

31



# CITY OF SACRAMENTO

DEPARTMENT OF FINANCE  
REVENUE DIVISION

915 I STREET  
ROOM 104

SACRAMENTO, CA 95814-2695  
TELEPHONE (916) 449-5455

CITY MANAGER'S OFFICE

RECEIVED

OCT 26 1982

October 25, 1982  
RD:821045-ADM:MLM:ld

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: CENTRAL BUSINESS DISTRICT AREA STREET VENDING NOV - 3 1982

APPROVED  
BY THE CITY COUNCIL

*Rec. 4  
adopted*

OFFICE OF THE  
CITY CLERK

### SUMMARY

This report provides additional information regarding Mr. Lane's protest carried over to November 3, 1982 from the October 12, 1982 meeting. (See staff report dated October 7, 1982 - Exhibit I.)

### DISCUSSION

Staff has met with Mr. Lane following the October 12, 1982 meeting to discuss his operations and the measures necessary for compliance with the City Code pertaining to street vending. As a result of the discussions:

1. Mr. Lane indicated he would immediately initiate the process to have all of his employees obtain the necessary work permits.
2. Staff agreed not to interfere with Mr. Lane's seventh unauthorized street vending operation until the City Council had heard his protest.
3. Staff agreed not to interfere with the two locations operated by Mr. Lane outside the Central Business District area adopted on August 17, 1982, until the City Council had heard his protest.

In addition to the meetings with Mr. Lane, staff received a request (Exhibit II) from Mr. Rick LaCombe to further amend the Central Business District boundaries to include 18th & C Streets. According to Mr. LaCombe, he has operated in that area on the public sidewalk for the last four years. Based upon erroneous information, staff believed the sales were occurring on private grounds.

Mr. LaCombe's request differs from Mr. Lane's request since Mr. LaCombe's 18th & C Streets operation should not have been allowed under the prior ordinance. If Mr. LaCombe's request is honored, staff believes numerous other vendors will seek locations throughout the City where illegal vending has occurred.

The alternative courses for action are:

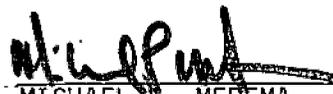
1. Close the entire city to street vending
2. Open the entire city to street vending
3. Continue to restrict street vending to the area detailed in Ordinance No. 82-066 adopted on August 17, 1982.
4. Amend the area for street vending to accommodate Mr. Lane's and/or Mr. LaCombe's request

A total closure of the City was considered and rejected during the hearings on Ordinance No. 82-066. This also applies to a total opening of the City for street vending. An action to amend the ordinance to accommodate Mr. Lane and/or Mr. LaCombe will likely result in other similar requests throughout the City. The possible net result is a de facto total opening of the City on an intersection by intersection basis. In this case, staff believes the best alternative choice is to deny both requests to reconsider the boundaries.

RECOMMENDATION

It is recommended that the City Council not reconsider the Central Business District street vending area's boundaries adopted by Ordinance No. 82-066 on August 17, 1982.

Respectfully submitted,

  
MICHAEL L. MEDEMA  
Revenue Officer

RECOMMENDATION APPROVED:

  
WALTER J. SLIPE  
City Manager

Attachments

All Districts  
November 3, 1982



## CITY OF SACRAMENTO

DEPARTMENT OF FINANCE  
REVENUE DIVISION

915 I STREET  
ROOM 104

SACRAMENTO, CA 95814-2698  
TELEPHONE (916) 448-5454

CITY MANAGER'S OFFICE  
**RECEIVED**  
OCT 7 1982

October 7, 1982

RD:821024-ADM:MLM:ld

City Council  
Sacramento, California

Honorable Members in Session

SUBJECT: MR. LANE'S STREET VENDING LOCATION PROTEST

SUMMARY

This report recommends against a reconsideration of the Central Business District street vending area boundaries adopted by Ordinance No. 82-066 on August 17, 1982.

BACKGROUND

On August 26, 1980, Mr. Lane and Mr. Kine, DBA Ye Olde Hot Dog, applied for six street vending locations as permitted by the provision of City Code Chapter 7. The applications listed the following desired locations:

1. 12th and L Streets
2. 11th and N Streets
3. 9th and N & O Streets
4. 14th and J Streets
5. 8th and P Streets
6. 7th and Capitol Mall

On February 2, 1981 Ye Olde Hot Dog was granted permission to conduct business at the following locations:

1. 12 & L Streets - S.E. corner
2. 11th & N Streets - N.E. corner
3. 9th & N Streets - West side between N & O Streets
4. 8th & Capitol Mall - S.W. corner
5. 8th & P Streets - West side between P & Q Streets
6. 7th & Capitol Mall - S.W. corner

On March 10, 1982, Ye Olde Hot Dog's request to move one of the approved operating locations to the east side of 10th Street across from Capitol Circle was denied. This denial was rescinded in April, 1982, based upon the representation that the 11th and N Streets location was being abandoned for this move.

