedrolls;

(c) Cook, prepare, serve, picnic, or eat except in places designated therefor;

(d) Wash dishes, empty waste liquids in any place other than in sinks provided therefor;

(e) Leave any garbage cans, bottles, papers or other refuse elsewhere than in receptacles placed therefor;

(f) Play or engage in any baseball, softball, football, soccer-ball, volleyball or other game excepting at such places as shall be especially designated or set apart for that purpose; provided, however, that nothing herein contained shall be construed as requiring such written permission for such informal games as “Catch,” “Toss Ball,” or other similar nonoffensive games when participated in by not to exceed four persons when same are conducted in such a manner as not to disturb or annoy other persons present in such public park;

(g) Indulge in riotous, boisterous, threatening, or indecent conduct, or abusive or threatening language, or operate any radio, musical instrument, or sound equipment which can be heard at a distance greater than twenty-five feet outside the boundary of any park or which in any manner disturbs any picnic, meeting, service, concert, exercise or exhibition;

(h) Operate or use any loud speaker or loud speaking sound amplifying device in any public park; provided, however, that nothing herein contained shall be construed as preventing the use of small portable radios when used for the purpose of receiving programs broadcast from regularly authorized and licensed broadcasting stations;

(i) Make any speech or publicly address any group or gathering of persons unless as an authorized part of a ceremony or program for which such a permit is held at the time;

(j) Distribute any handbills or circulars, or post, place or erect any bills, notice, paper, or advertising device or matter of any kind;
(k) Enter, remain, stay or loiter in any public park between the period commencing at eleven p.m. on any day and ending one hour before sunrise of the following day;

(l) Enter, remain, stay or loiter in Siminski Park within this City between the period commencing at sunset on any day and ending one hour before sunrise of the following day;

(m) Hold any meeting, service, concert, exercise or exhibition;

(n) Hold or take part in an organized meeting, assembly or parade involving more than twenty-five people;

(o) Enter or use any restroom for women if a male person over eight years of age;

(p) Dress, undress, or change his or her clothes in any toilet or restroom in any public park;

(q) Remove from any park equipment, any sign indicating that such equipment is reserved;

(r) Use or attempt to use or interfere with the use of any table, space, or facility in said park which at the time is reserved by written reservation then in effect issued to or for any other person; provided, however, that all such reservations shall specify the period covered by same and shall be subject to cancellation by the Recreation, Parks and Community Services Director. Unless the actual use of the table, space or facility referred to in any reservation is commenced within thirty minutes after the period covered by such reservation begins, such reservation shall thereupon be void and all rights under such reservation may be cancelled by the Recreation, Parks and Community Services Director;

(s) Sell or offer for sale any merchandise or object whatsoever;

(ts) Take into, possess or consume intoxicating liquor or alcoholic beverage of any kind;
For the purposes of this subsection, the term "alcoholic beverage" shall mean any spirituous, vinous, malt, or fermented liquor, liquid, compound, or mixture, whether medicated, proprietary, patented or not, and by whatever name designated, containing one-half of one percent of more of alcohol by volume and which is capable of being used for beverage purposes;

(ut) Ride, drive or propel into or upon any roadway, path or way, in any public park or recreation ground within the City any vehicle, device or other equipment, including a bicycle, when there shall be posted at the entrance to any such road, roadway, path or way a notice or sign to the effect that the same is closed to vehicles, placed by the order of the Parks, Recreation and Community Services Director.

(vu) To play any drum."

SECTION 4. The following Inglewood Municipal Code sections are hereby repealed:


Unless a permit therefor has been duly obtained pursuant to the provisions of this Article, it shall be unlawful for any person to stand or park any vehicle, wagon or pushcart from which goods, wares, merchandise, fruits, vegetables or food-stuffs are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon, or eating-car or vehicle, on any portion of any street within the City, except that such vehicles, wagons or push-carts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed ten minutes at any one place. The provisions of this Section shall not apply to persons delivering such articles upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution.

Section 3-70. Vendors. Permit.

It shall be unlawful for any person to park or stand on any street, any lunch wagon, eating-car or vehicle, or push-cart from which tamales, peanuts, popcorn, candy or other articles of food or refreshment are sold or offered for sale without first obtaining

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a written permit so to do from the Permits and Licenses Committee which shall designate the specific section in which such cart, wagon or vehicle shall stand.

Section 3-71. Vending Restrictions.

It shall be unlawful for any person, whether holding a permit pursuant to the foregoing section or not, to go upon or enter upon any public street or portion thereof within three hundred yards of any public elementary school, public junior high school, or public high school between the hours of eight a.m. and four p.m. on days that school is in session for the purpose of engaging in the business described in Sections 3-69 and 3-70. The prohibition of this Section shall not apply to any person invited to call at the public school by the principal of the school or other authorized person thereof, nor shall it apply to any person invited to call in and upon private residences or private businesses upon any public street adjacent to any such school when invited by the owner or occupant of said private residences or private businesses.

