



5/15/2023

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Re: Long Beach City Council Agenda Item No. 16

Dear Mayor Richardson and Members of the City Council:

I am sending this letter to express my concerns regarding "Agenda Item No. 16" on tonight's City Council Agenda (Proposed Ordinance Regarding Sidewalk Vendors).

Although the recommendations from the City's consultant address a number of public safety concerns including setbacks, easements and others, the proposed language does not include many criteria vital to ensuring that our Long Beach restaurants and restaurant communities are protected. The ordinance will create a double standard whereby brick and mortar restaurants are required to adhere to more onerous and stringent regulations than those proposed for sidewalk vendors. To create an equal playing field and to protect the health and safety of both our restaurants and residents, I would propose the following additional criteria be added and that you direct the City Attorney to include these proposals in the resulting ordinance language:

-The current recommendations contain no mention of or requirement for insurance. In fact, the consultant recommends that no insurance be required. There is no logic or basis given as to why other than to say it would be "cost prohibitive". I strongly disagree. As these street vending operations will be open to the public and given the insurance requirements for all brick-and-mortar businesses, it would make sense to require minimal General Liability insurance for sidewalk vending in order to protect consumers and others. The City of Long Beach currently requires insurance for special events and other

activities without consideration for “cost” or whether it will impede operations. As such, insurance must be required for street vending in order to avoid a “two-tiered” business system in our City;

-While there is a requirement for a City business license, I would ask that you provide language to the City Attorney to incorporate in her draft ordinance that clarifies that sidewalk vendors will be required to obtain the same type of business license (and will be subject to the same fee structure) as all other restaurant and food establishments prominently displayed in open view to the public.

-While there is a prohibition on tables, chairs and canopies for sidewalk vendors, there is no setback requirement from existing restaurants. While there are required setbacks from alleyways, ATMs and fire hydrants, there should be a setback from existing restaurants in order to avoid an unfair business environment, alleviating any potential altercations that may arise between parties;

-In addition, the number of street vendor permits should be limited. The City has recently limited permits in other areas of commerce including cannabis and outdoor dining. As such, and to be consistent, it would seem fair to limit the number of permits issued under this ordinance to 100;

-I would ask that the ordinance make clear that street vendor permittees shall otherwise comply with all Health Department regulations inclusive of a health permit prominently displayed in open view to the public, have hot running water, refrigeration, hand washing stations, trash disposal, access to public restrooms and other basic health department criteria not specified in the recommendations;

-I would ask that the City clarify that street vendors need to operate in an ADA compliant manner, as all other brick and mortar establishments in the City;

-Lastly, I would recommend that the enforcement and fine provisions be clarified before the City Attorney is asked to draft an ordinance. As the traditional restaurant businesses in the City are subject to inspection by health department officials, so too should street vendors. Such an enforcement mechanism is at the heart of any health and safety-oriented ordinance, including this one, and others envisioned by SB 946.

A food borne virus emanating from an unregulated street food vendor due to the city’s failure to clearly mandate and enforce the regulations would have catastrophic health effects on our community.

I thank you for your time and attention.

Very truly yours,



Jodi V. Meade  
Owner  
The Wine Beach

