

ORDINANCE NO. 3606 C.S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY

**RELATED TO THE REGULATION OF SIDEWALK VENDORS AND AMENDMENT CITY
CODE SECTION 19-103 – SCHEDULE OF FEES AND SERVICE CHARGES**

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1:

WHEREAS, since 1936, Monterey City Code section 32-3 has generally prohibited the use of public property for transacting commercial business. Senate Bill (“SB”) 946 was signed into law on September 17, 2018, prohibiting local agencies from regulating sidewalk vendors except in accordance with its provisions, which are codified in Government Code sections 51038 and 51039;

WHEREAS, the City Council seeks to comply with new state law and recognizes that sidewalk vending provides important entrepreneurship and economic development opportunities to low-income and immigrant communities, contributes to a dynamic public space and increases access to desired goods and culturally significant food and merchandise;

WHEREAS, the City Council also finds that the act of vending on sidewalks and other areas of the public right-of-way has the potential for increased safety hazards, such as, but not limited to, inhibiting the ability of disabled individuals and other pedestrians to follow a safe path of travel; interfering with the performance of police, firefighter, and emergency medical personnel services; encouraging pedestrians to cross mid-block or stand in roadways to purchase food; and creating obstacles and contributing to congestion for pedestrian, vehicle, and bicycle traffic;

WHEREAS, restrictions on sidewalk vending are needed to accommodate vendors and their equipment, while also safe-guarding the flow of pedestrian movement on sidewalks and in the public right-of-way, and ensuring no interference with the performance of police, firefighter, and emergency medical personnel services;

WHEREAS, Cannery Row area is a popular tourist attraction in the City with over 5.7 million visitors from May 2015 to May 2016 with the average number of pedestrians in the area topping one thousand beginning at 11 am on weekdays and 10 am on weekends and holidays. Additionally, the Monterey Bay Aquarium is located on Cannery Row and has an annual average attendance of 1.8 million visitors;

WHEREAS, the City Council finds that based on the heavy pedestrian and vehicular traffic and physical characteristics of the sidewalks in the Cannery Row area, the presence of vendors on sidewalks along Cannery Row between David Avenue and Hoffman Avenue between the hours of 11 am - 6 pm Monday through Friday and 10 am - 9 pm on weekends and holidays would obstruct such sidewalks thereby jeopardizing the safe and convenient circulation of the large number of pedestrians and motorists who utilize the streets and sidewalks in Cannery Row;

WHEREAS, the Monterey County Fairgrounds are located within the City's North Fremont Business District and periodically hosts major events, including the Monterey Jazz Festival, the California Roots music festival, and the Monterey County Fair;

WHEREAS, the City Council finds that based on the physical characteristics of the sidewalks adjacent to the Monterey Fairgrounds and its respective parking area, the presence of vendors on sidewalks along Fairground Road between Garden Road and Airport Road before, during, and after major events would obstruct such sidewalks thereby jeopardizing the safe and convenient circulation of the large number of pedestrians and motorists who utilize the streets and sidewalks in areas adjacent to the Monterey Fairgrounds;

WHEREAS, in order to promote mobility and safety of pedestrians and vehicles at all times, the City Council has determined that prohibiting persons from engaging in sidewalk vending two hours before, during, and two hours after, major events at the Monterey Fairgrounds is necessary to preserve and protect the health, safety and welfare of the public;

WHEREAS, the City Council finds that the Monterey Bay Coastal Recreation Trail, an 18 mile, regional, multi-purpose trail, is a unique natural resource and recreational opportunity for residents of Monterey and the surrounding region that should be preserved for the public's recreational use and enjoyment and protected against commercial activity that would unreasonably interfere with the scenic and natural character of the trail;

WHEREAS, the City Council finds that the Monterey Bay Coastal Recreation Trail is heavily used by both visitors and locals and that vending on or along the Trail would jeopardize the safe and convenient circulation of the large number of pedestrians, bicyclists, and others who utilize the Trail;

WHEREAS, the nearby Monterey Bay National Marine Sanctuary prohibits the discharge of balloons into the Sanctuary as they present a hazard to both wildlife and the marine environment. Additionally, foil balloons lead to multiple power outages in the state of California each year due to the balloons coming into contact with overhead power lines;