During the summer of 1982, Ye Olde Hot Dog was observed operating at the following locations:

1. 12th & L Streets - S.E. corner
2. 11th & N Streets - N.E. corner
3. 9th between N & O Streets - West side
4. 8th & Capitol Mall - N.E. corner
5. P St. between 7th & 8th Streets - South side
6. 7th Street and Capitol Mall - S.W. corner
7. 10th Street - East side across from Capitol Circle

Only three of these locations match the six locations authorized on February 2, 1981. Ye Olde Hot Dog was not cited for the unauthorized locations or the use of workers who had not obtained a work permit. The decision not to cite for the violations was made due to the uncertainty created by the Boulder case as to the legality of the City Code provisions regarding street vending.

On August 17, 1982, the City Council adopted Ordinance 82-066, which made revisions to the boundaries of the Central Business District, removed the arbitrary eighteen vending location limit, created a lottery draw for awarding new or open locations, and other matters.

On September 14, 1982, Ye Olde Hot Dog was notified that certain location changes had to occur due to the boundary revisions adopted on August 17, 1982 (copy attached). On September 15, 1982 Mr. Lane contacted me regarding the letter. He indicated that he was operating and intended to continue to do so at the locations he had been observed operating at during the summer months. He candidly admitted operating the seventh, totally unauthorized location, with the knowledge the City had an enforcement moratorium in effect. He admitted using employees without City worker permits. He was advised that he would be expected to fully comply with the newly adopted street vending ordinance no later than Friday, September 24, 1982.

On September 21, 1982, Mr. Lane protested the Central Business District street vending boundaries adopted August 17, 1982.

On Wednesday, September 22, 1982, staff withheld the following six locations from the lottery for Ye Olde Hot Dog:

1. 12th & L Streets - North side only
2. 9th between N & O Streets - West side
3. 8th Street & Capitol Mall - N.E. corner
4. P Street between 7th & 8th Streets - South side
5. 7th Street & Capitol Mall - S.W. corner

## 6. 10th Street - East side across from Capitol Circle

During the lottery, Mr. Lane, representing Ye Olde Hot Dog, selected only one location - 7th Street & Capitol Mall. He was advised that he currently held that location and could select another. He declined the offer but insisted on paying for the location which he believed to be his seventh spot.

On October 1 and October 5, 1982, Ye Olde Hot Dog was observed operating at the seven locations he had been operating at during the summer. Additionally, no employees of Ye Olde Hot Dog had made application for City work permits, as required by ordinance. Again, the Revenue Division did not cite for the violations, pending City Council consideration of Mr. Lane's request to reconsider the Central Business District area's boundaries.

DISCUSSION

Based upon the locations Ye Olde Hot Dog is operating at this time, two locations are outside the present Central Business District area boundaries. The 12th and L Streets location would be within the area if the vending cart were to be moved to either north corner. The 11th and N Streets location is not as easily resolved. Mr. Lane elected not to reserve an additional location during the lottery, although he was provided the opportunity. Since an additional twenty five (25) locations were selected by various vendors, it is unlikely a "very desirable" location remains within the area for Ye Olde Hot Dog to occupy. However, Ye Olde Hot Dog still retains six desirable locations, the number previously legally operated. Opening the seventh location and making the capital investment is viewed as a business risk taken by Ye Olde Hot Dog. Mr. Lane, as previously stated, could have mitigated his potential damages by selecting a seventh location within the present boundaries during the lottery.

Both matters could be resolved by fulfilling Mr. Lane's request to amend the boundaries. However, the present boundaries were established after considerable debate, including discussion of legal matters. In the event the City Council, against staff's recommendation, elects this option, it is suggested that the southern portion of the boundary on N Street be extended easterly to 14th Street and the 14th Street eastern boundary be extended south to N Street. The effect of this change is to allow street vending around most of the Capitol grounds.

RECOMMENDATION

It is recommended that the City Council not reconsider the Central Business District street vending area's boundaries adopted by Ordinance No. 82-066 on August 17, 1982.

