



**CARMEN A. TRUTANICH**  
City Attorney

**REPORT NO. R 1 2 - 0 3 8 1**  
DEC 0 5 2012

**REPORT RE:**

**REVISED DRAFT ORDINANCE AMENDING SECTIONS 41.40, 52.16, 103.12 AND 103.206 OF THE LOS ANGELES MUNICIPAL CODE TO ADD: (1) AN INCREASE IN THE NOISE VARIANCE APPLICATION FEE, (2) AN INCREASE IN THE FEE FOR THE ISSUANCE OF NEWS MEDIA IDENTIFICATION CARDS, AND (3) AN INCREASE IN THE FALSE ALARM FEE; AND TO REVISE THE BUSINESS PERMIT FEE SCHEDULE**

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:

We are transmitting to you for your consideration, approved as to form and legality, a revised draft ordinance that would amend Sections 41.40, 52.16, 103.12 and 103.206 of the Los Angeles Municipal Code (LAMC). The revised draft ordinance would add provisions to: (1) increase the noise variance application fee, (2) increase the fee for the issuance of news media identification cards, and (3) increase the false alarm fee; and it would also revise the Business Permit Fee Schedule for police permits.

This Office previously transmitted a draft ordinance (City Attorney Report No. R12-0363) that would revise the Business Permit Fee schedule for police permits and increase the false alarm fee. Since that draft ordinance was transmitted, it has come to our attention that the Public Safety Committee's report relative to the Police

Department's 2013 fees for Special Services and Police Permits also included the increase of the noise variance application fee and the fee for issuance of news media identification cards. Accordingly, the revised draft ordinance includes these two additional fee increases. Additionally, two other changes required to the Business Permit Fee Schedule contained in the previously transmitted draft ordinance have been made in the enclosed revised draft ordinance. In all other respects, the revised draft ordinance is identical to the draft previously transmitted and described in the earlier report.

#### Fee Notice Requirement

We note that, because this ordinance would effectuate an increase in existing fees, 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,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA  
Chief Assistant City Attorney

PBE:BS:aa  
Transmittal

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Sections 41.40, 52.16, 103.12 and 103.206 of the Los Angeles Municipal Code to increase the Noise Variance application fee, increase the fee for issuance of News Media Identification Cards, increase the False Alarm fee, and revise the Business Permit Fee Schedule.

**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 \$253.00.

Sec. 2. Subsection (H) of Section 52.16 of Article 2 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

H. The fee for issuance of a card shall be \$25.00, provided however that no fee shall be charged for the reissuance of such card.

Sec. 3. 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**

	<b>Type of Business</b>	<b>Original Fee</b>	<b>Annual Renewal Fee</b>	<b>Change of Location Fee</b>
	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	35.00	30.00	35.00
	Ammunition Salesperson	81.00	81.00	None
	Ammunition Vendor	726.00	155.00	726.00
	Antique Shop	280.00	155.00	280.00
	Arcade Game	216.00	155.00	216.00
	Arcade Picture	224.00	155.00	224.00
	Auto Park	329.00	155.00	329.00
	Bath/Tanning Salon	245.00	155.00	245.00
	Bowling Alley	255.00	155.00	255.00
	Cafe Entertainment and Shows, Except Live Theatrical Productions in a Theater with a Seating Capacity of 99 Persons or Less	491.00	155.00	491.00
	Card Club School	479.00	155.00	479.00

Carnival	169.00	155.00	169.00
Collectors' Exchange or Antique Show Promoter	278.00	155.00	278.00
Cyber Café	160.00	155.00	160.00
Dance Hall	434.00	155.00	434.00
Dance, One Night Public	381.00	None	381.00
Dance, Teenage Public	433.00	None	433.00
Dancing Academy	250.00	155.00	250.00
Dancing Club	246.00	155.00	246.00
Escort	369.00	155.00	None
Escort Bureau	406.00	155.00	406.00
Family Billiard Room	248.00	155.00	248.00
Figure Studio	244.00	155.00	244.00
Firearms Sales Person	81.00	81.00	None
Firearms Vendor	726.00	155.00	726.00
Firefighter Organization Promoter	211.00	155.00	211.00
Firefighter Organization Solicitor	211.00	155.00	211.00
Game, Skills/Science	221.00	155.00	221.00
Hostess, Dance Hall	389.00	155.00	389.00
Junk Collector	170.00	155.00	None
Junk Dealer	470.00	155.00	470.00
Key Duplicator	184.00	155.00	184.00
Massage Business	574.00	155.00	574.00
Massage Business -Off Premises	378.00	155.00	None
Massage Technician	362.00	173.00	None
Massage Technician-Off Premises	363.00	173.00	None
Motion Picture Show	272.00	155.00	272.00
Parades	None	None	None
Pawnbroker	377.00	155.00	377.00
Peace Officer Organization Promoter	211.00	155.00	211.00
Peace Officer Organization Solicitor	211.00	155.00	211.00
Pool Room-Single	325.00	155.00	325.00
Pool Room	345.00	155.00	345.00
Rides (Mechanical)	213.00	155.00	213.00
Rummage Sale (Annual)	48.00	48.00	48.00
Sale, Close-Out	213.00	None	213.00
Sale, Fire	213.00	None	213.00
Secondhand (Auto Parts)	375.00	155.00	375.00
Secondhand (Books/Magazines)	374.00	155.00	374.00
Secondhand (General)	375.00	155.00	375.00
Secondhand (Jewelry)	375.00	155.00	375.00
Shooting Gallery	211.00	155.00	211.00
Skating Rink	265.00	155.00	265.00
Swap Meet Operator	361.00	155.00	361.00
Towing Operation	474.00	155.00	474.00

	Tow Unit Operator	420.00	155.00	None
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Sec. 4. 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 \$159.00 for each False Alarm.

Sec. 5. 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 \_\_\_\_\_.

JUNE LAGMAY, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By   
BRIAN E. SOTTILE  
Deputy City Attorney

Date 12-05-12

File No. CF 11-1625