WHEREAS, City of Monterey Parks employees have to spend additional hours to clean areas where water balloons, glitter, confetti, and streamer spray, also known as aerosol string, have been used due to the many small pieces left in the parks. These items are also often made of plastic, which does not biodegrade;

WHEREAS, the City Council finds that prohibiting the sale of helium balloons, water balloons, plastic glitter, confetti, and streamer spray, also known as aerosol string, by sidewalk vendors will protect wildlife, the marine ecosystem, and the public;

WHEREAS, vending near outdoor dining areas creates the potential for additional noises, smells, and other conflicts that may detract from the outdoor dining experience and, therefore, the City Council finds that requiring vending to occur at least twenty-five feet from outdoor dining areas will alleviate these issues;

WHEREAS, the inherent nature of sidewalk vending and the ability of such vendors to move quickly from place to place in the community, including near parks, schools, and other places frequented by children, warrants imposing certain regulatory measures, including requiring background checks, to protect the health, safety, and welfare of the community;

WHEREAS, the City Council determines that this ordinance is a matter of City-wide importance and necessary for the preservation and protection of the public peace, health, safety and/or welfare of the community, is a valid exercise of local police power and is in accordance with the public purposes and provisions of applicable State and local laws and requirements;

WHEREAS, this ordinance does not prohibit expressive activities or the solicitation of donations; and

WHEREAS, the City of Monterey Planning Office determined the project is exempt from the California Environmental Quality Act (CEQA) Guidelines (Article 19, Section 15305, Class 5) because the project proposes minor alterations to the City Code to allow sidewalk vending that does not result in land use or density changes. Furthermore, the project does not qualify for any of the exceptions to the categorical exemptions found at CEQA Guidelines Section 15300.2.

Exception a - Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The proposed sidewalk vending is temporary and will be conducted on City sidewalks. The environment is not particularly sensitive.

Exception b - Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The proposed ordinance will not result in a cumulative impact as the sidewalk vending is temporary and will occur on sidewalks.

Exception c - Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed ordinance allows sidewalk vending. No significant impact is anticipated as the vending is temporary and will occur on sidewalks.

Exception d - Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified Environmental Impact Report (EIR). The ordinance does not enable sidewalk vending on the City's officially designated state scenic highways.

Exception e - Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The sidewalk vending is temporary and would be located on public sidewalks which are not listed on any list compiled pursuant to Section 65962.5 of the Government Code.

Exception f - Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The sidewalk vending would be a temporary use located on public sidewalks. As a result, no substantial adverse change is anticipated. The project does not involve ground disturbance; therefore, no impacts to archaeological or historical resources will occur.

NOW THEREFORE, the Monterey City Council declares as follows:

SECTION 2: The above recitations are true and correct.

SECTION 3: Monterey City Code, Chapter 32, Section 3 is hereby amended to read as follows:

“Sec. 32-3. Transacting private business on public property.

No person shall use or employ any portion of any park, mall, plaza, beach, or any other public property, not including public streets, sidewalks, or pedestrian paths in City parks, for conducting or transacting of any private commercial business or activity. Conducting or

transacting private commercial business or activity on public streets, sidewalks, or pedestrian paths in City parks shall only be pursuant to a lawfully issued City mobile food vendor or sidewalk vendor permit. This section shall not apply to permits, concessions, or leases granted by the City of Monterey.”

SECTION 4: Monterey City Code, Chapter 32, Section 32-3.05 is hereby repealed.

SECTION 5: Monterey City Code, Chapter 32, Sections 32-3.01 to 32-3.11 are hereby added as follows:

“Sec. 32-3.01 Sidewalk Vending – Definitions.