Respectfully submitted,

RECOMMENDATION APPROVED:

  
WALTER J. STIPE  
City Manager

  
MICHAEL L. MEDEMA  
Revenue Officer

Attachment

All Districts  
October 12, 1982



## CITY OF SACRAMENTO

31

DEPARTMENT OF FINANCE  
REVENUE DIVISION915 I STREET  
ROOM 104SACRAMENTO, CA 95814-2696  
TELEPHONE (916) 449-5454

September 14, 1982

RD:822005-E&amp;C:CLS

Clifford E. Lane  
Ye Olde Hot Dog  
1927½ L Street  
Sacramento, CA 95814

As you know, Chapter 7 of the City Code relating to street vendors has been revised. A notice concerning the lottery to be held on September 23 was sent to all persons who had expressed interest in street vending and is enclosed for your information.

The records of this office indicate that the following locations are assigned to you:

1. 8th and Capitol Mall, N.E. Corner
2. 7th and Capitol Mall, S.W. Corner
3. P Street between 7th and 8th Streets, south side of mid-block
4. 12th and L Streets, S.E. Corner
5. 9th and O Streets, N.E. Corner
6. 11th and N Streets, N.E. Corner

Locations 1, 2, and 3 are located in the revised area and you have the right to retain them. Regarding location 4, the south side of the intersection at 12th and L is not in the revised area. However, you may retain the intersection by indicating which one of the two north corners you prefer. Regarding location 5, the east side of the intersection at 9th and O is not in the revised area; you may select one of the two west corners. Regarding location 6 at 11th and N, this intersection is not located in the revised area. Additionally, you had received verbal approval to move from one of the above locations to the west side of 10th Street and Capitol Mall. The following information is requested:

1. Do you intend to keep locations 1, 2, and 3 or do you wish to abandon any of them?
2. Do you wish to retain locations 4 (12th & L) and 5 (9th & O) by moving to a different corner?
3. Do you wish to retain the location at 10th and Capitol? If so, which location did you abandon when you moved there?

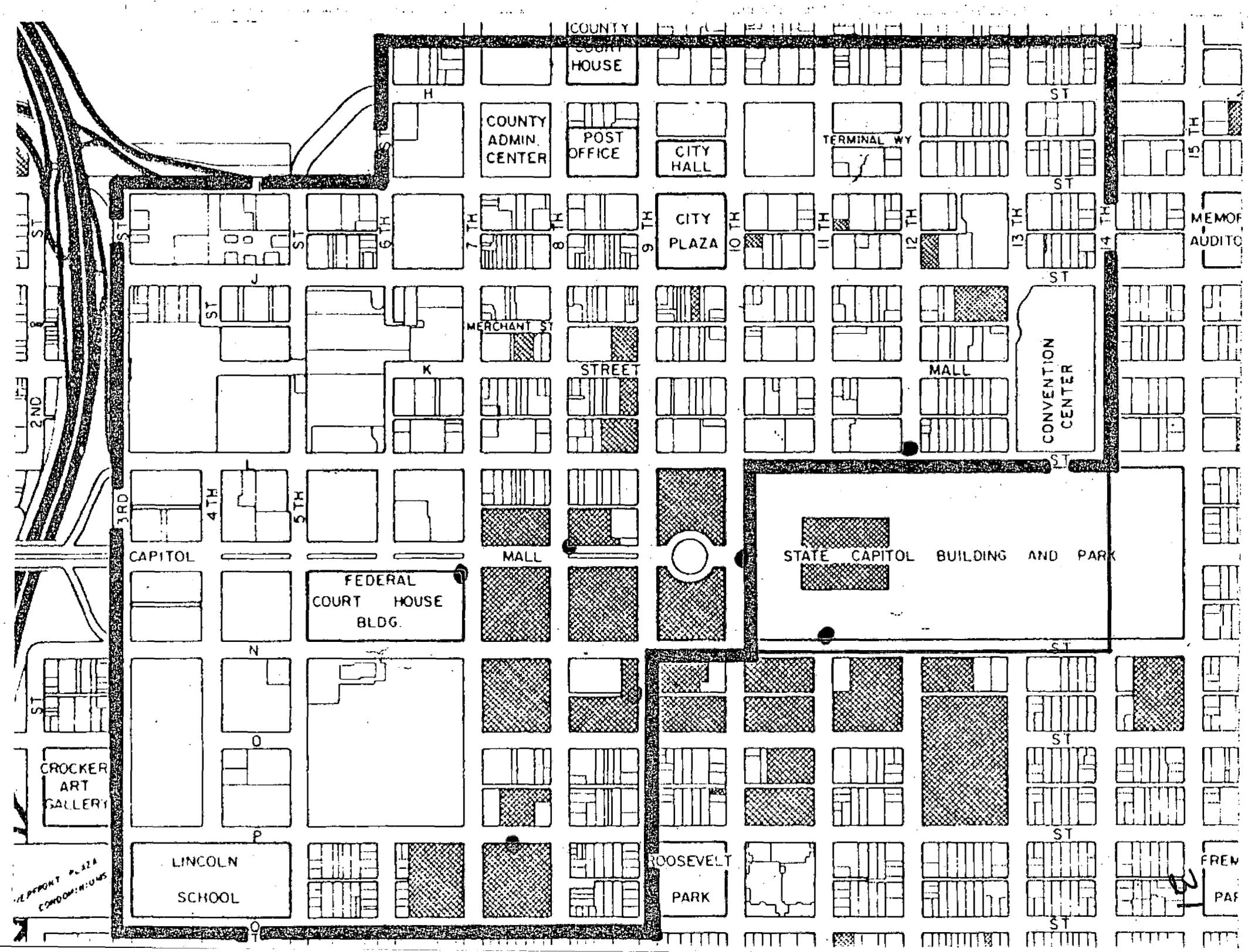
Please respond to these questions no later than 5:00 p.m. on Friday, September 17, 1982. If you would like to be included in the lottery for additional locations, you must return the enclosed notice form by Noon, Wednesday, September 22. The appropriate fee will be \$35.00 for each additional location you choose. Feel free to contact me at 449-5177 if you have further questions.



