

**From:** [Kenneth Murray](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Public Comment Submission Re: April 9, 2024 Board of Supervisors Agenda Item 53, Adoption of Ordinance to Regulate Vending of Sidewalks and Pedestrian Pathways  
**Date:** Friday, April 5, 2024 10:05:14 AM

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Clerk of the Board:

This is written to support the passage of an Ordinance to regulate vending on sidewalks and pedestrian pathways in the County's Unincorporated areas and to bring to the attention of the County Board of Supervisors some of the issues that will likely arise in the enforcement of such an Ordinance. I am writing this from my experiences as the former Director of Environmental Protection for the Los Angeles County Department of Public Health (retired 2012).

1) Vending on sidewalks, pedestrian pathways, and in the street near pedestrian access areas inhibits pedestrian access and use of these areas. It also violates portions of the Americans with Disabilities Act of 1990 as it hinders access and use of these areas by individuals with disabilities.

2) Vending food on sidewalks, pedestrian pathways, and streets increases the likelihood of violating several state and national environmental, health, and safety codes. Examples are: a) discharge of waste cooking oils and grease onto the walkway or street, which ultimately enters the storm drainage in the area which negatively impacts the National Pollutant Discharge and Elimination System (NPDES), b) state requirements for a trained certified food handler to be present and vending the food, and c) increased likelihood of a foodborne illness (food poisoning) to occur due to the lack of toilet facilities, handwashing, and sanitation of food utensils.

3) Unregulated street vending is sometimes associated with illegal activities such as a) human trafficking, b) illegal drug sales, c) prostitution, and d) sales of stolen property.

4) Once such an Ordinance is passed, the enforcement of the Ordinance must be carefully planned, as **staff safety issues must be considered**. Enforcement of this type of Ordinance is usually assigned to staff in Code Compliance, Environmental Health, and Law Enforcement (Police or Sheriff), or a combination of these. Due to the possibility of illegal activities as those previously mentioned, and in particular, in the case of food vending with the presence of cutlery and other instruments that could potentially be used as weapons, the safety of enforcement staff is a concern. From experience, I have found that if staff safety is not reasonably assured, staff will rightfully be reluctant to enforce such an ordinance, and for those who do enforce it, their safety can be at risk.

I fully support the passage of this Ordinance with the inclusion of a plan to implement enforcement in a manner that reasonably ensures the safety of the enforcement staff.

Respectfully submitted.....  
Ken Murray