- (a) **Certified Farmers’ Market.** A location operated in accordance with Chapter 10.5 of Division 17 of the Food and Agricultural Code and any regulations adopted pursuant to that chapter.
- (b) **Director.** The Community Development Director of the City of Monterey.
- (c) **Driveway.** Any approved curb cut designed to allow vehicular traffic ingress from or egress to or from a street or alley.
- (d) **Major Fairgrounds events.** The following annual events at the Monterey County Fairgrounds: the Monterey Jazz Festival, the California Roots music festival, and the Monterey County Fair.
- (e) **Pedestrian path.** An improved pathway within a City park designed and constructed to allow pedestrian traffic to circulate within the park from a public sidewalk or parking lot, to other locations within the park.
- (f) **Person.** One or more individuals, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnership, entities, associations, clubs, or organizations composed of two or more individuals (or the manager, lessee, agent, servant, officer, or employee of any of them), whether engaged in business, nonprofit, or any other activity.
- (g) **Roaming sidewalk vendor.** A sidewalk vendor who moves from place to place and stops only to complete a transaction.
- (h) **Sidewalk vendor.** A person who sells food or merchandise from a vending cart, stand, table, wagon, rack, pedal-driven cart or other non-motorized conveyance, or from one’s person, upon a public sidewalk, parkway, pedestrian path, or other public right-of-way available to pedestrians.
- (i) **Special event permit.** A permit issued pursuant to Monterey City Code section 32-4.
- (j) **Stationary sidewalk vendor.** A sidewalk vendor who sells from a fixed location.

Sec. 32-3.02 Sidewalk Vending – Permit Required.

- (a) No person shall conduct or engage in sidewalk vending within the City without first obtaining a sidewalk vending permit pursuant to this Chapter.
- (b) To apply for a sidewalk vending permit, the applicant must provide:
 - (1) A completed application form containing:
 - (A) Their name and mailing address and the name of any person(s) that will be employed by the vendor as sidewalk vendors;

- (B) Description of the merchandise offered for sale or exchange;
 - (C) The days and hours of operation;
 - (D) If the sidewalk vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal and any owners of the company, partnership, or corporation; and
 - (E) Certification that the information is true to his or her knowledge and belief.
 - (F) Any other relevant information required by the Director.
- (2) A copy of a California's driver's license or identification card, or other valid government issued picture identification.
 - (3) A copy of a valid California Department of Tax and Fee Administration seller's permit, as required.
 - (4) If preparing or selling food, a copy of the County Health Department health permit issued to the vendor and, if applicable, to the transport vehicle.
 - (5) For stationary sidewalk vendors, a site plan map of the proposed location(s) where vending will take place, showing that the sidewalk location maintains a minimum of forty-eight inches (48") of accessible route area, in compliance with the Americans with Disabilities Act.
 - (6) Proof of a policy or policies of comprehensive general liability insurance insuring the sidewalk vendor and naming the City as an additional insured against loss by reason of injury or damage that may result to persons or property from the negligent operation or defective construction of the sidewalk vending device, or from violation of this Chapter or of any other law of the State or the United States. The insurance policy shall be in the sum as determined adequate by the City's Finance Director, or designee, which said sum shall be listed on the sidewalk vending permit application.
 - (7) Prior to the issuance of a sidewalk vendor permit, the applicant shall cause to be filed with the Director a LiveScan background check conducted by the California Department of Justice within the previous six (6) months of the application date. The Director shall furnish each applicant with a LiveScan request form for use at any LiveScan vendor location.
- (c) The sidewalk vending permit application shall require the applicant to agree, in writing, to comply with all the provisions of this Chapter and all applicable provisions of the Monterey City Code as well as all other generally applicable local, state and federal laws.
 - (d) At the time the application is filed, the applicant shall pay a nonrefundable permit processing fee, which fee may be established and amended from time to time by resolution of the City Council. If the applicant has a valid City business license for sidewalk vending at the time of the application, the business license fee shall be credited towards the sidewalk vending permit processing fee.

Sec. 32-3.03 Sidewalk Vending – Review of Permit Application; Decision.