Carol L. Smith  
Tax & License Supervisor

Enclosures

cc: Walter Thompson, Citizens Assistance Officer



COUNTY

COUNTY HOUSE

COUNTY ADMIN. CENTER

POST OFFICE

CITY HALL

TERMINAL WY

CITY PLAZA

MERCHANT ST

STREET

MALL

CONVENTION CENTER

CAPITOL

MALL

FEDERAL COURT HOUSE BLDG.

STATE CAPITOL BUILDING AND PARK

CROCKER ART GALLERY

LINCOLN SCHOOL

ROOSEVELT PARK

LEFFERTS PLAZA CONDOMINIUMS

FREMONT PARK

15 TH

MEMORIAL AUDITORIUM

14 TH

13 TH

12 TH

11 TH

10 TH

9 TH

8 TH

H

ST

ST

ST

ST

ST

ST

ST

ST

6 TH

7 TH

8 TH

9 TH

10 TH

11 TH

12 TH

13 TH

14 TH

3 RD

4 TH

5 TH

3 RD

4 TH

5 TH

6 TH

7 TH

8 TH

9 TH

10 TH

11 TH

12 TH

13 TH

14 TH

15 TH

16 TH

17 TH

1 ST

2 ND

3 RD

4 TH

5 TH

6 TH

7 TH

8 TH

9 TH

10 TH

11 TH

12 TH

13 TH

14 TH

15 TH

16 TH

17 TH

18 TH

19 TH

20 TH

21 TH

22 TH

23 TH

24 TH

25 TH

26 TH

27 TH

28 TH

29 TH

30 TH

31 TH

32 TH

33 TH

34 TH

35 TH

36 TH

37 TH

38 TH

39 TH

40 TH

41 TH

42 TH

43 TH

44 TH

45 TH

46 TH

47 TH

48 TH

49 TH

50 TH

51 TH

52 TH

53 TH

54 TH

55 TH

56 TH

57 TH

58 TH

59 TH

60 TH

61 TH

62 TH

63 TH

64 TH

65 TH

66 TH

67 TH

68 TH

69 TH

70 TH

71 TH

72 TH

73 TH

74 TH

75 TH

76 TH

77 TH

78 TH

79 TH

80 TH

81 TH

82 TH

83 TH

84 TH

85 TH

86 TH

87 TH

88 TH

89 TH

90 TH

91 TH

92 TH

93 TH

94 TH

95 TH

96 TH

97 TH

98 TH

99 TH

100 TH

101 TH

102 TH

103 TH

104 TH

105 TH

106 TH

107 TH

108 TH

109 TH

110 TH

111 TH

112 TH

113 TH

114 TH

115 TH

116 TH

117 TH

118 TH

119 TH

120 TH

121 TH

122 TH

123 TH

124 TH

125 TH

126 TH

127 TH

128 TH

129 TH

130 TH

131 TH

132 TH

133 TH

134 TH

135 TH

136 TH

137 TH

138 TH

139 TH

140 TH

141 TH

142 TH

143 TH

144 TH

145 TH

146 TH

147 TH

148 TH

149 TH

150 TH

151 TH

152 TH

153 TH

154 TH

155 TH

156 TH

157 TH

158 TH

159 TH

160 TH

161 TH

162 TH

163 TH

164 TH

165 TH

166 TH

167 TH

168 TH

169 TH

170 TH

171 TH

172 TH

173 TH

174 TH

175 TH

176 TH

177 TH

178 TH

179 TH

180 TH

181 TH

182 TH

183 TH

184 TH

185 TH

186 TH

187 TH

188 TH

189 TH

190 TH

191 TH

192 TH

193 TH

194 TH

195 TH

196 TH

197 TH

198 TH

199 TH

200 TH

201 TH

202 TH

203 TH

204 TH

205 TH

206 TH

207 TH

208 TH

209 TH

210 TH

211 TH

212 TH

213 TH

214 TH

215 TH

216 TH

217 TH

218 TH

219 TH

220 TH

221 TH

222 TH

223 TH

224 TH

225 TH

226 TH

227 TH

228 TH

229 TH

230 TH

231 TH

232 TH

233 TH

234 TH

235 TH

236 TH

237 TH

238 TH

239 TH

240 TH

241 TH

242 TH

243 TH

244 TH

245 TH

246 TH

247 TH

248 TH

249 TH

250 TH