Section 5-18.1. Prohibition of Commercial Activities Outside Facilities.

The City Council hereby finds as follows:

1. That a large crowd of people assembled at any one location where at least ten thousand people are expected has a potential for creating significant pedestrian and vehicular traffic and other crowd control problems;

2. That unregulated and unauthorized sales transactions in such a crowd generates a high frequency of visible cash transactions which tend to attract criminal elements to the facility;

3. That sales transactions on the premises can exacerbate the inherent crowd control problems by impeding traffic movement;

4. That the operator of the facility has a critical financial interest in alleviating these problems in order to make the premises and events safer and more convenient for its patrons;

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5. That in order to protect the public health, safety and welfare it is necessary to regulate such activities and to impose a greater burden on the facility operator for maintaining order on its own premises.

Section 5-18.2. Unlawful Commercial Transactions Prohibited.

It shall be unlawful for any person to sell or resell or offer for sale or resale or purchase or offer to purchase any merchandise, article, ware, ticket, item of food or clothing, or any other thing of any kind or nature whatsoever, in or upon the premises or in or upon that portion of any public street or sidewalk that adjoins any place of public assemblage.

Section 5-18.3. Exemptions.

The provisions of Section 5-18.2 shall not apply to transactions in which any party thereto possesses the expressed written permission and authorization of the person, firm, or corporation responsible for the care or control of the property upon which such sale or resale or offer of sale or resale or such purchase or offer to purchase is conducted; provided, however, that evidence of the existence of such permission and authorization shall be visibly displayed at all times pertinent to the transaction(s) upon the person in possession thereof and the transaction is one otherwise permitted by law.

Section 5-18.4. Place of Public Assemblage.

A "place of public assemblage" as that term is used in Section 5-18.2 shall mean every place of public amusement or entertainment, stadium, auditorium, theater, athletic field, concert hall or arena, which has a capacity of ten thousand persons or more which is open to the public upon compliance with the requirements of admission.

Section 5-36. Hawkers and Peddlers, Noise Regulated.

It shall be unlawful for any person within the City to sell anything by public outcry within any area of the City. The provisions of this Section shall not be construed to prohibit the selling by outcry of merchandise, food, and beverages at licensed sporting events, parades, fairs, circuses, and other similar licensed public entertainment events.

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Section 8-78. Peddling and Solicitation. Purpose of Regulation.

The City Council finds and declares as follows:

(1)—That the distribution of commercial advertising material upon residential property in the City creates widespread litter which is unsightly, unhealthy, and difficult to remove:

(2)—That door-to-door commercial solicitation of unwilling recipients by salesmen of goods and services jeopardizes the right of residents in this City to enjoy the privacy of their homes in tranquility and security, and serious public offenses have been committed by purported solicitors:

(3)—That unscrupulous real estate salesmen have used and threaten to use handbills and door-to-door sales techniques to directly or indirectly induce panic sales of real estate based on supposed changes in the racial, economic and social character of a neighborhood:

(4)—That such practices are injurious and inimical to the public health, safety and welfare of residents of this City and that such problems are becoming increasingly direct and substantial:

(5)—That such practices are, therefore, declared to be a public nuisance:

(6)—That such practices should be prohibited to protect the public health, safety, and general welfare of the residents of this City.

Section 8-78.1. Distribution of Literature.

It shall be unlawful to pass out, give away, circulate or deliver any printed or written handbill, circular, or advertising literature offering to sell or buy any goods, wares, merchandise, or commercial services or offering to buy, sell, or list any real property:

(1)—In any public place within the City; or

(2)—Into or upon any motor vehicle within the City; or

(3)—In the yard, or grounds or on the doorstep, porch, or vestibule of any residence, dwelling or apartment within the City; or
(4) Upon any vacant lot or other private property within the City, without first having obtained permission of the owner, adult occupant, or other person in control thereof:

Section 8-78.2. Distribution of Literature to Unwilling Recipients.

It shall be unlawful to distribute, peddle, pass out, give away, or circulate any printed or written literature of any kind whatsoever within the City when the intended recipient thereof, or the owner, occupant, or resident of any property where such literature is left or intended to be left, has notified the distributor or disseminator of such material that they do not wish to receive any literature.

Section 8-78.3. Notice to Peddlers, Solicitors and Distributors.

The notice referred to in the preceding section may be given to a distributor or disseminator of printed or written material by an owner, occupant, or resident of property by one or more of the following means:

(a) By posting the property on or near the front door or main entrance thereof with a sign at least twelve square inches in area stating, in effect, "No Handbills," or words of similar meaning.

(b) By written communication to the distributor or disseminator of such material.

