

ORDINANCE NO. _____

An ordinance amending Sections 11.00(m), 11.2.01, 11.2.04 and 11.2.11 of the Los Angeles Municipal Code to remove the option of using a criminal remedy against a person who fails to pay a citation.

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

Section 1. The fourth unnumbered paragraph of Subsection (m) of Section 11.00 of the Los Angeles Municipal Code is amended to read as follows:

Violations of this Code may be addressed through the use of an Administrative Citation as set forth in Article 1.2 of Chapter 1 of this Code. The administrative fines prescribed by Chapter 1, Article 1.2 may be sought as an alternative to other legally available civil and criminal remedies.

Sec. 2. Subsection (d) of Section 11.2.01 of the Los Angeles Municipal Code is amended to read as follows:

(d) The procedures established in this Article shall be an alternative to criminal, civil and any other legal enforcement remedies provided in this Code. Issuance of an Administrative Citation shall not be deemed a waiver of any other enforcement remedies provided in this Code. The selection of issuing an Administrative Citation or another enforcement remedy provided in this Code lies within the sole discretion of the Issuing Department and, as applicable, by the City Attorney, and shall be consistent with the purpose and intent of this Article.

Sec. 3. Subdivision 1 of Subsection (a) of Section 11.2.04 of the Los Angeles Municipal Code is amended to read as follows:

1. For those Code sections that include the penalty of an infraction, an Administrative Violation issued instead of an infraction shall provide for an Administrative Fine that does not exceed the maximum fine set forth in this Code for that infraction. If the amount of the fine for the infraction is not specified in this Code, the amount of the Administrative Fine shall not exceed the maximum fine provided for in Subdivisions (b) and (c) of Section 36900 of the California Government Code.

Sec. 4. Section 11.2.11 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

(a) Any Responsible Person who is issued an Administrative Citation pursuant to this article, excluding Administrative Violations defined in Subsection (b) of Section 11.2.03, and does not pay within 15 calendar days, shall be assessed a late payment collection fee of \$50.00 which shall be charged in addition to any other

assessed fines and fees. The City may use any civil legal remedy available to collect any unpaid Administrative Fine, including, but not limited to, civil action, injunctive relief, specific performance and the recordation of a lien or a notice of the Administrative Violation against real property pursuant to the procedures set forth in this Code and in accordance with applicable law.

(b) Any Responsible Person who is issued an Administrative Citation pursuant to this article for an Administrative Violation defined in Subsection (b) of Section 11.2.03, and does not pay within 15 calendar days from the conclusion of the time afforded to remedy the Administrative Violation, shall be assessed a late payment collection fee of \$50.00 which shall be charged in addition to any other assessed fines and fees. The City may use any civil legal remedy available to collect any unpaid Administrative Fine, including, but not limited to, civil action, injunctive relief, specific performance and the recordation of a lien or a notice of the Administrative Violation against real property pursuant to the procedures set forth in this Code and in accordance with applicable law.

(c) Notwithstanding Subsections (a) and (b) of this section, if the Responsible Person chooses to contest the Administrative Citation pursuant to Section 11.2.08 of this article, and fails to pay the assessed Administrative Fine, Enforcement Costs, and Administrative Costs within 20 calendar days of the Administrative Order becoming final, the Responsible Person shall be assessed a late payment collection fee of \$50.00, which shall be charged in addition to any other assessed fines and fees. The City may use any civil legal remedy available to collect any unpaid Administrative Fine or to gain compliance with the Administrative Order. These remedies include, but are not limited to, civil action, injunctive relief, specific performance and the recordation of a lien or a notice of the Administrative Violation against real property pursuant to the procedures set forth in this Code and in accordance with applicable law.

(d) In the event a civil action is commenced to collect the Administrative Fine, Enforcement Costs, or Administrative Costs, the City shall be entitled to recover reasonable attorney's fees and all costs associated with the civil action. Costs include, but are not limited to, staff time incurred in the collection of the Administrative Fine, Enforcement Costs and Administrative Costs, and those costs set forth in Code of Civil Procedure Section 1033.5.

Sec. 5. 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.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk

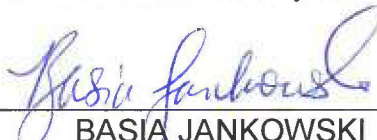
By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
BASIA JANKOWSKI
Deputy City Attorney

Date 2-10-2017

File No. _____