251 TH

252 TH

253 TH

254 TH

255 TH

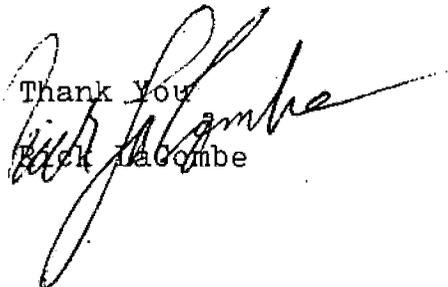
Burney's Wiennie Wagons  
1626 North C St  
Sacramento Ca. 95814

Michael Medema  
Revenue Officer  
City of Sacramento

This Letter is to inform you that Burney's has been operating a hotdog cart at the corner of 18th and C St ( the Almond Factory ) for the past four years. During the proceedings for the new ordinance pertaining to the street vendors I heard the city attorney state to the city council that our cart was legal and would not be affected by the new ordinance, therefor I said nothing about it at the time.

Since the new ordinance has been voted on we have been told we are illegal and must stop operating our cart there. I understand that there is a possibility that we could get an exception to the ordinance and be grandfatherd in. If this is possible I formally request at this time that this be done.

Thank You

  
Rick Jacombe



CITY OF SACRAMENTO

37  
31

DEPARTMENT OF FINANCE  
REVENUE DIVISION  
915 I STREET  
ROOM 104

SACRAMENTO, CA 95814-2696  
TELEPHONE (916) 449-5454

CITY MANAGER'S OFFICE

RECEIVED

OCT 7 1982

October 7, 1982  
RD:821024-ADM:MLM:ld

City Council  
Sacramento, California

Honorable Members in Session

SUBJECT: MR. LANE'S STREET VENDING LOCATION PROTEST

FILED  
By the City Council  
Office of the City Clerk  
Cont to  
11-3-82  
OCT 12 1982

SUMMARY

This report recommends against a reconsideration of the Central Business District street vending area boundaries adopted by Ordinance No. 82-066 on August 17, 1982.

BACKGROUND

On August 26, 1980, Mr. Lane and Mr. Kine, DBA Ye Olde Hot Dog, applied for six street vending locations as permitted by the provision of City Code Chapter 7. The applications listed the following desired locations:

1. 12th and L Streets
2. 11th and N Streets
3. 9th and N & O Streets
4. 14th and J Streets
5. 8th and P Streets
6. 7th and Capitol Mall

On February 2, 1981 Ye Olde Hot Dog was granted permission to conduct business at the following locations:

1. 12 & L Streets - S.E. corner
2. 11th & N Streets - N.E. corner
3. 9th & N Streets - West side between N & O Streets
4. 8th & Capitol Mall - S.W. corner
5. 8th & P Streets - West side between P & Q Streets
6. 7th & Capitol Mall - S.W. corner

On March 10, 1982, Ye Olde Hot Dog's request to move one of the approved operating locations to the east side of 10th Street across from Capitol Circle was denied. This denial was rescinded in April, 1982, based upon the representation that the 11th and N Streets location was being abandoned for this move.

