

May 15, 1995
REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL

ORDINANCE PROHIBITING SOLICITING EMPLOYMENT
ON PUBLIC STREETS AT ANY TIME

At the Council meeting on April 25, 1995, the City Council approved a lease of City property in Pacific Beach for development and operation of the Pacific Beach Employment Center. As part of the discussion the Council asked for a report back on the issue of "extending the hours of banning curbside hiring."

Presently, the City ordinance which could potentially be used to prohibit solicitation of employment on public streets is contained in Municipal Code section 33.1401 et seq. entitled "Solicitors, Peddlers and Interviewers." A copy of the existing Municipal Code sections is attached as Attachment 1.

Section 33.1410 prohibits certain solicitations from 8:00 p.m. to 9:00 a.m. The present ordinance appears to have been drafted with the primary purpose of prohibiting door-to-door sales of goods and merchandise during the nighttime hours.

Rather than utilize the general terms of the existing ordinance it is recommended that, if the City Council wishes to adopt an ordinance specifically relating to solicitations for employment on City streets, the City enact an ordinance similar to the ordinance in effect in the County of Los Angeles since July 1994, a copy of which is attached as Attachment 2.

Attachment 3, for your information, is a general discussion of ordinances in various cities relating to the prohibition of employment solicitation, including a brief legal history and a description of practical problems of enforcement.

You may wish to docket this matter for discussion at the appropriate Council committee. If you want us to prepare an ordinance specifically relating to employment solicitation on public streets, please contact Hal Valderhaug at 67728.

Respectfully submitted,
JOHN W. WITT
City Attorney

HOV:ps:524.3

Attachments - 3
cc City Manager
Police Chief
RC-95-12