

ORDINANCE NO. 1105152

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2  
3 An ordinance amending various subsections of Chapter  
4 IX of the Los Angeles Municipal Code providing for the  
5 deterrence and removal of graffiti.

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7 THE PEOPLE OF THE CITY OF LOS ANGELES  
8 DO ORDAIN AS FOLLOWS:

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10 Section 1. Subsection 408 of Section 91.0400 of the  
11 Los Angeles Municipal Code is hereby amended by inserting in  
12 its appropriate alphabetical placement the following:

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14 "GRAFFITI shall mean any unauthorized  
15 inscription, word, figure of design which is  
16 marked, etched, scratched, drawn or painted on  
17 any structural component of any building,  
18 structure, or other facility regardless of the  
19 nature of the material of that structural  
20 component. Graffiti shall constitute a nuisance."

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22 Sec. 2. The first paragraph of Subsectin (f) of  
23 Section 91.8101 of the Los Angeles Municipal Code is amended to  
24 read:

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26 "Every existing building, structure, or  
27 portion thereof shall be maintained in a safe and  
28 sanitary condition and good repair. The premises

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of every building or structure shall be maintained in good repair and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material. The following standards of safe and sanitary condition and good repair are herein established."

Sec. 3. Subdivision 15 is hereby added to Subsection (f) of Section 91.8101 of the Los Angeles Municipal Code to read as follows:

"15. The exterior of all privately owned buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley."

Sec. 4. Section 91.8904 of the Los Angeles Municipal Code is hereby amended to read:

"SEC. 91.8904. SPECIAL PROVISIONS FOR FENCING VACANT PROPERTY, SECURING VACANT BUILDINGS AND STRUCTURE, CLEANING PROPERTY AND REMOVING GRAFFITI.

It shall be unlawful for the owner or person in control of a parcel of land, to allow to exist a vacant building or structure which is open to unauthorized entry on such land. It shall also

1 be unlawful for the owner or person in control to  
2 permit the accumulation of trash, debris, vehicle  
3 parts, rubbish, excessive vegetation or other  
4 similar nuisance conditions on the parcel or in  
5 and around any building or structure located on  
6 the parcel. It shall also be unlawful for the  
7 owner or person in control to allow to exist any  
8 graffiti on a building or fence when such  
9 graffiti is visible from a public street or alley  
10 and, if after being notified by the Department  
11 that the City wishes to remove it, such owner or  
12 person refuses to consent to the removal of the  
13 graffiti by the City. The City shall only remove  
14 such graffiti, however, if the Department finds  
15 it to be obnoxious. The owner or person in  
16 control of a vacant building or structure which  
17 is partially or completely open to unauthorized  
18 entry shall secure all openings, accessible for  
19 entry from the exterior of the building or  
20 structure, with a minimum 1/2 inch exterior grade  
21 plywood. The plywood shall have a positive  
22 connection to the building or structure using  
23 minimum 3/8 inch bolts which shall not be  
24 removable from the outside. The entire building  
25 or structure shall be securely maintained.

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27 Owners, whose property is repeatedly used  
28 for dumping trash, debris, vehicle parts, rubbish

1 or other similar nuisance conditions shall, upon  
2 order of the Department of Building and Safety,  
3 erect a maximum ten foot high unobstructed  
4 chainlink fence complete with lockable gates.  
5 The fence, once constructed, shall become the  
6 property of the owner of the property upon which  
7 it is constructed and, all structures on the  
8 property, including the fence shall be maintained  
9 in good repair. The property so fenced shall be  
10 conspicuously posted with a "No Dumping" sign  
11 made of incombustible material measuring at least  
12 12 by 24 inches.

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14 Owners, whose property displays graffiti,  
15 shall completely remove the graffiti by washing,  
16 sandblasting or chemical treatment or shall  
17 completely and uniformly cover or otherwise  
18 obscure the graffiti with paint or other approved  
19 materials.

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21 Any person who fails to comply with this  
22 section is guilty of misdemeanor."

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24 Sec. 5. Section 91.8904.1 is hereby added to the  
25 Los Angeles Municipal Code to read:

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"SEC. 91.8904.1. PROCEDURES FOR REMOVING GRAFFITI.