During the summer of 1982, Ye Olde Hot Dog was observed operating at the following locations:

1. 12th & L Streets - S.E. corner
2. 11th & N Streets - N.E. corner
3. 9th between N & O Streets - West side
4. 8th & Capitol Mall - N.E. corner
5. P St. between 7th & 8th Streets - South side
6. 7th Street and Capitol Mall - S.W. corner
7. 10th Street - East side across from Capitol Circle

Only three of these locations match the six locations authorized on February 2, 1981. Ye Olde Hot Dog was not cited for the unauthorized locations or the use of workers who had not obtained a work permit. The decision not to cite for the violations was made due to the uncertainty created by the Boulder case as to the legality of the City Code provisions regarding street vending.

On August 17, 1982, the City Council adopted Ordinance 82-066, which made revisions to the boundaries of the Central Business District, removed the arbitrary eighteen vending location limit, created a lottery draw for awarding new or open locations, and other matters.

On September 14, 1982, Ye Olde Hot Dog was notified that certain location changes had to occur due to the boundary revisions adopted on August 17, 1982 (copy attached). On September 15, 1982 Mr. Lane contacted me regarding the letter. He indicated that he was operating and intended to continue to do so at the locations he had been observed operating at during the summer months. He candidly admitted operating the seventh, totally unauthorized location, with the knowledge the City had an enforcement moratorium in effect. He admitted using employees without City worker permits. He was advised that he would be expected to fully comply with the newly adopted street vending ordinance no later than Friday, September 24, 1982.

On September 21, 1982, Mr. Lane protested the Central Business District street vending boundaries adopted August 17, 1982.

On Wednesday, September 22, 1982, staff withheld the following six locations from the lottery for Ye Olde Hot Dog:

1. 12th & L Streets - North side only
2. 9th between N & O Streets - West side
3. 8th Street & Capitol Mall - N.E. corner
4. P Street between 7th & 8th Streets - South side
5. 7th Street & Capitol Mall - S.W. corner

37

## 6. 10th Street - East side across from Capitol Circle

During the lottery, Mr. Lane, representing Ye Olde Hot Dog, selected only one location - 7th Street & Capitol Mall. He was advised that he currently held that location and could select another. He declined the offer but insisted on paying for the location which he believed to be his seventh spot.

On October 1 and October 5, 1982, Ye Olde Hot Dog was observed operating at the seven locations he had been operating at during the summer. Additionally, no employees of Ye Olde Hot Dog had made application for City work permits, as required by ordinance. Again, the Revenue Division did not cite for the violations, pending City Council consideration of Mr. Lane's request to reconsider the Central Business District area's boundaries.

DISCUSSION

Based upon the locations Ye Olde Hot Dog is operating at this time, two locations are outside the present Central Business District area boundaries. The 12th and L Streets location would be within the area if the vending cart were to be moved to either north corner. The 11th and N Streets location is not as easily resolved. Mr. Lane elected not to reserve an additional location during the lottery, although he was provided the opportunity. Since an additional twenty five (25) locations were selected by various vendors, it is unlikely a "very desirable" location remains within the area for Ye Olde Hot Dog to occupy. However, Ye Olde Hot Dog still retains six desirable locations, the number previously legally operated. Opening the seventh location and making the capital investment is viewed as a business risk taken by Ye Olde Hot Dog. Mr. Lane, as previously stated, could have mitigated his potential damages by selecting a seventh location within the present boundaries during the lottery.

Both matters could be resolved by fulfilling Mr. Lane's request to amend the boundaries. However, the present boundaries were established after considerable debate, including discussion of legal matters. In the event the City Council, against staff's recommendation, elects this option, it is suggested that the southern portion of the boundary on N Street be extended easterly to 14th Street and the 14th Street eastern boundary be extended south to N Street. The effect of this change is to allow street vending around most of the Capitol grounds.

RECOMMENDATION

It is recommended that the City Council not reconsider the Central Business District street vending area's boundaries adopted by Ordinance No. 82-066 on August 17, 1982.

Respectfully submitted,

RECOMMENDATION APPROVED:

  
MICHAEL L. MEDEMA  
Revenue Officer

  
WALTER J. SIPE  
City Manager

Attachment

All Districts  
October 12, 1982



## CITY OF SACRAMENTO

DEPARTMENT OF FINANCE  
REVENUE DIVISION915 I STREET  
ROOM 104SACRAMENTO, CA 95814-2696  
TELEPHONE (916) 449-5454

September 14, 1982

RD:822005-E&amp;C:CLS

Clifford E. Lane  
Ye Olde Hot Dog  
1927½ L Street  
Sacramento, CA 95814

As you know, Chapter 7 of the City Code relating to street vendors has been revised. A notice concerning the lottery to be held on September 23 was sent to all persons who had expressed interest in street vending and is enclosed for your information.