- (a) Upon receipt of a properly completed and filed sidewalk vendor permit application, receipt of an acceptable LiveScan report issued by the Department of Justice, and payment of the applicable permit processing fee, the Director shall conduct a preliminary investigation to determine compliance with this Chapter and shall make such determination within no more than thirty (30) days following such receipt to approve or deny the application. The Director shall provide the applicant with written notice of his or her decision to the address indicated in the application.
- (b) The Director may deny an application for a permit if he or she makes any of the following findings:
 - (1) The applicant has failed to pay the application permit fee.
 - (2) The applicant has made one or more material misstatements in the application for a permit.
 - (3) The applicant does not have a valid social security card, valid California Driver's license, California Identification number, or valid individual taxpayer identification number, or municipal identification number.
 - (4) The applicant's vending operation, as described in the application, is inconsistent with the standards, conditions, and requirements of this Chapter.
 - (5) The applicant is required to register under the provisions of California Penal Code section 290, as may be amended.
 - (6) The applicant has been convicted of or pled no contest to any of the following, unless five years has elapsed from the date of discharge from a penal institution or the successful completion of probation or court terms for such conviction, of:
 - a. any crime involving force or violence upon another person,
 - b. resisting arrest, or
 - c. fraud of any type.
 - (7) It is determined that the applicant does not possess all federal, state, and local permits and licenses necessary to engage in the activity in which he or she seeks to engage.
 - (8) The applicant has failed to pay any previous administrative fines, complete any community service, and/or complete any other alternative disposition associated with a previous violation of this Chapter.
- (c) If the application is denied, notice shall be mailed to the applicant at the address shown on the application form and shall include a statement of the grounds on which the application is denied. An applicant may appeal a denial pursuant to Section 32.3-06.
- (d) If the Director approves the applicant's permit, he or she shall endorse his or her approval on the application and shall, upon payment of the prescribed fee, deliver the permit to the applicant.
- (e) A sidewalk vending permit shall not be transferable to any other entity or person and is valid only as to the original applicant.

Sec. 32-3.04 Sidewalk Vending Permit Expiration and Renewal.

A sidewalk vending permit shall be valid for 12 months from the date of issuance, and shall expire and become null and void on the anniversary of its issuance. A person may apply for a permit renewal on a form provided by the City prior to the expiration of his or her active sidewalk vending permit.

Sec. 32-3.05 Sidewalk Vending Permit Revocation.

The Director may revoke a permit issued to a sidewalk vendor for a fourth violation or subsequent violation of this Chapter. A sidewalk vendor whose permit is revoked may apply for a new sidewalk vending permit upon the expiration of the term of the revoked permit.

Sec. 32-3.06 Sidewalk Vending Permit Appeals.

Any person who has been denied a sidewalk vending permit or any person whose sidewalk vending permit has been suspended or revoked may request a hearing before the Appeals Hearing Board. The request for hearing must be made in writing and must be made within 10 calendar days from the date of the decision to deny, suspend, or revoke the permit. Upon receiving a written request for hearing, the Clerk for the Appeals Hearing Board shall set a hearing date, which shall occur no later than 45 days from the date of the request for hearing. The Clerk shall set forth in writing and send to the applicant or permittee, by means of registered mail, certified mail, or hand delivery, notice of the date, time, and place of the hearing at least five calendar days before the hearing. The Appeals Hearing Board shall consider any written or oral evidence presented to determine whether the suspension, revocation, or denial was in accordance with applicable laws. Formal rules of evidence shall not apply; any relevant evidence may be admitted if it is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. Within a reasonable time following the conclusion of the hearing, the Appeals Hearing Board will issue a written decision, which shall be mailed to the applicant or permittee. The decision of the Appeals Hearing Board shall be final.

Sec. 32-3.07 Sidewalk Vending – General Regulations.

Except as otherwise provided in this Chapter, sidewalk vendors may only conduct transactions on public sidewalks in the public right-of-way and on pedestrian paths in City parks and all sidewalk vendors must comply with the following requirements:

- (a) Every sidewalk vendor must ensure that no obstruction is placed in the sidewalk or pedestrian path that would reduce the width of the sidewalk or pedestrian path to less than 48 inches, exclusive of the top of the curb.
- (b) No sidewalk vendor shall sell in a manner that blocks or obstructs the free movement of pedestrians or vehicles. The sidewalk vendor may not occupy space on any sidewalk or pedestrian path in such a way that would impede upon the required sidewalk width or path of travel requirement pursuant to the Americans with Disabilities Act of 1990 and other disability access standards.

