



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 17 - 0 3 2 5
SEP 20 2017

REPORT RE:

**DRAFT ORDINANCE ADDING SECTION 41.58.1 TO THE
LOS ANGELES MUNICIPAL CODE TO PROHIBIT LOUD OR UNRULY
GATHERINGS AT RESIDENCES IN THE CITY OF LOS ANGELES**

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

Council File No. 12-1824-S1

Honorable Members:

Pursuant to the request of the City Council, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality, to prohibit loud or unruly gatherings at residences in the City of Los Angeles. Specifically, the draft ordinance would add Section 41.58.1 to Article 1 of Chapter IV of the Los Angeles Municipal Code (LAMC) to address the problems associated with what are commonly referred to as party houses. As requested by the City Council, the draft ordinance is modeled in part on a similar ordinance in effect in the City of Newport Beach.

The draft ordinance would prohibit a loud or unruly gathering at a residence, as defined in the ordinance, and authorize a City enforcement officer to issue to the property owner and/or responsible party a citation under the City's Administrative Citation Enforcement Program (ACE). The enforcement officer would post a violation notice on the property, which must remain posted for 30 days. A copy of the notice would be served on the property owner in person or by mail. The enforcement officer may issue an ACE citation to the property owner and/or the responsible party. First

violation would be an administrative fine of \$500, escalating to \$4,000 for a fourth or subsequent violation. All citations may be appealed under the ACE Program. At the discretion of City prosecutors, a criminal misdemeanor can be filed instead of pursuing an ACE citation.

The draft ordinance also would amend Subsection (b) of Section 11.2.04 of the LAMC (ACE Program) to clarify that the administrative fine amounts are established in that section of ACE or any section of the LAMC that provides for its own fine amount (for example, the Loud and Unruly Gathering Ordinance).

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Los Angeles Police Department with a request that all comments, if any, be presented directly to the City Council at the time this matter is considered.

If you have any questions, please contact Deputy City Attorney Heather Aubry at (213) 978-8393. She or another member of this Office will be present when you consider this matter to answer questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM:HA:pj
Transmittal