

ORDINANCE NO. 173375

An ordinance amending Section 52.34 of the Los Angeles Municipal Code related to regulation of private security services.

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

Section 1 of the Los Angeles Municipal Code is hereby amended to read as follows:

Sec. 52.34 PRIVATE PATROL SERVICE - REGULATIONS

(a) Definitions.

For the purpose of this article, certain terms used herein are defined as follows:

(1) **Private Patrol Service.** The term “**private patrol service**” shall mean any “private patrol operator” as defined in the California Business and Professions Code which furnishes or purports to furnish to members, subscribers, or customers any street patrol officer for the purpose of affording additional security and protection of person and property or to perform any other service directly related to the “private protection of life and property.”

(2) **Street Patrol Officer.** The term “**street patrol officer**” shall mean any person who performs for a private patrol service the duties of a uniformed guard or uniformed patrol officer or any of the duties described in subdivision (a)(1) by street patrol service utilizing foot patrol, motor patrol, or other means of transportation in public areas, City streets, or public thoroughfares. This definition shall not apply to uniformed guards or uniformed caretakers employed by an entity other than a private patrol service, such as by industrial plants, department stores, community associations, or private clubs wherein said function does not require patrolling from one location to another by use of a City street, nor shall it apply to persons employed by such an entity solely in connection with the commercial, public, or professional business of such an entity.

(b) Private Patrol Services.

(1) **Permit.** It shall be unlawful to engage in the business of maintaining or operating any private patrol service in the City of Los Angeles without first obtaining a license as required by the State of California and a permit from the City.

(2) **Requirements for Permits.** The following requirements must be met to obtain a permit to operate, maintain and conduct a private patrol service in the City.

A. Registration. A registration form shall be filed with the Board of Police Commissioners on forms supplied by the City. The registration form shall be signed and verified by the registrant and shall state the name, address and organization of the private security service, its method of operation, the territory or location it proposes to serve, the names, addresses of its officers, members, associates and employees and a description of the procedures for investigating citizen complaints against its street patrol officers.

B. State License. The registration form for a permit shall be accompanied by a photostatic or certified copy of the private patrol service's State of California License evidencing compliance with State laws relating to the business of private patrols.

C. Insurance. Upon request, a private patrol service shall furnish to the Board of Police Commissioners evidence of the following insurance: workers' compensation, general liability insurance, automobile insurance in the amounts required by State law.

(c) **Street Patrol Officers.**

(1) **Registration.** It shall be unlawful for any person to perform the duties of a street patrol officer in the City of Los Angeles without first obtaining a Guard Registration card as required by the State of California and registering with the City. Upon the registration being accepted by the City, the Board of Police Commissioners may issue a permit which shall be subject to all of the provisions of Chapter 10 of this Code, including all the rights, regulations, and due process procedures contained therein. The Board of Police Commissioners shall retain street patrol officer permits in its files.

(2) **Requirements for Registration.** The following requirements must be met to register to perform the duties of a street patrol officer in the City.

A. Registration. A registration form shall be filed with the Board of Police Commissioners on forms supplied by the City. The registration form shall be signed and verified by the registrant and shall state his name, address and the name and address of the private patrol service by whom he is employed. The registration form shall be submitted to the Board of Police Commissioners within 15 days of the Street Patrol Officer being hired by the Private Patrol Service. Registration forms may be submitted by hand-delivery, U.S. mail or facsimile.

B. State Registration Card. The registration form for a street patrol officer permit must be accompanied by a photostatic or certified copy of his State of California Guard Registration card evidencing compliance with the State laws relating to the occupation of a street patrol officer.

(d) **Uniform, Equipment, Badges, Insignia.**

(1) **General.** Any badge, insignia, patch or uniform used or worn by any employee, officer, member or associate of a private patrol service, while on duty for said patrol service, shall be in compliance with State law. Any such badge, insignia, patch or uniform shall not be of such a design as to be mistaken for an official badge, insignia or uniform worn by a law enforcement officer of the City of Los Angeles or any other law enforcement agency with jurisdiction in the City.

(2) **Uniforms.** The Private Patrol Service shall submit to the Board of Police Commissioners a sample or color photograph of the proposed uniform for approval by the Board to ensure that it does not resemble a uniform of any law enforcement agency with jurisdiction in the City. No uniform shall be worn if the sample thereof submitted to the Board has been determined to be in violation of subsection (d)(1).