- (c) While in transit sidewalk vendors must at all times provide a clearance of not less than three feet on all sidewalks or pedestrian areas so as to enable persons to freely pass while walking, running, or using mobility assistance devices.
- (d) The sidewalk vendor shall maintain the vending area in a clean, orderly, and sanitary condition. The sidewalk vendor shall provide trash and recycling receptacles to collect all trash and recycling materials.
- (e) The location of the sidewalk vending shall not block any entrance to any building, driveway, or parking space.
- (f) No sidewalk vending may occur within 500 feet of the property line of any public school between the hours of 7:00 am and 4:00 pm on the days the public school is in session.
- (g) No sidewalk vending may occur within 500 feet of any freeway on-ramp or off-ramp as defined in the California Vehicle Code.
- (h) No sound amplification equipment, music, or live entertainment may be used in conjunction with any sidewalk vending.
- (i) A sidewalk vending permit does not provide an exclusive right to operate within any specific portion of the public right-of-way.
- (j) Any equipment or objects used for sidewalk vending purposes may not be left unattended overnight (from 10:00 p.m. to 8:00 a.m.) in public spaces or in any portion of the public right-of-way and if so left will be considered discarded and may be immediately seized or disposed of by the City.
- (k) To facilitate the enforcement of this Chapter, every sidewalk vendor must display their City-issued sidewalk vending permit on their pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance when operating.
- (l) To prevent unintended rolling or slipping, a sidewalk vendor is prohibited from operating a pushcart, pedal-driven cart, wagon, or other non-motorized conveyance on a public-right-of-way with a slope greater than five percent.
- (m) A stationary sidewalk vendor may place a chair on the sidewalk for the vendor's personal use provided that a 48 inch clear pedestrian path along the sidewalk is maintained at all times. Restrictions on sitting on commercial sidewalks set forth in City Code section 32-6.2 are applicable.
- (n) To ameliorate sun exposure and not impede sidewalks, sidewalk vendors may have an umbrella if it is securely attached to the cart or stand and the lowest edge of any umbrella shall not be less than 7 feet above the sidewalk surface.
- (o) Except as otherwise permitted under this Chapter, no fences, shade structures, balloons, flags, banners, on-site furniture, blankets, mats, or freestanding signs are permitted in conjunction with the vendor's vending activities.
- (p) No sidewalk vendor shall sell streamer spray, also known as aerosol string; confetti; plastic glitter; water balloons; or helium-filled balloons, including but not limited to balloons made of foil and latex.
- (q) The maximum size sign displayed by a sidewalk vendor shall be two square feet.
- (r) Sidewalk vending from a vendor to individuals in a parked car is prohibited.

- (s) Vending shall be prohibited within twenty-five feet of an outdoor dining or patio dining area.

Sec. 32-3.08 Sidewalk Vending – Specific Regulations

- (a) Sidewalk vending hours' limitations in areas zoned for nonresidential use will be as restrictive as any limitations on hours of operation imposed on other businesses or uses on the same street.
- (b) Sidewalk vending is limited to the hours of 9:00 a.m. through 5:00 p.m. for areas that are exclusively residential.
- (c) Stationary sidewalk vendors are prohibited from operating in areas that are exclusively residential.
- (d) In addition to the other applicable requirements of this Chapter, sidewalk vending in City parks is subject to the following regulations:
 - (1) A stationary sidewalk vendor is prohibited from operating in a park for which the City has entered into exclusive agreements for the sale of food or merchandise by one or more concessionaires for that park. This provision applies to the El Estero Park Complex, Peter J. Ferrante Park, Jacks Ballpark, the Monterey Tennis Center, and such other parks as for which the City Council may authorize exclusive concession agreements.
 - (2) Sidewalk vending in City parks may only occur during the park's normal open hours.
 - (3) Sidewalk vending in City parks may only occur on City sidewalks or designated pedestrian paths.
 - (4) No vending shall occur within 100 feet of an area reserved with a valid BBQ/Picnic Facility Use Permit.
- (e) A sidewalk vendor is prohibited from operating within 500 feet of a permitted certified farmers' market or any area subject to a special event permit for the duration of the permit.
- (f) Sidewalk vending is prohibited during the hours of 11 am - 6 pm Monday through Friday and 10 am - 9 pm on weekends and holidays for the portion of Cannery Row between David Avenue and Hoffman Avenue.
- (g) No sidewalk vending shall be allowed in, on, or along the Monterey Bay Coastal Recreation Trail within the City of Monterey.
- (h) Sidewalk vending is prohibited on sidewalks along Fairground Road between Garden Road and Airport Road for two hours before, during, and two hours after, major events at the Monterey Fairgrounds.

