Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

January 23, 2014

TO: Supervisor Don Knabe, Chair
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

FROM: Leroy D. Baca, Sheriff

Richard J. Bruckner, Director for EJB
Department of Regional Planning

Jonathan E. Fielding, M.D., M.P.H., Director and Health Officer
Department of Public Health

Mark J. Saladino, Treasurer and Tax Collector

RECOMMENDATION TO AMEND TITLES 7 AND 8 OF THE LOS ANGELES COUNTY CODE REGARDING VENDING ENFORCEMENT AND UPDATE ON EXTENDED YARD SALES (APRIL 9, 2013, ITEM 4)

On April 9, 2013, by motion of Supervisor Mark Ridley-Thomas, the Board adopted a motion instructing the Sheriff's Department, Department of Regional Planning (DRP), Treasurer and Tax Collector, Department of Public Health, District Attorney's Office, and the Office of the County Counsel ("Departments") to take the following actions:

1. Meet and review existing Los Angeles County ordinances and any other applicable statutory law, as well as current enforcement practices and procedures;

2. Draft or amend existing ordinances, to allow for effective enforcement against illegal vending and extended yard sales;

3. Direct the Regional Planning Commission to conduct a public hearing and forward its recommendations on any proposed ordinance revisions to the Board of Supervisors for its consideration; and

4. Place the draft ordinance on the Board of Supervisors' agenda for consideration as soon as possible, taking into consideration all hearing posting requirements, or otherwise report back as to why this may not be possible or practical.

The Departments have met, reviewed, and considered the County's ordinances, State law, and current enforcement practices and procedures relative to the County's illegal vending problem. The consensus is that more effective enforcement against illegal vending can be achieved through amendments to Title 7 – Business Licenses of the Los Angeles County Code, relating to peddlers and solicitors and Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code, relating to vending on County highways. It is believed that amendments to the penalty provisions for certain offenses which are now misdemeanors, be instead made infractions for the first violation. Second or subsequent violations will be cited or charged as an infraction or misdemeanor. These changes will help to ensure that the more serious offenders will be referred for criminal prosecution and lead to more effective enforcement.

The Departments also reviewed and considered the County's problem with extended yard sales. Based on input from the Board's Planning Deputies, DRP has concluded that enforcement would best be achieved by amending Title 22 – Agricultural and Residential Zones of the Los Angeles County Code, relating to personal property sales or "yard sales" on private property. The amendment would allow yard sales by right on certain designated weekends and up to two additional yard sales by registration with DRP at any other time during the calendar year. This change would provide the DRP with a more efficient tool for yard sale enforcement in the communities where the problem is most pervasive and have little, if any, impact on the communities that have not raised this as a concern. In addition, although this code amendment would change current requirements, overall, County residents would be allowed to have more yard sales than the current restriction of two yard sales in any 12-month period.

It is therefore recommended that County Counsel draft an ordinance to amend Titles 7 and 8 of the Los Angeles County Code consistent with these objectives and present it to the Board for your consideration. It is also recommended that DRP draft an ordinance consistent with the above mentioned objectives and conduct appropriate public outreach prior to submission of the proposal to the Regional Planning Commission for action.

We anticipate submitting the amendments to Titles 7 and 8 to your Board sometime in the near future and then submitting the amendments to Title 22 to the Regional Planning Commission in early summer 2014. Should you have any questions or concerns, please contact Deputy Kevin Unland, at (323) 890-5411, kgunland@lasd.org or Patricia Hachiya, at (213) 974-6461, phachiya@planning.lacounty.gov.

RJB:JS:PH:ra

c: Executive Office, Board of Supervisors (Hamai)
Chief Executive Office, (Fujioka)