The records of this office indicate that the following locations are assigned to you:

1. 8th and Capitol Mall, N.E. Corner
2. 7th and Capitol Mall, S.W. Corner
3. P Street between 7th and 8th Streets, south side of mid-block
4. 12th and L Streets, S.E. Corner
5. 9th and O Streets, N.E. Corner
6. 11th and N Streets, N.E. Corner

Locations 1, 2, and 3 are located in the revised area and you have the right to retain them. Regarding location 4, the south side of the intersection at 12th and L is not in the revised area. However, you may retain the intersection by indicating which one of the two north corners you prefer. Regarding location 5, the east side of the intersection at 9th and O is not in the revised area; you may select one of the two west corners. Regarding location 6 at 11th and N, this intersection is not located in the revised area. Additionally, you had received verbal approval to move from one of the above locations to the west side of 10th Street and Capitol Mall. The following information is requested:

1. Do you intend to keep locations 1, 2, and 3 or do you wish to abandon any of them?
2. Do you wish to retain locations 4 (12th & L) and 5 (9th & O) by moving to a different corner?
3. Do you wish to retain the location at 10th and Capitol? If so, which location did you abandon when you moved there?

September 14, 1982

37

Please respond to these questions no later than 5:00 p.m. on Friday, September 17, 1982. If you would like to be included in the lottery for additional locations, you must return the enclosed notice form by Noon, Wednesday, September 22. The appropriate fee will be \$35.00 for each additional location you choose. Feel free to contact me at 449-5177 if you have further questions.

