

Community Care or ACE?

11-0262

"The Community Care Facility Ordinance doesn't change zoning laws, and is totally compatible with our current codes. It gives us the tools to protect neighborhoods from nuisance group homes, while allowing those that are legal, licensed and good neighbors, to continue to operate" according to CD12 Councilmember Mitch Englander.¹

Oddly, the draft Community Care ordinance does in fact drastically change zoning laws² and is not compatible with the current Housing Element law³. It does not contain any provisions to improve the apparent lack of enforcement of existing nuisance abatement procedures for quality of life issues (e.g., loud parties, trash, fights, public intoxication⁴) and does not exempt or grandfather any existing homes that are good neighbors to continue to operate. The majority of group homes are not eligible for any licensure.

Supporters of the Community Care ordinance are certain to be disappointed when the law still does not give officials the tools necessary to address nuisance group homes. The reality is the tools already exist but are rarely used because they are cumbersome⁵. Opponents of Community Care repeatedly support strengthening nuisance abatement⁶ and are worried about a lack of enforcement protocol and possible unfair enforcement.⁷

The proposed ACE [Administrative Code Enforcement] program is a comprehensive and self-funding administrative citation, hearing and enforcement program that will capture a wide range of low-grade municipal code violations and free up scarce courtrooms and law enforcement officers for more serious crimes and civil actions.⁸

Councilmember Paul Koretz explains "ACE will ... address low-grade "quality of life" violations with real time, efficient and fair enforcement. This means the City will finally be able to act more expeditiously and appropriately in resolving the kinds of issues that can otherwise degrade the quality of life of our local communities."⁹

"Concerns have been voiced that the ease of issuing [a] violation via the ACE process may cause overzealous inspectors to abuse the process and create costly and time consuming appeals processes for the innocent"¹⁰ as recognized by cautious supporters of ACE and staunch supporters of Community Care. Finally, there is common ground.

Everybody agrees that something must be done about ineffective code enforcement and the City's miserable failure to control problem properties of all kinds - including some bad group homes for the disabled - which negatively impact our quality of life. Because quality of life issues to be handled through Administrative Code Enforcement are many of the same problems the contentious Community Care ordinance seeks to resolve, it's time to ponder if Los Angeles needs an ordinance tied up for years in Court. Community Care or ACE? We do not need both.

¹ [The Real Scoop on Sober-Living Ordinance](#) Op-Ed by Mitch Englander *Los Angeles Daily News* March 28, 2011

² [CF 11-0262](#) Ordinance Amending Sections 12.03, 12.21, 12.22, 12.24 AND 14.00 of the [LAMC Zoning Manual](#)

³ City of Los Angeles General Plan, Housing Element Chapter III [Special Needs](#) Drug or Alcohol-Dependent Persons

⁴ [The Real Scoop on Sober-Living Ordinance](#) Op-Ed by Mitch Englander *Los Angeles Daily News* March 28, 2011

⁵ Department of City Planning, [Citywide Nuisance Abatement Program](#) created by City Council in the late 1990's

⁶ Sober Living Network and Los Angeles County [Sober Living Coalition](#) to Planning Commission October 19, 2010

⁷ CF 11-0262, Amending [Motion 12C](#) by Councilmember Bill Rosendahl seeking proposed enforcement guidelines

⁸ Los Angeles City Attorney Carmen Trutanich in [budget report](#) dated January 12, 2011

⁹ Councilmember Paul Koretz' [newsletter](#) "Special Update: Administrative Code Enforcement (ACE)" April 12, 2011

¹⁰ Pacific Palisades Community Council "ACE in Depth" as viewed at <http://www.pp90272.org> September 25, 2011