



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 18 - 0338  
NOV 14 2018

REPORT RE:

**DRAFT ORDINANCE AMENDING SECTION 42.15 OF THE LOS ANGELES  
MUNICIPAL CODE TO ALLOW SPECIFIED HOURS FOR FIRST AMENDMENT  
ACTIVITIES IN DESIGNATED SPACES ON THE VENICE BEACH BOARDWALK**

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. 18-0638

Honorable Members:

On October 10, 2018, this Council approved a settlement of litigation in *Venice Justice Committee et al. v. City of Los Angeles, et al.*, United States District Court for the Central District of California Case No. 1:16-CV-01115 (DDP) (SS). The lawsuit claimed, among other things, that the "sunset" provision in Los Angeles Municipal Code Section 42.15.E.9 unduly restricted First Amendment protected activities between sunset and midnight. Pursuant to the settlement agreement, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The ordinance amends Section 42.15 of the Los Angeles Municipal Code to include a provision allowing First Amendment activities, including, but not limited to, petition gathering, political speech, or other expressive activity in the designated spaces, until midnight each day.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Recreation and Parks with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Senior Assistant City Attorney Valerie Flores at (213) 978-8130. She or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By   
DAVID MICHAELSON  
Chief Assistant City Attorney

DM:DSL:ac  
Transmittal