

HOMELESSNESS AND POVERTY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to repealing Section 85.02 of the Los Angeles Municipal Code (LAMC) prohibiting the use of streets and public parking lots for habitation.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE dated March 17, 2016 repealing Section 85.02 of the LAMC prohibiting the use of streets and public parking lots for habitation.
2. REQUEST the City Attorney to prepare and present a new draft ordinance that replaces LAMC Section 85.02 with a version that prohibits the use of vehicles for dwelling according to the following:
 - a. Between the hours of 9:00 p.m. to 6:00 a.m. on residential streets in the City, which includes any street that adjoins one or more residential single or multifamily residences.
 - b. Between the hours of 9:00 p.m. to 6:00 a.m. on a street within 500 feet of any school, pre-school, or day care facility or park.
 - c. Between the hours of 2:00 a.m. to 5:00 a.m. on any street with a posted sign prohibiting overnight parking.
3. RECEIVE and FILE the June 22, 2016, Homelessness and Poverty Committee recommendations and report and provide the new recommendations on this report that incorporates many of the directives of the June 22nd committee action.
4. SUNSET the provisions of the ordinance so that it will be repealed on July 1, 2018, unless extended by ordinance.
5. INCLUDE in the draft ordinance the utilization of the City's Administrative Citation Enforcement Program (ACE) for enforcement of violations of LAMC 85.02, whereby the first violation will be cited by the Los Angeles Police Department (LAPD) as an ACE citation with a \$25 fine and subsequent violations will escalate to a \$50 fine for the second violation and \$75 for all subsequent violations.
6. DIRECT the LAPD and Department of Transportation to work with the City Attorney on a penalty structure that provides a first time warning. Once established, REQUEST the City Attorney to report back to the Homelessness and Poverty Committee on how this trackable warning system can be incorporated into the ordinance.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On September 28, 2016, the Homelessness and Poverty Committee considered the City Attorney report and ordinance dated March 17, 2016 repealing Section 85.02 of the LAMC prohibiting the use of streets and public parking lots for habitation.

Representatives from the City Attorney's Office provided some background on the matter and responded to questions from the Committee members. After consideration and having provided an opportunity for public comment, the Committee Chair read into the record the recommendations reflected above and asked the Committee members for a vote. Committee members present with the exception of Councilmember Bonin voted for the above recommendations. The matter is now submitted to Council for its consideration.

Respectfully Submitted,

HOMELESSNESS AND POVERTY COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HARRIS-DAWSON:	YES
HUIZAR:	YES
BONIN:	NO
PRICE:	YES
CEDILLO:	ABSENT

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EV
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-NOT OFFICIAL UNTIL COUNCIL ACTS-