

**ORDINANCE NO. \_\_\_\_\_**

An ordinance reinstating Section 85.02 to the Los Angeles Municipal Code to regulate vehicle dwelling on City streets.

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

Section 1. Section 85.02 of the Los Angeles Municipal Code is reinstated in its entirety as follows:

**SEC. 85.02. REGULATING THE USE OF VEHICLES FOR DWELLING.**

A. **Use of Vehicles for Dwelling Restricted on City Streets.** No person shall use a Vehicle for Dwelling as follows:

1. Between the hours of 9:00 P.M. and 6:00 A.M. on any Residential Street; or
2. At any time within a one Block radius of any edge of a lot containing a park or a licensed school, pre-school or daycare facility.

Nothing herein precludes the enforcement of any other laws such as parking restrictions, including, but not limited to, prohibitions on overnight parking.

B. **Definitions.** As used in this section:

1. **Block** is defined as 500 feet.
2. **Dwelling** means more than one of the following activities and when it reasonably appears, in light of all the circumstances, that a person is using a vehicle as a place of residence or accommodation:

Possessing inside or on a vehicle items that are not associated with ordinary vehicle use, such as a sleeping bag, bedroll, blanket, sheet, pillow, kitchen utensils, cookware, cooking equipment, bodily fluids. Obscuring some or all of the vehicle's windows. Preparing or cooking meals inside or on a vehicle. Sleeping inside a vehicle.

3. **Residential Street** means any street which adjoins one or more single family or multi-family residentially zoned parcel.

4. **Vehicle** means any motor vehicle, trailer, house car or trailer coach as defined by the California Vehicle Code.

C. **Penalty.** A first violation of this section shall be punishable as an infraction not to exceed \$25. A second violation of this section shall be punishable as an infraction not to exceed \$50 and all subsequent violations of this section shall be punishable as an infraction not to exceed \$75. Violators may be eligible for referral to a prosecutorial-led diversion program such as the Homeless Engagement and Response Team (HEART).

D. **Sunset Provision.** This section shall expire and be deemed to have been repealed on January 1, 2020, unless extended by ordinance.

E. **Severability.** If any portion, subsection, sentence, clause or phrase of this section is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this section. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

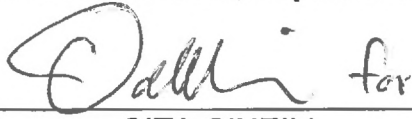
Sec. 2. **URGENCY CLAUSE.** The City finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety for the following reasons: The City's law regulating vehicle dwelling expired on July 1, 2019. Reinstating the regulation of vehicle dwelling for another six months avoids the public peace, health and safety concerns that might arise in the absence of any regulation. Those concerns were articulated in the City Council's findings made at the time the existing City law was adopted in November 2016. For these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 3. 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By

 for

GITA O'NEILL

Assistant City Attorney

Date

7-22-19

File No.

14-1057-S8

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR

\_\_\_\_\_

\_\_\_\_\_

Ordinance Passed \_\_\_\_\_

Approved \_\_\_\_\_