

RESOLUTION NUMBER R- 315689

DATE OF FINAL PASSAGE JUL 22 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A FEE FOR SIDEWALK VENDING APPLICATIONS AND PERMITS ISSUED UNDER CHAPTER 3 ARTICLE 6, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE.

WHEREAS, the Sidewalk Vending Ordinance (San Diego Ordinance O-21459, effective May 23, 2022 and amended by Ordinance O-21775, effective February 28, 2024), codified in Chapter 3, Article 6, Division 1, sections 36.0101 to 36.0116 of the San Diego Municipal Code, establishes a permit process and regulation of sidewalk vending in the City of San Diego (City); and

WHEREAS, it is the policy of the City to establish fees to recover the costs of providing services in accordance with San Diego Administrative Regulation 95.25, Council Policy 100-05, "User Fee Policy," and applicable State of California law; and

WHEREAS, the City conducted a full evaluation of the projected costs and revenues associated with providing City services to implement and enforce the Sidewalk Vending Ordinance, in accordance with the California Constitution, which authorizes local governments to impose fees or charges related to government services, regulatory fees, and charges for use of local government property; and

WHEREAS, the San Diego City Council (Council) established a fee for sidewalk vending applications and permits (Fee) to be paid with the initial submission of an application and each year the permit is renewed, set at \$38, by adopting Resolution R-314117, effective May 23, 2022; and renewed for one year by Resolution R-314818, effective May 23, 2023; and

WHEREAS, the Council desires to continue with the Fee set at a level that is lower than the estimated full reasonable cost of providing the sidewalk vending applications and permits in order to reduce the barrier to entry for community participants; and

WHEREAS, the Fee will be effective as of May 23, 2024; and

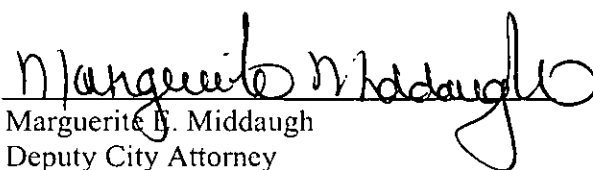
WHEREAS, the City will continue to reassess the Fee as part of the Citywide comprehensive user fee study in compliance with Council Policy 100-05; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Fee of \$38 is approved to partially recover costs incurred by the City in providing such services.

BE IT FURTHER RESOLVED, that the City Clerk is directed to include the Fee in the Ratebook of City Fees and Charges maintained in the Office of the City Clerk.

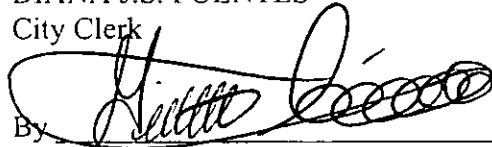
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Marguerite B. Middaugh
Deputy City Attorney

MEM:jdf
04/30/2024
Or. Dept: Treasurer
Doc. No.: 3636943

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 16 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 7/19/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

JUL 16 2024

Passed by the Council of The City of San Diego on _____, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 22 2024

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

(Seal)

By Linda Urwin, Deputy
For Gilbert Sanchez

<p>Office of the City Clerk, San Diego, California</p> <p>Resolution Number R- 315689</p>
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