

ORDINANCE NO. _____

An ordinance amending Sections 91.106.1 and 91.107 of Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code with respect to temporary permits issued by the Department of Building and Safety.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection 91.106.1.3.1 of Section 91.106, Article 1, Chapter IX of the Los Angeles Municipal Code is added to read as follows:

91.106.1.3.1. Temporary Special Event Permits.

91.106.1.3.1.1. Definitions.

1. **Temporary Special Event Permit.** A permit for a Temporary Installation or Temporary Outdoor Use.

2. **Temporary Installation.** The following installations that are temporary in nature and comply with the requirements specified in LAMC Subsection 91.106.1.3.1.

A. Tents and canopies, larger than 450 square feet, on a residential property.

B. Tents or canopies, larger than 12 feet in length or width, on a commercial property.

C. Stages or platforms more than 30 inches above grade.

D. Grandstands or bleachers.

E. Temporary structures higher than 12 feet.

3. **Temporary Outdoor Use (TOU).** A temporary change in use of an unenclosed ground level outdoor space, such as a surface parking lot, provided the use is temporary in nature and complies with the requirements specified in LAMC Subsection 91.106.1.3.1. A TOU is exempt from the requirement of an existing main structure.

91.106.1.3.1.2. Procedures.

91.106.1.3.1.2.1. Required Permit.

1. Before commencing a Temporary Installation or Temporary Outdoor Use, a permit authorizing such work or use shall be obtained from the Department.
2. A Temporary Special Event Permit shall issue where the permit application complies with the requirements specified in LAMC Subsection 91.106.1.3.1, and applicable fees are paid.

91.106.1.3.1.2.2. Application.

1. Applications for a Temporary Special Event Permit shall include a site plan, event details, and applicant contact information as specified on the application form provided by the Department. To the extent applicable, permit applications shall also include the information specified in LAMC Subsection 91.106.3; a detailed description of the proposed use; and structural plans, design criteria, and calculations prepared and approved with an original wet stamp and legible signature by a State of California Licensed Structural Engineer, Architect, or Civil Engineer.
2. Applications shall be filed at least five business days prior to the construction, erection, operation, installation, or use described in the application for a Temporary Special Event Permit.

91.106.1.3.1.2.3. Inspection. Requests for inspection must be received by the Department at least two days prior to use or occupancy.

91.106.1.3.1.2.4. Appeals or Requests for Slight Modifications. All appeals or requests for slight modification of Department action or determination pursuant to this section shall be made in accordance with the procedures established in LAMC Sections 98.0403.1 and 98.0403.2.

91.106.1.3.1.3. Fees. A Temporary Special Event Permit will not be issued without the payment of fees required by LAMC Section 91.107. If any changes are made to a previously approved permit, or an additional stage, tent, or canopy is added to the layout, an additional inspection will be required and an associated inspection fee will pertain to each additional inspection as specified in LAMC Section 98.0412.

91.106.1.3.1.4. Requirements.

1. The permit application shall conform to applicable event/day limits and other applicable objective building, zoning, and planning standards.
2. There shall be an existing main structure at the location.

3. There shall be no confirmed violation of applicable laws, regulations, or standards related to a Temporary Special Event Permit at the location during the prior 12-month period.

4. There shall be concurrence from the Department of City Planning, Police Department, Public Works, Fire Department, or other applicable City regulatory agency prior to the Department issuing a permit.

5. The installation or use shall conform to the original layout of the Temporary Special Event Permit and shall not be altered without written notification to and approval of the Department.

6. The applicant shall obtain a re-inspection and approval of the site prior to operation with a new layout.

7. Event activities related to a Temporary Special Event Permit shall comply with applicable laws, regulations, and standards.

8. The applicant shall comply with applicable laws, regulations, and standards governing event activities related to a Temporary Special Event Permit.

9. The applicant shall reimburse the City for applicable inspection costs or fees.

91.106.1.3.1.5. Limit of Authorization.

1. The subsections concerning Temporary Special Event Permits do not in any way alter or change the permitting or regulatory authority of other federal, state, or local agencies, including, but not limited to, the Fire Department or Police Department. Event activities related to a Temporary Special Event Permit remain subject to all other applicable laws, regulations, and standards; remain subject to the applicable permitting and regulatory authority of other agencies; and must separately obtain any applicable permits required by other agencies.

2. Temporary Special Event Permits do not authorize the temporary use of an enclosed space or building as a place of assemblage. Such temporary use requires approval as specified in Article 7, Chapter V of the LAMC.