A. Notification. The City Council finds that the maintenance of graffiti visible from a public street or alley prohibited under Section 91.8904 of the Municipal Code constitutes a public nuisance. If the property owner or person in control consents to the removal of the graffiti, the City may enter upon the property and remove such graffiti. If such a condition exists and the owner or person in control refuses to consent to the removal of the graffiti, the Department of Building and Safety may issue an order by certified mail, return receipt requested, to the owner as shown on the first equalized assessment roll to abate this condition. A copy of the order shall also be posted on the subject property. The order shall give a maximum of 15 days from the date the notice was mailed to perform the work.

The notice shall further state that if the nuisance is not abated by the date specified on the order (1) the City, or its contractor, may enter upon the parcel of land and remove or otherwise eliminate or abate the nuisance; and (2) that upon completion of such work the cost thereof, including administrative costs, may become a special assessment against that parcel; and (3) that upon confirmation of the assessment

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and recordation of that order, as provided by Section 91.8906, a lien may attach to the parcel to be collected on the next regular property tax bill levied against the parcel. The notice may be combined with an order issued pursuant to Sections 91.8101 and 91.8903.

B. Abatement by the City. In the event the nuisance is not removed or otherwise eliminated or abated by the date specified in the notice, the City, or its contractor, may enter upon the parcel and remove or eliminate the nuisance. Abatement may be accomplished by contract or work order and may be performed by a private contractor submitting a competitive sealed bid, a public entity performing under a Memorandum of Understanding or by means of an Annual Awarded Contract.

For the purposes of this section, an Annual Awarded Contract shall mean one or more 12-month contracts awarded by the Department after competitive bidding. The contracts may be based upon both stipulated prices and unit cost for the fencing of vacant property that is repeatedly used for dumping or illegal purposes; for the securing of vacant buildings open to unauthorized entry; for the removal of debris, rubbish,

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excessive vegetation or similar nuisance conditions on property containing a vacant building, when and as directed by the Department by means of a work order. No work order shall be executed except in conjunction with the necessary contract or contracts.

If abatement is performed by a City Department other than the Department of Building and Safety, the Department of Building and Safety shall bill the owner for the cost of removal, or other elimination or abatement of the nuisance, including administrative costs. An itemized written report showing the date and cost of abatement work done by the City or its contractor, together with a proposed assessment with respect to the parcel involved, shall be submitted to the Department of Building and Safety. Payment for the cost of abatement and recovery of the cost from the property owner shall be pursuant to Section 91.8906.

If graffiti is again present, the Department may, upon three days notice to the owner, execute a contract or work order to have the required work performed by one of the methods provided by this section.

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The cost of performing the work may be paid from the "Repair and Demolition Fund" as established in Section 91.8906 of this Division. Further, the provisions of Subsection (d), (e), and (f) of Section 91.8903 shall apply to this Section.

The above abatement procedures are in addition to any other remedy at law the Department may choose to pursue to eliminate the nuisance conditions."

Sec. 6. Subsection (e) of Section 91.1707 of the Los Angeles Municipal Code is amended to read as follows:

"(e) Walls. In residential buildings containing habitable rooms, any room the enclosing walls of which are below adjacent ground level and which are retaining earth or adjacent to a planter area shall be dampproofed in a manner approved by the Department.

In all buildings, except detached one and two family dwellings and their accessory buildings, the first nine feet, measured from grade, of exterior walls and doors shall be built and maintained with a graffiti resistant finish



1 consisting of either a hard smooth impermeable  
2 surface such as ceramic tile, baked enamel or a  
3 renewable coating of an approved anti-graffiti  
4 material or a combination of both."  
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Sec. 7 The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of AUG 15 1989

ELIAS MARTINEZ, City Clerk,

By Edward W. ...  
Deputy.

Approved AUG 31 1989

Tom Bradley  
Mayor.  
LAJ 370497 9/5

Approved as to Form and Legality

8-14-89  
JAMES K. HAHN, City Attorney,

By [Signature]  
JOHN F. HAGGERTY,  
Assistant City Attorney

File No. 88-0738