(3) **Equipment, Weapons, Ammunition.** Street Patrol Officers are only authorized to carry .38 caliber, .45 caliber, .357 caliber and 9 millimeter firearms. The Board of Police Commissioners shall have the authority to grant an exception to this subsection upon a showing of good cause. Firearms and ammunition used by street patrol officers shall be of a brand name, model and caliber approved by the State of California. No street patrol officer shall carry any firearm in the performance of his duties unless he possesses a valid firearm qualification card issued by the State for said firearm. Other authorized weapons include State approved batons and chemical agents as authorized by the officer's State permit.

(e) **Motor Vehicles.** Each vehicle used for the purpose of patrolling shall comply with California Vehicle Code section 25279(b) and at a minimum the letters and numerals shall be clearly visible and readable from a distance of fifty feet and shall be permanently affixed to the vehicle. A private patrol service shall not use or permit to be used for purposes of patrolling, any vehicle which is not marked and identifiable with approved markings or insignia in accordance herewith. No vehicle used by a private patrol service shall be equipped with a red light, siren, or be painted in a manner similar to a police vehicle of the City of Los Angeles or other law enforcement agency with jurisdiction in the City. The private patrol service shall submit to the Board of Police Commissioners a color photograph of the proposed vehicles showing compliance with this subsection.

(f) **Reports to Police.** Every private patrol service operator and every street patrol officer shall immediately make a report to the Police Department of any felonies, high-grade misdemeanors or violation of federal law which come to his attention. High-grade misdemeanors include Petty Theft, Dangerous Weapons' Control Laws, Traffic Manslaughter, Indecent Exposure, Child Molesting, Contributing to the Delinquency of a Minor, Lewd Conduct, and all other misdemeanor sex offenses. The private patrol service shall also immediately notify the Police Department of any weapon discharge or private person's arrest made within the City, by any employee, officer, member, or

associate of the private patrol service.

(g) **Employees.** The private patrol service will be responsible for each street patrol officer to be registered with the State and to carry proof thereof at all times while on duty. A Street Patrol Officer in connection with his duties, upon request by a law enforcement officer, shall identify himself as a Street Patrol Officer and shall give his name and employer's name. At no time shall a Street Patrol Officer conduct himself by word or manner as to lead others to believe that he possesses the power to enforce Traffic Regulations or to issue Traffic Citations.

(h) **Authority to Make Rules and Regulations.** The Board of Police Commissioners shall have the authority to make rules and regulations not inconsistent with State law or this chapter concerning private patrol services and street patrol officers. Prior to any changes or additions to such Board rules and regulations, the Board of Police Commissioners shall give reasonable notice to all private patrol services registered with the City of the proposed changes or additions.

(I) **Permits; Nontransferable.** Permits issued under this article are not transferable. This section shall not be construed to prohibit the owner of a private patrol service from selling, assigning or transferring such service; however any new owner, transferee, or assignee shall be required to qualify under this article before commencing operations or carrying on business as a private patrol service.

(j) **Suspension/Revocation.** Violation of any provision of this ordinance, any of the rules promulgated by the Board of Police Commissioners, or of any State or local law in connection with the operation of a Private Patrol Service, may be cause for suspension and/or revocation of the permit held by the Private Patrol Service. The Board of Police Commissioners shall notify the Private Patrol Service of the intent to suspend or revoke the registration of any of its street patrol officers.

(k) **Permits Not Exclusive.** Permits required by this article shall be in addition to any license or permit required under any other chapter of this code.

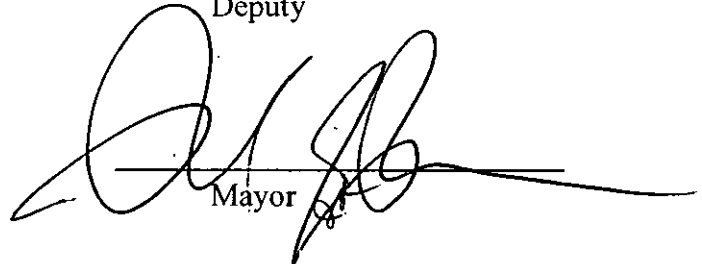
Sec. 2. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of JUN 20 2000.

J. MICHAEL CAREY, City Clerk


By 
Deputy

Approved ~~JUN 28 2000~~


Mayor

Approved as to Form and Legality

James K. Hahn, City Attorney

By 
DEBRA L. GONZALES

File No. 99-0355