Section 8-78.4. Peddling and Solicitation.

It shall be unlawful for any person commercially selling, offering for sale, or soliciting orders for any goods, wares, merchandise or commercial service; or offering to buy, sell, or list any real property; or distributing commercial literature of the type described in section 8-78.1, to go upon, ring the bell or knock on the door of, or attempt to gain admittance to the premises of any residence, dwelling, or apartment within the City unless previous to such entry, bell ringing, or knocking, such person has been requested or invited by the owner or adult occupant of the premises to be thereupon for such purpose.

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Section 8-78.5. Littering Forbidden.

It shall be unlawful to throw, cast or scatter any printed or written material of any type whatsoever in or onto any public place; into, or upon any automobile, vehicle or conveyance; or in, into or on the yard or grounds or on the doorstep, porch or vestibule of any residence, apartment or dwelling; or upon any vacant lot or other private property within the City.

Section 8-78.6. Methods of Distribution.

Any printed or written material which may be passed out, given away, circulated or delivered in the City, pursuant to law, shall be:

(1) Placed in the hand of the intended recipient; or

(2) Bound, folded or weighted in such a manner that the material cannot be blown away, scattered or fragmented by the action of the elements and/or normal pedestrian or vehicular traffic; or

(3) Affixed to the premises for which it is intended by being tied to or slipped over a doorknob or other protrusion.

Section 8-78.7. Newspapers Excepted.

The foregoing provisions of this Article shall not apply to the distribution of folded newspapers of general circulation, as the same are defined in the Government Code of the State of California.

Section 8-78.8. Refusal to Leave Unlawful.

It shall be unlawful for a peddler or solicitor or person distributing literature of any kind, to refuse to leave any residence, dwelling or apartment or other private property within the City when requested to leave by the owner, occupant, resident or person in control thereof.

Section 8-78.9. Lawful Solicitation, Hour Limit.

In the event a person is not prohibited by the provisions of this Section from soliciting for the sale of goods or merchandise, it nevertheless shall be unlawful for such person selling or pretending to sell, or offering for sale or demonstrating goods, wares or
merchandise of any kind or character, or any article, material or substance, to ring the
bell or knock on the door of or attempt to gain entrance to any residence, dwelling, flat,
or apartment after nine p.m. in the event of any day and before nine a.m. in the morning
of any day.

Section 8-79. Sidewalk Vending Prohibited. Business District.
It shall be unlawful for any person to offer for sale or solicit the sale of
merchandise in any Central Traffic District as defined in Ordinances Nos. 1267, 1283,
1300 and 1331 without a written permit from the Permits and Licenses Committee.

Section 8-79.1. Prohibition Catering Trucks.
It shall be unlawful for any person to park any motor vehicle from which goods,
wares, merchandise or food are sold, displayed, solicited or offered for sale in any City
park at anytime or on any portion of any street within the City for more than fifteen
minutes at the same location.

Section 8-79.2. Prohibition Push Carts.
It shall be unlawful for any person to use a nonmotorized vehicle or push cart
type conveyance to sell goods, wares, merchandise or food on any public streets,
sidewalks or parks as defined in Section 8-1.50.

Section 8-79.3. Prohibition Vending to Motoring Public.
It shall be unlawful for any person to sell or offer to sell any merchandise with the
driver or passenger of a motor vehicle, while the vehicle remains running and is located
in a public street.

Section 8-79.4. Prohibition Vending at Designated Locations on Days of
Events.
It shall be unlawful for any person to display, solicit to sell or sell any
merchandise from a location, other than from within a fully enclosed building in an area
bounded by Manchester Boulevard on the north (including all of the north side of
Manchester Boulevard), Arbor Vitae Street on the south, La Brea Avenue on the west,
and 5th Avenue on the east, during a period beginning two hours before and ending two

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hours after each event conducted at the Forum except the prohibition herein shall not
apply to the establishment of temporary retail displays located wholly upon Forum
property, when the solicitation and sale of merchandise does not attract, delay, hinder or
impede fans and pedestrians traveling upon the streets and sidewalks bordering the
Forum complex.

Section 8-80. Soliciting Contributions: Permit Required.

It shall be unlawful for any person to solicit funds, provisions, clothing, subscriptions, goods or merchandise of any character for the assistance or relief of human beings, or under the representation or pretext that such funds, provisions, clothing, subscriptions, goods, wares or merchandise are to be used for, or applied to, the assistance or relief of human beings, without a written permit from the Permits and Licenses Committee.

Section 8-80.1. Application.

Any person desiring a permit to solicit contributions shall make written application to the Permits and Licenses Committee for such permit, stating:

(1) The correct name and address of such person and indicating, if a firm, the names and addresses of the members, or co-partners, thereof, and if a corporation, the names and addresses of the principal officers thereof.

