

Your Community Impact Statement has been successfully submitted to City Council and Committees.

If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at [NCsupport@lacity.org](mailto:NCsupport@lacity.org).

This is an automated response, please do not reply to this email.

#### Contact Information

Neighborhood Council: Encino Neighborhood Council

Name: Alex Garay

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The Board approved this CIS by a vote of: Yea(17) Nay(1) Abstain(0) Ineligible(2) Recusal(0)

Date of NC Board Action: 01/23/2019

Type of NC Board Action: For if Amended

#### Impact Information

Date: 01/26/2019

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-0499-S1

Agenda Date:

Item Number:

Summary: The Encino Neighborhood Council supports CF 15-0499-S1 if amended to include the attached motion and recommendations passed by the Encino Neighborhood Council (ENC) at the June 27, 2018 General Board meeting. Both the motion and municipal code fix recommendations, which have gained support from NCs in Los Angeles are attached. The Encino Neighborhood Council voted to support CF 15-0499-S1 at our January 23rd General Board meeting if amended to include the municipal code fix (attached) by a vote of: 17 (Y), 1(N), 0(A), 2(I) & 0(R).



**ENCINO**

NEIGHBORHOOD COUNCIL



**Protect Urban Canopy through and adjustments to the municipal code, tracking system & enforcement**

**MUNICIPAL CODE FIX**

**Fines and Penalties:**

Fines and penalties should be structured in two categories, Homeowners or Trades/Others. Fines should be on an escalating tier based system, such as the ones for cell phone use while driving. A repeat of infractions should result in an increase in fines. "Trades/Others" are classified as property management, contractors, developers, owner builders, and other agencies. Homeowner fines should start off at a lower rate to that of "others", seeing as that "others" by their very nature should know better. Contractors should receive an additional fee for doing work without a permit; and if doing work outside their authorized license, an additional fine and referral to the state licence board. This is to ensure the right people are doing the work as well as discourage illegal activities by contractors who refuse to pull a permit and convince the homeowner it's not needed. The citation should include instructions on obtaining the necessary permits and where to pay them. What we want to avoid is the butchering of trees that will later die and possibly cause a lawsuit against the city.

**Enforcement:**

Enforcement should be done by existing city forces, not by the police since they are overwhelmed and will not respond to a low priority call. Currently, only the UFD can issue street tree correction notices but with no fees or fines. In speaking with several UFD representatives, they confirmed that such an on the spot citation would greatly help their enforcement of their jobs. The department of Urban Forestry, Public Works Inspectors, DOT Inspectors, parking enforcement, etc... have over 600 inspectors combined. Currently, only a handful of Public Works Construction Inspectors can actually issue a ticket citation, and only for peak hour construction violations in the roadway. The fines should state to obtain a permit to conduct the work legally and be obtained at any BOE public counter throughout the city.

There, a "V" permit should be issued to distinguish it from the current "A" or "B" class permits. At the counter the city can obtain the fine plus the additional cost for the inspectors to ensure the time they spent enforcing the correct installation of trees for example, is being done. Under no circumstance should the city allow solely an "A" permit because it is not guaranteed by funds to complete if a violator just doesn't do the work. Either a Revocable Permit or a "B" permit has a bond against it. The "V" class permit should have the same refundable guarantee attached, set at the replacement cost of work to be done by city forces (see current cost tables by BOE). The system to track this already exists for "A" class permits and SRP Sidewalk rebate permits, so no need for additional IT development costs for a system. If an violator wishes to challenge the citation, it should follow existing protocol established by the Board of Public Works. Fines that are not paid and permits not pulled within 30 days, A delinquency notice with the citation plus an additional charge (for filing) now gets added on and is recorded against the property and/or license.

Fees/penalties generated by citations should be restricted to the area impacted and placed in a special fund for only use in restorative actions or improvements required/plan compliance under the Open Space Plan. They should be controlled by a combination of the City Council District and corresponding Neighborhood Councils with input by UFD. This will ensure not only more reporting of illegal activity but an oversight and pride of ownership by the localities. Part of the fine should also go to UFD to support additional inspectors since they do not draw funds from the current permitting system.

Thank you,

*Alex*

Alex Garay  
Encino Neighborhood Council  
President



**Protect Urban Canopy through and adjustments to the municipal code, tracking system & enforcement**

Motion:

The city council should amend the gap in the municipal code to include enforcement, tracking, and corrective distribution of funds to the affected Neighborhood council boundary within 60 days.

**Passed: 15 (Yes), 0 (No), 0 (Abstained) 3 (Ineligible)**

Please refer to the following attachments; Background Information and Municipal Code Fix.

Thank you,

*Alex*

Alex Garay  
Encino Neighborhood Council  
President