Sec. 32-3.09 Sidewalk Vending – Violation—Penalty

- (a) Every person vending without a sidewalk vending permit is only punishable by an administrative fine in an amount set by City Council resolution that is not to exceed the amount set forth in Government Code section 51039(a)(3), as may be amended.
- (b) If an individual is cited for vending without a sidewalk vending permit, upon proof of a valid permit issued by the Director, the administrative fine in subsection (A) will be

- reduced to the corresponding administrative fine in subsection (c).
- (c) Every person violating any other provision of this Chapter is only punishable by an administrative fine in an amount set by City Council resolution that is not to exceed the amount set forth in Government Code section 51039(a)(1), as may be amended.
 - (d) Failure to pay an administrative fine assessed under this section is not punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized will not be assessed. However, the City may levy a lien on the violator's real or personal property, including the vehicle used for vending purposes.
 - (e) An administrative violation constitutes a separate and distinct violation for each day that it exists and each such violation may be subject to the maximum fine permitted under this chapter.

Sec. 32-3.10 Sidewalk Vending – Ability-to-Pay Determination

- (a) Any fine issued under Section 32-3.09 will be accompanied with a notice of and instruction regarding the right to request an ability-to-pay determination.
- (b) If the requestor is receiving public benefits under Government Code section 68632, subdivision (a), or has a monthly income which is 125 percent or less than the current poverty guidelines updated periodically in the Federal Register by the United States Department of Health and Human Services, the Director will limit the total amount of the requestor's administrative fine to 20 percent of the total and may:
 - (1) Allow the person to complete community service in lieu of paying the total administrative fine; or
 - (2) Waive the administrative fine; or
 - (3) Offer an alternative disposition.

Sec. 32-3.11 Sidewalk Vending – Non-Applicability

The following persons, entities or activities are exempt from the requirements Monterey City Code sections 32-3 through 32-3.10:

- (a) Any vendor or person engaged solely in artistic performances, free speech and/or petitioning activities;
- (b) Nonprofit educational institutions, fraternal and service clubs, bona fide religious organizations and agencies of any federal, state or local governments; and
- (c) Businesses and trades that are exempt from licensing and tax regulations under federal and state statutes.

SECTION 6: The first two sentences of Monterey City Code, Chapter 19, Section 19.103(a) are hereby amended to read as follows:

“Sec. 19-103. Schedule of Fees and Service Charges

- (a) Unless otherwise specified by resolution, the fees and service charges listed in general categories below and in detail in the City's "Master Fee Schedule" shall be automatically

adjusted annually in July for Consumer Price Index (CPI) increase so as to recover the listed percentage of costs reasonably borne necessary to provide the listed regulation, product or service. The CPI increase shall be based on the published CPI for San Francisco Area (San Francisco – Oakland - San Jose) April Edition and rounded to the nearest fifty cents (0.50.) unless a different edition or rounding is otherwise specified by resolution.

SECTION 7: Monterey City Code, Chapter 19, Section 19.103(a)'s table of fees and service charges is hereby amended to read as follows:

I. Development Services:

29. Sidewalk Vendor Permit 100

II. Public Safety Services

29. Sidewalk Vendor Regulation 0

SECTION 8: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 9: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 3rd day of December, 2019, by the following vote:

AYES:	4	COUNCILMEMBERS:	Albert, Haffa, Smith, Roberson
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Williamson
ABSTAIN:	0	COUNCILMEMBERS:	None

APPROVED:

ATTEST:



Mayor of said City



City Clerk thereof