SAN DIEGO POLICE DEPARTMENT
ORDER

DATE/TIME: JANUARY 19, 2022   1330 HOURS

NUMBER: OR 22-02

SUBJECT: ENFORCEMENT OF SOLICITING LAWS

COST CENTER: 1914141113

SCOPE: ALL MEMBERS OF THE DEPARTMENT

DEPARTMENT PROCEDURE AFFECTED: N/A

On September 17, 2018, Senate Bill 946 (The Safe Sidewalk Vending Act) was signed into law by Governor Jerry Brown. Beginning on **January 1, 2019**, SB 946 provided vendors with the authority to vend on sidewalks and at parks owned or operated by the City.

Per Government Code 51036, the following definitions apply:

(a) "Sidewalk vendor" means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path.

(b) "Roaming sidewalk vendor" means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

(c) "Stationary sidewalk vendor" means a sidewalk vendor who vends from a fixed location

In accordance with SB 946, all members of the department ***shall continue to cease enforcement*** of SDMC sections 33.1401 through 33.1411 **(**Solicitors, Peddlers and Interviewers). No permits shall be required, issued, or administered based on these sections. The City Treasurer's Office discontinued the practice of issuing new and renewing solicitor's permits beginning on January 1, 2019. Additionally, solicitors will no longer be regulated by the Vice Permits and Licensing unit.

All members ***shall cease enforcement*** of the following sections as applied to sidewalk vendors as defined above:

       SDMC 54.0105(a) -Sidewalk Sales and Displays Prohibited

       SDMC 63.0102(b)(13) - Sale of Merchandise

SDMC 63.0102(b)(14) - Solicitation

SB 946 *does not* affect enforcement of SDMC 63.0102(b)(25) - Obstructing Traffic.

Any questions related to this Department Order may be directed to the Vice Permits and Licensing Unit at (619) 531-2274.

This order supersedes and replaces OR 19-01.

_____

Please read at squad conferences and give a copy to all personnel.