

(When required)

RECORDING REQUESTED BY AND MAIL TO:

LOS ANGELES DAILY JOURNAL

~ SINCE 1888 ~

915 E FIRST ST, LOS ANGELES, CA 90012
Mailing Address: P.O. Box 54026, Los Angeles, California 90054-0026
Telephone (213) 229-5300 / Fax (213) 229-5481

OTTAVIA SMITH
CITY OF LA / CITY CLERK / ADMIN SERVICES
200 N SPRING ST ROOM 395 213 978-1136
LOS ANGELES, CA - 90012

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of Los Angeles) ss

Notice Type: ORD - ORDINANCE

Ad Description:
186707

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the LOS ANGELES DAILY JOURNAL, a newspaper published in the English language in the city of LOS ANGELES, county of LOS ANGELES, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of LOS ANGELES, State of California, under date 04/26/1954, Case No. 599,382. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

08/10/2020

Executed on: 08/10/2020
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Signature



Email

* A 0 0 0 0 0 5 5 8 4 6 7 7 *

This space for filing stamp only

DJ #: 3387278

ORDINANCE NO. 186707

An ordinance adding Article 7 to Chapter XX and amending Section 61.07 of Article 1, Chapter XX of the Los Angeles Municipal Code to impose the maximum fine for depositing personal protective equipment onto the public right-of-way and/or into the storm drain system during the COVID-19 pandemic.

WHEREAS, the State of California and the City of Los Angeles have declared a state of emergency due to the novel COVID-19 virus pandemic (Pandemic);

WHEREAS, as a result of the Pandemic, the City has taken extraordinary measures to protect the public health, safety, and welfare of its residents;

WHEREAS, in accordance with current safety orders, including the Mayor's "Safer at Home" emergency order, and the guidance of other local and national health organizations, City residents and people working within the City have increased their use of personal protective equipment (PPE) when engaging in public activity to reduce the risk of infection;

WHEREAS, with the increased use of PPE, residents have expressed concerns of increased littering and depositing of discarded PPE onto the City's public right-of-way and into the City's storm drain system, including in City streets, sidewalks, and gutters; and

WHEREAS, the City is especially concerned with this observed activity since discarded PPE may be contaminated with COVID-19 such that the contaminated material may come in contact with unsuspecting residents and pets.

**NOW, THEREFORE,
THE PEOPLE OF THE CITY OF LOS ANGELES**

DO ORDAIN AS FOLLOWS:

Section 1. A new Article 7 is added to Chapter XX of the Los Angeles Municipal Code as follows:

**ARTICLE 7
DEPOSITING OF PERSONAL
PROTECTIVE EQUIPMENT
DURING COVID-19 PANDEMIC**

SEC. 200.80. DEFINITIONS.
The following definitions shall apply to this article:

A. "City" means the City of Los Angeles.
B. "Deposit" means any release, discharge, dumping, placement, littering, or disposal.

C. "Face Covering" includes, but is not limited to, any medical grade or non-medical grade face masks made from any material (such as paper or fabric), face shields, or face coverings (such as scarves or bandanas).

"Personal Protective Equipment" means any Face Covering, eye protection, gloves, or gowns.

D. "Public Right-of-Way" means land that is dedicated for public use including, but not limited to, streets, sidewalks, curbs, or parkways, or dedicated unimproved areas.

E. "Storm Drain System" means any facilities or any part of those facilities, including streets, gutters, conduits, natural or artificial drains, channels, and watercourses that are used for the purpose of collecting, storing, transporting, or disposing of stormwater and are located within the City.

SEC. 200.81. NO DEPOSITING OF PERSONAL PROTECTIVE EQUIPMENT.
It shall be unlawful for any person to Deposit Personal Protective Equipment into the City's Public Right-of-Way or Storm Drain System.

SEC. 200.82. ENFORCEMENT.
Each violation of this article is punishable as an infraction in the amount of \$250.

SEC. 200.83. CONFLICTS.
Nothing in this article shall be interpreted or applied so as to create any power or duty in conflict with any federal or state law.

SEC. 200.84. SEVERABILITY.
If any subsection, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this section, and each and every subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SEC. 200.85. SUNSET.
This article shall sunset upon the later of either the Governor of California lifting the State of Emergency he declared on March 4, 2020, or the Mayor of Los Angeles lifting the Declaration of Emergency he declared on March 4, 2020.

Sec. 2. Section 61.07(b) of the Los Angeles Municipal Code is amended to add section number "200.81" in the second table located after the third paragraph.

SEC. 3. URGENCY CLAUSE. The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reason: In order for the City of Los Angeles to ensure that its public areas are in clean, sanitary, and accessible condition, and to promote the public health and safety by ensuring that public areas remain readily accessible for their intended uses, it is necessary that the amendments to the Los Angeles Municipal Code as reflected in this ordinance must become effective as soon as possible. For all these reasons, the ordinance shall become effective upon publication pursuant to Los Angeles City Charter Section 253.

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 ADENA M. HOPENSTAND, Deputy City Attorney
Date June 26, 2020
File No. 20-0533

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, by a vote of not less than three-fourths of all its members.
Holly L. Wolcott, City Clerk
Ordinance Passed July 29, 2020
Eric Garcetti, Mayor
Approved August 4, 2020
8/10/20

DJ-3387278#