



## Legislation Details (With Text)

**File #:** ID17-1358    **Version:** 1    **Name:**

**Type:** Action Item    **Status:** Passed

**File created:** 9/27/2017    **In control:** City Council

**On agenda:** 10/19/2017    **Final action:** 10/19/2017

**Title:** BILL - (For introduction) Adding Article 32 to Chapter 9 of the Fresno Municipal Code, relating to Pedicabs which allow alcohol to be consumed onboard.

**Sponsors:** Planning and Development Department, Public Works Department, Esmeralda Z. Soria

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord Pedicab.pdf, 2. Pedicab PowerPoint.pdf

Date	Ver.	Action By	Action	Result
10/19/2017	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**October 12, 2017**

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## SUBJECT

BILL - (For introduction) Adding Article 32 to Chapter 9 of the Fresno Municipal Code, relating to Pedicabs which allow alcohol to be consumed onboard.

## RECOMMENDATIONS

Staff recommends Council consider for introduction the proposed Ordinance adding Article 32 to Chapter 9 of the Fresno Municipal Code (FMC), relating to Pedicabs. The Ordinance regulates pedicabs which serve alcohol on board.

## EXECUTIVE SUMMARY

The City of Fresno does not currently have an ordinance which regulates pedicabs that serve alcohol. This addition governs pedicabs and the owners and drivers of pedicabs and is necessary to protect the general safety and welfare of passengers using pedicabs for hire and pedestrians and motorists within the City.

## **BACKGROUND**

The City of Fresno has been approached on many different occasions regarding the operation of pedicabs which serve alcohol within the City. On October 4, 2015, Governor Brown approved Senate Bill 530, which amended Sections 467.5 and 23229 of, and to add Article 4.5 (commencing with Section 21215) to Chapter 1 of Division 11 of, and to repeal Section 21215.2 of, the Vehicle Code, relating to vehicles. Senate Bill 530 expanded the current laws governing pedicabs by expanding the definition of a pedicab; imposing specific requirements on pedicabs such as, but not limited to, training, safety, local authorization to operate, seating capacity, operator qualifications, accident reporting, loading and unloading of passengers, and financial responsibility; and allowing for the consumption of alcohol by passengers of a pedicab.

The ordinance would allow for a growing industry to take advantage of the entertainment districts in Fresno, which includes a growing craft beer market. Downtown Fresno is on course for revitalization, and allowing for a variety of attractions provides the potential for patrons to support all local industries. This service has proven to be a great attraction in other cities, and has local support and encouragement from the Downtown Fresno Partnership. There are several local businesses and developers who are looking forward to the potential of the service as well as starting services.

## **ENVIRONMENTAL FINDINGS**

By definition provided in the California Environmental Quality Act Guidelines Section 15378 this ordinance does not qualify as a “project” and is therefore exempt from the California Environmental Quality Act requirements.

## **LOCAL PREFERENCE**

Local preference does not apply because this ordinance does not include a bid or award a construction or services contract.

## **FISCAL IMPACT**

No fiscal impact will occur as a result of adding the Pedicab Ordinance. All costs for licenses and services will be borne by the owners, operators and users of the pedicabs.

Attachments: Pedicab Ordinance