



COUNTY of VENTURA

RESOURCE MANAGEMENT AGENCY

ROBERT A. MULLANE

Agency Director

September 10, 2024

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Ruben Barrera, Director
Building and Safety Division

Doug Leeper, Director
Code Compliance Division

Charles R. Genkel, Director
Environmental Health Division

Jennifer Orozco, Director
Operations Division

Dave Ward, Director
Planning Division

SUBJECT: Second Public Hearing Regarding Adoption of Amendments to Provisions of the Ventura County Ordinance Code Regarding Sidewalk Vending; Find that the Ordinance Amendments are Exempt from the California Environmental Quality Act; All Supervisorial Districts

RECOMMENDATIONS:

1. Receive public testimony and adopt the amendments to the provisions of the Ventura County Ordinance Code regarding the Sidewalk Vending Ordinance attached as Exhibit 1, to take effect 30 days after adoption.
2. Find that the Sidewalk Vending Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3).
3. Direct the Clerk of the Board to publish a summary of the amended ordinance pursuant to the Government Code.

FISCAL/MANDATES IMPACT:

Mandatory:	No
Source of Funding:	General Fund
Funding Match Required:	\$0
Impact on Other Departments:	County Counsel, County Executive Office, Resource Management Agency, General Services Agency, Sheriff's Department, Ventura County Fire Protection District

FY 2024-25 Budget Projection for Code Compliance – Division 2950				
	Adopted Budget	Adjusted Budget	Projected Actual	Estimated Savings/(Deficit)
Appropriations	\$ 2,948,288	\$ 2,948,288	\$ 2,948,288	\$ -
Revenue	\$ 746,048	\$ 746,048	\$ 746,048	\$ -
Net Cost	\$ 2,202,240	\$ 2,202,240	\$ 2,202,240	\$ -

A 20-month pilot program for the enforcement of the Sidewalk Vending regulations was presented to your Board on July 23, 2024, with the pilot program commencing in approximately November 2024. The total FY 2024-25 cost for eight months of staffing and equipment was estimated to be \$672,000, and the cost in FY 2025-26, for the remainder of the pilot program, was estimated to require \$957,200.

STRATEGIC PLAN:

The Sidewalk Vending regulations support multiple priorities in the County Strategic Plan including:

Healthy, Safe, and Resilient Communities under the goal of maintaining high-performing public safety services. These regulations would protect public health and safety through enforcement of public right-of-way, ensuring traffic and pedestrian safety on County roadways/shoulders by addressing illegal encroachments that present safety issues, access to public pathways and sidewalks, and prevention or mitigation of food-borne illnesses.

Additionally, these regulations support *Fiscal Responsibility and Economic Vitality* under the goal of creating a customer service-focused and business-friendly environment, while stimulating entrepreneurship and industry growth. This request ensures economic livelihood for the local permitted business community by enforcing fair business practices while identifying permitting pathways for entrepreneurs and vendors.

DISCUSSION:

Background

On July 23, 2024, Code Compliance Division staff provided an update on the County's Sidewalk Vending regulations (Division 2, Chapter 6, Sections 2800 through 2811 of the Ventura County Ordinance Code) and the enforcement of these regulations. As part of this update, Code Compliance staff presented a recommended revision to the existing Sidewalk Vending Ordinance regulations to achieve consistency with the terminology used in the corresponding State law addressing sidewalk vending. The recommended

revisions to the Sidewalk Vending Ordinance were presented to your Board for introduction and first reading at a public hearing at the July 23, 2024 meeting.

Proposed Ordinance

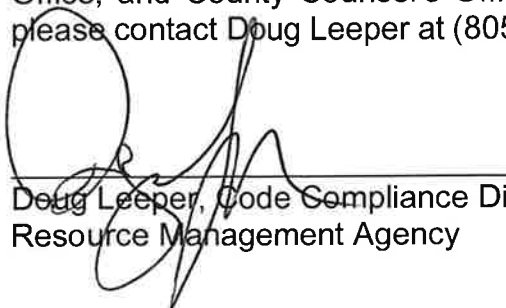
The action for your Board's consideration today is the second public hearing regarding the adoption of these amendments to the Sidewalk Vending Ordinance. As detailed in the proposed Ordinance (included as Exhibits 1 and 2), the proposed amendments will provide consistency with the terminology used in the corresponding State law addressing sidewalk vending, changing the term "notice of violation" to "administrative citation." In addition, the language addressing an individual's right to appeal an administrative citation was added. All appeal provisions in sections 2805, 2810, and 2811 have been coordinated to authorize written appeals to be filed and reviewed. Other provisions of the Ordinance make various technical corrections.

In addition, the length of time that impounded merchandise and equipment has been reduced from 90 days to 30 days so as to accommodate space in an impound area. The amended ordinance is included as Exhibit 1, and a legislative version of the Ordinance amendments is included as Exhibit 2. The required notice of the adoption of this Ordinance has been published.

California Environmental Quality Act (CEQA):

The proposed amendments to the County's Sidewalk Vending Ordinance are limited to minor refinements to the existing regulations to provide consistency with the terminology used in the corresponding State law addressing sidewalk vending and to modify the length of time that impounded merchandise and equipment has been reduced from 90 days to 30 days. These minor modifications to the existing Sidewalk Vending regulations do not alter the physical environment nor result in any environmental impacts. As such, the ordinance amending the existing Sidewalk Vending regulations is exempt from CEQA environmental impact review pursuant to Title 14, Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that the proposed Ordinance revisions may have a significant negative effect on the environment.

This letter has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel's Office. If you have any questions regarding this item, please contact Doug Leeper at (805) 654-2446 or via e-mail at doug.leeper@ventura.org



Doug Leeper, Code Compliance Director
Resource Management Agency

Exhibit 1 – Amended Sidewalk Vending Ordinance

Exhibit 2 – Legislative Version of Amended Sidewalk Vending Ordinance