



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 19-0392
NOV 22 2019

REPORT RE:

**DRAFT ORDINANCE AMENDING SECTION 63.44.N OF THE LOS ANGELES
MUNICIPAL CODE TO ALLOW RIDING OF NON-MOTORIZED BICYCLES,
SCOOTERS, IN-LINE SKATES, ROLLER SKATES, OR WHEELCHAIRS IN
SKATE PARKS UNDER THE CONTROL OF THE DEPARTMENT OF RECREATION
AND PARKS**

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. 18-1086

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends Los Angeles Municipal Code (LAMC) Section 63.44.N to allow riding of non-motorized bicycles, scooters, in-line skates, roller skates, or wheelchairs in skate parks under the control of the Department of Recreation and Parks.

Sunset of Limited Immunity

For years, state law has provided that a public entity is not liable to a person who participates in a hazardous recreational activity, and that skateboarding at a facility owned or operated by a public entity as a public skateboard park is a hazardous recreational activity, if certain conditions are met. In 2015, the legislature expanded that grant of limited immunity for a pilot period of four years to include, within the definition of a hazardous recreational activity, the riding of non-motorized bicycles, scooters, in-line

skates, roller skates, or wheelchairs in skate parks, under the same specified conditions. The pilot period for this expanded immunity is set to sunset on January 1, 2020, at which time, state law will revert to providing limited immunity for skateboard riding only.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Recreation and Parks requesting 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 Deputy City Attorney Michael Dundas at (213) 978-8130. He 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:MD:ac
Transmittal