

MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 21 - 0 0 8 9
MAR 1 0 2021

REPORT RE:

**DRAFT ORDINANCE AMENDING ARTICLE 1, CHAPTER VII OF THE
LOS ANGELES MUNICIPAL CODE TO REPLACE THE EXISTING SHARED
MOBILITY DEVICE PILOT PROGRAM WITH AN ANNUAL PERMIT PROGRAM**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

Council File No. 17-1125

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends Article 1, Chapter VII of the Los Angeles Municipal Code to replace the current shared mobility device pilot program with an annual permit program to regulate and manage the safe operation of a shared mobility device, including, but not limited to, an electrically motorized board, motorized scooter, electric bicycle, bicycle, or a similar personal transportation device. Because the pilot program expires on March 31, 2021, the ordinance contains an urgency clause to allow the ordinance to become effective on April 1, 2021, to preserve the City's ability to regulate shared mobility devices and protect the safety of City residents and shared mobility device users.

Fee Notice Requirement

Because this ordinance would add new fees, notice of its proposed adoption should be given in accordance with the provisions of California Government Code Sections 66018 and 6062a. Those sections of state law require that prior to adoption of

a new or increased fee, a public hearing be held and notice of that hearing be published in a newspaper with two publications at least five days apart over a ten-day period. The notice period begins the first day of publication, and there must be at least five days intervening between the first and the second publications, not counting the dates of publication.

California Environmental Quality Act (CEQA)

No CEQA findings are required if the City Council determines that adoption of this ordinance does not constitute a "project," as defined by CEQA, pursuant to: (1) CEQA Guideline Section 15378, because the ordinance does not have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; and/or (2) CEQA Guideline Section 15060, because the ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Council Rule 38 Referral

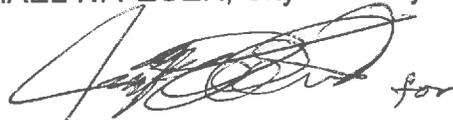
A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Transportation, the Bureau of Sanitation, the Los Angeles Police Department, and the Chief Legislative Analyst with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Michael Nagle at (213) 978-8130. He or another member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:MN:ev
Transmittal