(2) The manner or method in which such solicitation is to be made, and the purpose, or purposes, to which the proceeds of such solicitation are to be applied.

Section 8-80.2. Report by Police Chief Mandatory.

The Chief of Police shall investigate every applicant for permit under this Section and shall submit his report to the Committee.

Section 8-80.3. Identification Card.

If and when any such permit is issued, the Finance Director shall issue to the permittee a form of identification card, or device, in form prepared by the Finance Director, which must at all times be carried upon the person of the permittee when engaged in the activity permitted and must be exhibited upon request, to the Finance
Director or any police officer of the City, or any citizen or prospect approached by such permissive in the course of such activity.

Section 8-80.4. Permit Fee Exemption.

Persons and organizations exempt from the payment of license-tax pursuant to Section 8-5 shall also be exempt from the payment of permit fees.

Section 8-80.5. Committee's Determination.

The procedures governing the processing issuance and revocation of permits generally as set forth in Article 3 of this Chapter, shall govern applications for permits to solicit contributions, provided, however, that each permit issued shall be expressly revocable at any time without notice to permittee and without cause and provided further, that no solicitation shall be permitted within the Central Traffic Districts of the City unless the permit expressly permits it.

Section 8-80.6. Solicitation by Minors Prohibited.

It shall be unlawful for any person under fourteen years of age to solicit funds, provisions, clothing, subscriptions, goods, or merchandise of any character within the City unless there is an adult over the age of twenty-one years accompanying each two solicitors under the age of fourteen years. Violation of the provisions of this Section shall be grounds for the revocation of any permit.

Section 8-81. Prohibition Against Abusive Solicitation.

The City Council finds and declares as follows:

(1) — Abusive solicitation of money and/or other items of value creates problems for persons living in and visiting the City. The problem is becoming increasingly direct and substantial in the City.

(2) — Abusive solicitation of money and/or other items of value jeopardizes the rights of residents and visitors to enjoy tranquil and safe passage upon the streets of the City.

(3) — Abusive solicitation of money and/or other items of value is injurious and inimical to the public's interests.
(4) It is the purpose of this Section to impose reasonable place and manner limitations on solicitation, as defined herein, in order to protect the safety of the general public against abusive solicitation, while respecting the constitutional right to speech.

Section 8-81.1. Definitions.

The following words and phrases, as used in this Section, including its subparts, shall have the meanings defined herein:

(a) "Solicitation" shall mean any request made in person and seeking an immediate donation of money or other item of value. A person shall not be deemed to be in the act of solicitation when seeking donations without addressing the solicitation to any specific person.

(b) "Donation" shall mean a gift of money or other item of value and shall include the purchase of an item for an amount far exceeding its value under the circumstances where a reasonable person would understand that the purchase is in substance a gift.

(c) "Abusive solicitation" shall mean the act of doing one or more of the following while engaging in solicitation or immediately thereafter:

(1) Coming within three feet of the solicited person, unless and until the solicited person indicates that he or she wishes to make a donation;

(2) Blocking or impeding the passage of the solicited person;

(3) Following the solicited person by proceeding behind, ahead or alongside of him or her after the solicited person declines to make a donation;

(4) Threatening the solicited person with physical harm by word or gesture;

(5) Abusing the solicited person with words which are offensive and inherently likely to provoke an immediate violent response; or

(6) Touching the solicited person without the solicited person's consent.

Section 8-81.2. Penalties.

Any person who engages in abusive solicitation as defined herein or such solicitation where prohibited as stated herein, shall be guilty of a misdemeanor.
Section 8-84. Barbershops. Hours.

It shall be unlawful for any person acting as proprietor, manager, licensee, employee or agent to keep open or operate any barbershop to which the general public has access, between the hours of twelve o'clock midnight on Saturday of each week, and twelve o'clock midnight on the following day.


It shall be unlawful for any person to leave or permit to remain in or upon any sidewalk or in or upon any parkway in any street within the City, any merchandise, fruit, melons, vegetables, meats or any baggage or any article of personal property, except pursuant to a permit issued by the Permits and Licenses Committee pursuant to Section 8-53.1(15) or as permitted by Section 12-77.11 of Chapter 12 of the Inglewood Municipal Code."

SECTION 5. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or paragraphs of this ordinance, or its application to any person or circumstance. The City of Inglewood hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause and paragraph hereof, irrespective of the fact that any one or more of the foregoing sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 6. The City Clerk shall certify to the approval, passage and adoption of this Ordinance by the City Council and shall cause the same to be published in accordance with the City Charter; and thirty days from the final passage and adoption, this Ordinance shall be in full force and effect.

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PASSED, APPROVED AND ADOPTED this _____ day of ________________, 2023.

________________________________________
James T. Butts, Jr., Mayor

ATTEST:

_______________________________
Aisha L. Thompson, City Clerk