3. Temporary Special Event Permits shall not be issued for more than five events in any 12-month period, and each permit shall be valid for a maximum of seven consecutive days at any single location. Such installations or uses are authorized only for the period set forth in the permit.

4. All temporary construction, uses, or installations associated with a Temporary Special Event Permit shall be stopped immediately after the permit expires, and thereafter be demolished or removed within five days.

91.106.1.3.1.6. Violations.

91.106.1.3.1.6.1. Suspension and Revocation of Temporary Special Event Permits

A Temporary Special Event Permit issued pursuant to the provisions of LAMC Subdivision 91.106.1.3, et seq., may be suspended or revoked for a failure to comply with the requirements above, or with any relevant provision of the LAMC.

Sec. 2. Subsection 91.106.1.3.2 of Section 91.106, Article 1, Chapter IX of the Los Angeles Municipal Code is added to read as follows:

91.106.1.3.2. Farmers' Market Permits.

91.106.1.3.2.1. Definitions.

Farmers' Market Permit. A permit for a periodic Temporary Installation and/or Temporary Outdoor Use, as defined in this section, for the operation of a Certified Farmers' Market specified in LAMC Section 12.24.A.6 or 14.00.A.11 that is planned to operate in whole or in part on private property.

91.106.1.3.2.2. Procedures. The required permit, application, inspection, appeal and slight modification procedures applicable to a Temporary Special Event Permit, as defined in this section, shall apply to a Farmers' Market Permit. Before commencing a periodic Temporary Installation or Temporary Outdoor Use for the operation of a Certified Farmers' Market, a Farmers' Market Permit shall be obtained from the Department. A Farmers' Market Permit application shall contain proof of a valid Certified Farmers' Market Certificate and a valid Food and Nutrition Service Number issued by the United States Department of Agriculture.

91.106.1.3.2.3. Fees. The fees applicable to a Temporary Special Event Permit shall apply to a Farmers' Market Permit.

91.106.1.3.2.4. Requirements. The requirements applicable to a Temporary Special Event Permit shall apply to a Farmers' Market Permit, with the following exception: there does not need to be an existing main structure at the location. A person utilizing a Farmers' Market Permit shall maintain proof of a valid Certified Farmers' Market Certificate and a valid Food and Nutrition Service Number issued by the United States Department of Agriculture.

91.106.1.3.2.5. Limit of Authorization.

1. The limits of authorization applicable to a Temporary Special Event Permit shall apply to a Farmers' Market Permit, with the exception of the five event limit and the authority to remove temporary uses or installations within five days. All temporary construction, uses, or installations associated with a Farmers' Market Permit shall be stopped immediately and demolished or removed at the close of each event day.

2. A Farmers' Market Permit may be obtained on an annual basis, is valid for one year from the date of issuance, and serves the same permitting purposes as a Temporary Special Event Permit as long as the layout of each event remains the same.

3. Where a Certified Farmers' Market is planned to operate on both private property and property in the public right-of-way, a person shall separately obtain the applicable permits from both the Department and the Bureau of Street Services, Department of Public Works. In this instance, the Department shall be the enforcement agency to investigate whether that Certified Farmers' Market accepts Electronic Benefit Transfer cards.

91.106.1.3.2.6. Violations. A Farmers' Market Permit issued pursuant to the provisions of LAMC Subdivision 91.106.1.3, et seq., may be suspended or revoked for a failure to comply with the requirements above, or with any relevant provision of the LAMC.

Sec. 3. Subsection 91.107.2.9, of Section 91.107, Article 1, Chapter IX of the Los Angeles Municipal Code is added to read as follows:

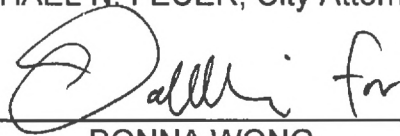
91.107.2.9. Temporary Special Event Fees. The City Council shall adopt, by resolution, a fee based on an analysis of the cost of issuing a Temporary Special Event Permit or Farmers' Market Permit. The Department shall collect that fee prior to the issuance of those permits pursuant to Sections 91.106.1.3.1 or 91.106.1.3.2 of this Code. If any changes are made to a previously approved permit, an additional inspection will be required and an associated inspection fee pursuant to LAMC Section 98.0412 will pertain to each additional inspection. Fees are not refundable once work has been performed by the Department, regardless of whether the action taken is approval or denial.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By

for

DONNA WONG
Deputy City Attorney

Date

3/1/2021

File No. 15-1511 and 16-1433-S1

[m:\real prop_env_land use\land use\donna wong\ordinances\temporary special events\tse ordinance_lamc 91.106_draft ordinance_3-1-21.docx]

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____