

ORDINANCE NO. _____

An ordinance amending Section 56.11 of the Los Angeles Municipal Code to align it with Section 41.18 of this Code.

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

Section 1. Subsections 3(d), 3(e), and 3(i) of Section 56.11 of the Los Angeles Municipal Code are amended to read as follows:

(d) No Person shall Store any Personal Property in a Public Area in such a manner that it does not allow for passage as provided by the Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990), as amended from time to time. Without prior notice, the City may move and may immediately impound any Personal Property, whether Attended or Unattended, Stored in a Public Area in such a manner that it does not allow for passage as required by the ADA. Post-removal notice shall be provided as set forth in Subsection 4(b), below. A violation of this subsection is governed by Section 41.18(e) of this Code.

(e) No Person shall Store any Personal Property, whether Attended or Unattended, within:

- (1) 10 feet of any operational or utilizable driveway or loading dock;
- (2) 5 feet of any operational or utilizable building entrance or exit; or
- (3) 2 feet of any fire hydrant, fire plug, or other fire department connection.

Without prior notice, the City may move and may immediately impound any Personal Property, whether Attended or Unattended, in violation of this subsection. Post-removal notice shall be provided as set forth in Subsection 4(b), below. A violation of this subsection is governed by Section 41.18(e) of this Code.

(i) No Person shall Store any Bulky Item in a Public Area. Without prior notice, the City may remove and may discard any Bulky Item, whether Attended or Unattended, Stored in a Public Area unless the Bulky Item is designed to be used as a shelter. For any Bulky Item that is designed to be used as a shelter but does not constitute a Tent as defined in Subsection 2(q), with pre-removal notice as specified in Subsection 4(a), the City may remove and discard the Bulky Item, whether Attended or Unattended. If the Bulky Item

violates Subsections 3(d)-(h) herein, even if it is designed to be used as a shelter, without prior notice, the City may remove and discard the Bulky Item, whether Attended or Unattended.

Note: Enforcement of this subsection is currently suspended, pending the outcome of the case entitled *Garcia v. City of Los Angeles*, United States District Court, Central District of California, case number 2:19-cv-06182-DSF-PLA.

Sec. 2. Subsection 3(j) of Section 56.11 of the Los Angeles Municipal Code is renumbered as 3(m) and new Subsections 3(j), 3(k), and 3(l) are added to read as follows:

(j) No Person shall Store any Personal Property, whether Attended or Unattended, in such a manner that obstructs or interferes with the use of the right-of-way for any activity for which the City has issued a permit. With pre-removal notice as specified in Subsection 4(a), the City may impound any Personal Property Stored in violation of this subsection. Post-removal notice shall be provided as set forth in Subsection 4(b), below. A violation of this subsection is governed by Section 41.18(e) of this Code.

(k) No Person shall Store any Personal Property, whether Attended or Unattended, in such a manner as to obstruct any portion of a street or other public right-of-way open to use by motor vehicles, a designated bike lane or bike path, or other public right-of-way open exclusively to use by bicycles. Without prior notice, the City may move and may immediately impound any Personal Property, whether Attended or Unattended, in violation of this subsection. Post-removal notice shall be provided as set forth in Subsection 4(b), below. A violation of this subsection is governed by Section 41.18(e) of this Code.

(l) No Person shall Store any Personal Property, whether Attended or Unattended, in violation of Section 41.18(c) of this Code. Pre-removal notice and post-removal notice will be provided by erecting signage providing notice that Storage of Personal Property is a violation of Section 41.18(c), which may result in the removal or impoundment of the Personal Property. The signage must also provide information on retrieval of the Personal Property and provide notice that the Personal Property may be discarded if not claimed within 90 days. A violation of this subsection is governed by Section 41.18(e) of this Code.

Sec. 3. Subsections 10(a) and 10(d) of Section 56.11 of the Los Angeles Municipal Code are amended to read as follows:

(a) No Person shall willfully resist, delay, or obstruct a City employee from moving, removing, impounding, or discarding Personal Property Stored in a Public Area in violation of Subsections 3(a)-(c) or (f)-(h). A violation of Subsections 3(d)-(e) or (j)-(l) are governed by Section 41.18(e) of this Code.

(d) No Person shall willfully resist, delay or obstruct a City employee from removing or discarding a Bulky Item Stored in violation of Subsection 3(i), including by refusing to vacate or retreat from within the Bulky Item or from an obscured area created by the Bulky Item.

Note: Enforcement of this subsection is currently suspended, pending the outcome of the case entitled *Garcia v. City of Los Angeles*, United States District Court, Central District of California, case number 2:19-cv-06182-DSF-PLA

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  _____
VALERIE L. FLORES
Senior Assistant City Attorney

Date 8-4-2021

File No. CF 20-1376-S1

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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 _____