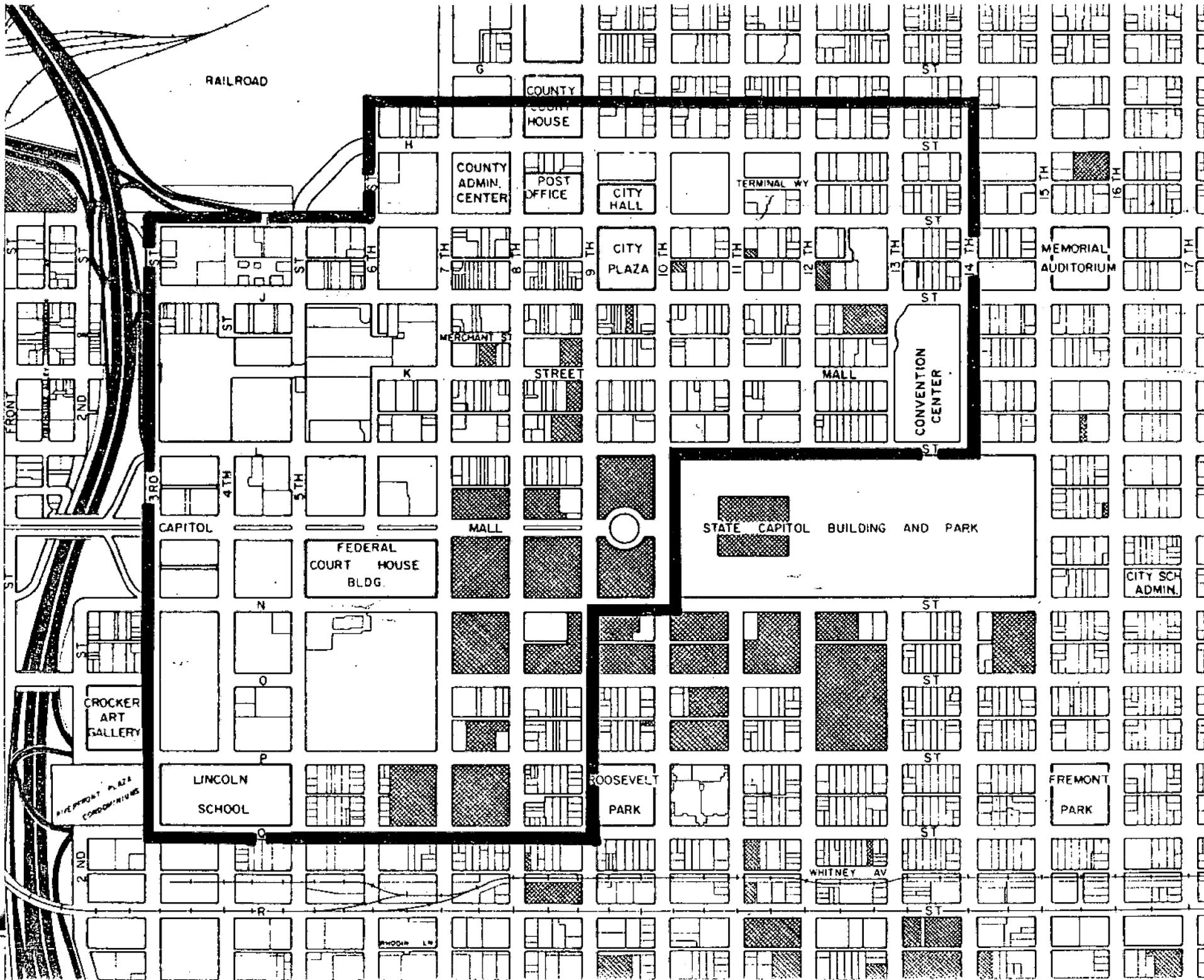


Carol L. Smith  
Tax & License Supervisor

Enclosures

cc: Walter Thompson, Citizens Assistance Officer

33



RAILROAD

COUNTY HOUSE

COUNTY ADMIN. CENTER

POST OFFICE

CITY HALL

TERMINAL WY

CITY PLAZA

MEMORIAL AUDITORIUM

CONVENTION CENTER

STATE CAPITOL BUILDING AND PARK

CROCKER ART GALLERY

LINCOLN SCHOOL

ROOSEVELT PARK

FREMONT PARK

HIGHWAY PLAZA CONDOMINIUMS

FRONT ST

2ND ST

3RD ST

4TH ST

5TH ST

6TH ST

7TH ST

8TH ST

9TH ST

10TH ST

11TH ST

12TH ST

13TH ST

14TH ST

15TH ST

16TH ST

October 23, 1982

City Council  
Sacramento, California

Honorable Member In Session

Subject: Street Vending Boundaries

On August 17, 1982, the City Council voted to adopt City Ordinance No. 82-066. The Council voted to adopt the ordinance without a provision recommended by the City Manager to exclude the State Capitol. At the time of the vote, my company, Ye Old Hot Dog, was in possession of permits for the following locations:

- 1. 12th & L St. - S. E. Corner
- 2. 11th & N St. - N. E. Corner
- 3. 9th & N St. - West Side between N & O Sts.
- 4. 8th & Capitol - N. E. Corner
- 5. 8th & P St. - West Side between P & Q Sts.
- 6. 7th & Capitol Mall - S. W. Corner

A request was made to move the 6th location to 10th St. - East Side across from Capitol Circle. At no time was a request made to abandon the 11th & N St. location. Permission was finally granted to move the 7th & Capitol Mall location to 10th St. - East Side across from Capitol Circle.

The following locations have been maintained for approximately five years:

- 1. 12th & L Sts. - S. E. Corner
- 2. 11th & N Sts. - N. E. Corner
- 3. 9th St. between N & O Sts. - West Side
- 4. 8th St. between P & Q Sts - West Side

It would be highly unfair and detrimental to everyday business operation to move or outlaw these locations after such a lengthy period of operation.

In good faith my company has complied with the rules, regulations and fees placed upon us by the city. At various times, the city has changed city ordinances, and we have always complied when the changes were clear. Further, my company was candidly informed that when the lottery for locations in the central business district would take place, our current locations would not be in jeopardy, and my company would be allowed to continue business as well as have the opportunity to expand via the lottery.

My company protested the central business district boundaries on September 21, 1982, primarily due to the fact that between the time the City Council voted to adopt the ordinance allowing operation at the current locations (i.e. 12th & L St - South East Corner and 11th & N Sts - North East Corner), my company was informed these locations would have to be changed. The City Council directed the City Manager to <sup>Not</sup> exclude the State Capitol, however the map marking available street locations reflected the State Capitol restriction in total disregard of the vote of the council. The exclusion of the 12th & L Sts and 11th &

N Sts location is ambiguous as the 10th & Capitol (East Side) permit has been granted and in operation.

My company is not trying to do anything except operate on a daily basis without continuous harrassment via bureaucratic red tape. It is unfair to jeopardize my livelihood after more than five years of legal operation within this city.

Respectfully Submitted,

Clifford E. Lane