

MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 3 - 0 3 1 2
OCT 2 5 2013

REPORT RE:

DRAFT ORDINANCE AMENDING SECTIONS 41.40, 103.12 AND 103.206 OF THE LOS ANGELES MUNICIPAL CODE TO (1) DECREASE THE NOISE VARIANCE APPLICATION FEE, (2) REVISE THE BUSINESS PERMIT FEE SCHEDULE, AND (3) INCREASE THE FALSE ALARM FEE

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. 11-1625

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance would amend Sections 41.40, 103.12 and 103.206 of the Los Angeles Municipal Code (LAMC).

Background and Summary of Ordinance Provisions

On September 25, 2013, the City Council adopted the Public Safety Committee's report relative to the Police Department's 2014 fees for Police Permits. The Committee's report included a request for an ordinance amending the fees for police permits as recommended in the Los Angeles Police Department's report adopted by the Board of Police Commissioners on June 4, 2013.

The draft ordinance would amend LAMC Section 41.40 to decrease the noise variance application fee from \$253 to \$248, would revise the entire Business Permit Fee Schedule for police permits in LAMC 103.12 and would also amend LAMC Section 103.206 to increase the false alarm fee from \$159 to \$162.

Fee Notice Requirement

Because this ordinance would effectuate an increase in existing fees, the notice of its proposed adoption should be given in accordance with the provisions of California Government Code Sections 66018 and 6062a. Those sections of State law require that prior to adoption of a new or increased fee a public hearing be held and notice of that hearing be published in a newspaper with two publications at least five days apart over a ten-day period. The notice period begins the first day of publication, and there must be at least five days intervening between the first and the second publications, not counting the dates of publication.

Council Rule 38

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Board of Police Commissioners and the City Administrative Officer with a request that all comments, if any, be presented directly to the City Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Brian Sottile at (213) 978-8384. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:BS:pg
Transmittal

ORDINANCE NO. _____

An ordinance amending Sections 41.40, 103.12 and 103.206 of the Los Angeles Municipal Code to decrease the Noise Variance application fee, revise the Business Permit Fee Schedule, and increase the False Alarm fee.

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

Section. 1. Subsection (k) of Section 41.40 of Article 1 of Chapter IV of the Los Angeles Municipal Code is amended to read as follows:

(k) **Noise Variance Application Fee.** Any application to the Board for a noise variance under Subsection (b) shall be accompanied by payment of an application fee of \$248.00.

Sec. 2. The Business Permit Fee Schedule of Section 103.12, Division 4, Article 3, Chapter X of the Los Angeles Municipal Code is amended to read as follows:

BUSINESS PERMIT FEE SCHEDULE

	Type of Business	Original Fee	Annual Renewal Fee	Change of Location Fee
	Alarm System, Proprietor or Subscriber, other than a mechanical audible alarm system as defined by Section 103.206 of the Code, Protecting a residential building	37.00	30.00	37.00
	Ammunition Salesperson	118.00	118.00	None
	Ammunition Vendor	694.00	153.00	694.00
	Antique Shop	429.00	153.00	429.00
	Arcade Game	227.00	153.00	227.00
	Arcade Picture	153.00	153.00	153.00
	Auto Park	388.00	153.00	388.00
	Bath/Tanning Salon	208.00	153.00	208.00
	Bowling Alley	209.00	153.00	209.00
	Cafe Entertainment and Shows, Except Live Theatrical Productions in a Theater with a Seating Capacity of 99 Persons or Less	478.00	153.00	478.00
	Card Club School	489.00	153.00	489.00
	Carnival	119.00	119.00	119.00
	Collectors' Exchange or Antique Show Promoter	429.00	153.00	429.00
	Cyber Café	148.00	148.00	148.00
	Dance Hall	438.00	153.00	438.00
	Dance, One Night Public	503.00	None	503.00
	Dance, Teenage Public	520.00	None	520.00

Dancing Academy	181.00	153.00	181.00
Dancing Club	262.00	153.00	262.00
Escort	364.00	153.00	None
Escort Bureau	396.00	153.00	396.00
Family Billiard Room	237.00	153.00	237.00
Figure Studio	209.00	153.00	209.00
Firearms Sales Person	118.00	118.00	None
Firearms Vendor	786.00	153.00	786.00
Firefighter Organization Promoter	209.00	153.00	209.00
Firefighter Organization Solicitor	133.00	133.00	133.00
Game, Skills/Science	209.00	153.00	209.00
Hostess, Dance Hall	284.00	153.00	284.00
Junk Collector	139.00	139.00	None
Junk Dealer	417.00	153.00	417.00
Key Duplicator	208.00	153.00	208.00
Massage Business	601.00	153.00	601.00
Massage Business -Off Premises	221.00	153.00	None
Massage Technician	382.00	172.00	None
Massage Technician-Off Premises	382.00	172.00	None
Motion Picture Show	247.00	153.00	247.00
Parades	None	None	None
Pawnbroker	367.00	153.00	367.00
Peace Officer Organization Promoter	205.00	153.00	205.00
Peace Officer Organization Solicitor	80.00	80.00	80.00
Pool Room-Single	296.00	153.00	296.00
Pool Room	296.00	153.00	296.00
Rides (Mechanical)	117.00	117.00	117.00
Rummage Sale (Annual)	199.00	153.00	199.00
Sale, Close-Out	153.00	None	153.00
Sale, Fire	153.00	None	153.00
Secondhand (Auto Parts)	427.00	153.00	427.00
Secondhand (Books/Magazines)	427.00	153.00	427.00
Secondhand (General)	427.00	153.00	427.00
Secondhand (Jewelry)	427.00	153.00	427.00
Shooting Gallery	151.00	151.00	151.00
Skating Rink	205.00	153.00	205.00
Swap Meet Operator	556.00	153.00	556.00
Towing Operation	437.00	153.00	437.00
Tow Unit Operator	316.00	153.00	None
Valet Parking Operator	314.00	153.00	314.00
Valet Parking Attendant	70.00	70.00	None

Sec. 3. Paragraph (1) of Subsection (e) of Section 103.206, Division 8, Article 3, Chapter X of the Los Angeles Municipal Code is amended to read as follows:

(1) **False Alarm Fees.** Alarm System Users shall pay a False Alarm Fee of \$162.00 for each False Alarm.

Sec. 4. 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.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, Interim City Clerk

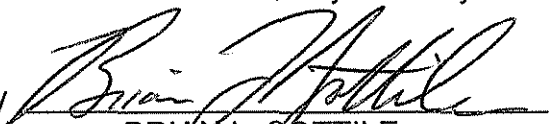
By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
BRIAN L. SOTTILE
Deputy City Attorney

Date 10/24/13

File No. CF 11-1625