

SAN BRUNO MUNICIPAL CODE

REVISION: TITLE 4

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AGENDA

- **Background**
 - **Detailed discussion and direction regarding Title 4
(Licenses and Regulations)**
 - **Next steps**
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BACKGROUND

- **October 9, 2018: City Council direction for comprehensive amendment of Municipal Code**
 - **Most sections date to 1980s**
 - **Address internal inconsistencies, changes in law, and implement best practices for 21st century**
 - **Retain Quality Code Publishing (QCP) to perform initial review**
 - **Estimated 24-36 months to complete all eleven Titles, including outside counsel review**
- **October 23, 2018: Initiated City Council introduction of Title 1 (General Provisions) and Title 2 (Administration and Personnel), Chapter 2.04**

BACKGROUND (CONT.)

- **November 1, 2018: QCP completed initial review of entire Municipal Code**
- **November 14, 2018: City Council adopts amendments to Title 1 and Title 2, Chapter 2.04**
 - **Title 1: revised chapters on appeals, claims, developer indemnity**
 - **Title 2, Chapter 2.04: revised election procedures to conform to state law, vice-mayor selection process**
- **July 9, 2019: adopted revisions to remainder of Title 2 (Administration and Personnel) and all of Title 3 (Revenue and Finance)**

DETAILED REVIEW OF TITLE 4 (LICENSES AND REGULATIONS)

- Title 4: seventeen Chapters
- No proposed amendments to four Chapters
 - 4.08 (Dance and Entertainment Events)
 - 4.20 (Regulation of Vehicle Vendors)
 - 4.28 (Automatic Burglar Alarm Telephone Devices)
 - 4.56 (Distribution of Written Materials)
- Proposed repeal of Chapter 4.48 (Item Pricing)
 - Preempted by state law

DETAILED REVIEW OF TITLE 4 (LICENSES AND REGULATIONS), CONT.

- **Proposed minor amendments to nine Chapters to conform to state law and other wording changes**
 - **Chapter 4.04 (Amusement Facilities)**
 - **Chapter 4.24 (Private Parking Facilities)**
 - **Chapter 4.32 (Private Patrols)**
 - **Chapter 4.36 (Gambling Clubs)**
 - **Chapter 4.40 (Massage Businesses)**
 - **Chapter 4.42 (Pawnbrokers – Secondhand Dealers)**
 - **Chapter 4.44 (Environmental Health Code)**
 - **Chapter 4.52 (Trailers and Trailer Courts)**
 - **Chapter 4.68 (Escort Services)**

DETAILED REVIEW OF TITLE 4 (LICENSES AND REGULATIONS), CONT.

- **Proposed substantive revisions to three Chapters**
- **Chapter 4.16 (Peddlers)**
 - **Revisions for consistency with new state law and Chapter 4.18 (Pushcart and Sidewalk Vendors)**
 - **Proposed addition of “Do Not Knock” registry**
 - **Voluntary resident registration with City Clerk; peddlers must comply as a condition of permit**
 - **Applies to those who sell goods and services, not charities or those engaged in political speech**

DETAILED REVIEW OF TITLE 4 (LICENSES AND REGULATIONS), CONT.

- **Chapter 4.18 (Pushcart and Sidewalk Vendors)**
 - **New state law generally limits local authority**
 - **Purpose: incentivize individuals selling food to public**
 - **Proposed ordinance includes all requirements allowed by state law**
 - **Requires permits, insurance, ADA and health/safety compliance**
 - **Prohibits stationary sidewalk vendors in all residential zones and near Certified Farmers' Markets, Swap Meets, or other events held pursuant to a Special Event Permit**
 - **Must allow stationary vendors in parks unless formal concessionaire**

DETAILED REVIEW OF TITLE 4 (LICENSES AND REGULATIONS), CONT.

- **Policy direction requested: roaming vendors in parks?**
 - **State law apparently prohibits outright ban**
 - **State law allows reasonable TPM regulations**
 - **Proposed: comply with all other ordinance requirements plus discontinue vending one hour before park closure**
 - **Other regulations?**
 - **Must be based on objective health, safety or welfare findings**
 - **Hours, locations, only some parks?**

DETAILED REVIEW OF TITLE 4 (LICENSES AND REGULATIONS), CONT.

- **Chapter 4.60 (Bingo)**
 - **State law now prescribes allowable fee (\$50), prohibits gross receipts tax**
 - **City can continue to receive rent for facility rental and other cost reimbursement from NSC**
 - **State law allows discretion regarding number of games**
 - **Currently four per week at Senior Center**
 - **Proposed change for consistency, plus City Council discretion for one additional game per week**

NEXT STEPS

- Provide direction regarding policy issues
 - Introduction and adoption to be scheduled in March/April
 - Titles 5 and 6 can be presented as City Council agendas permit
 - Schedule on track to complete all eleven Chapters by 2021
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