



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R 23 - 0233
JUN 20 2023

REPORT RE:

DRAFT ORDINANCE ADDING SECTIONS 57.901.11 THROUGH 57.901.11.3 TO ARTICLE 7, CHAPTER V OF THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH A FALSE FIRE ALARM PROGRAM; AMENDING SECTIONS 57.106.7.1.1 AND 57.202 TO ADD A FEE PROVISION AND NEW DEFINITIONS RELATED TO A FALSE FIRE ALARM PROGRAM; AND AMENDING SECTIONS 57.901.8.3 AND 57.901.8.4 TO UPDATE PROVISIONS RELATED TO FALSE FIRE ALARMS

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

As requested by the City Council, this Office has prepared and now transmits for your consideration the enclosed ordinance, approved as to form and legality. The ordinance would add Sections 57.901.11 through 57.901.11.3 to Article 7, Chapter V of the Los Angeles Municipal Code (LAMC) to establish a False Fire Alarm Program; amend Sections 57.106.7.1.1 and 57.202 to add new definitions and a fee provision related to a False Fire Alarm Program; and amend Sections 57.901.8.3 and 57.901.8.4 to update provisions related to false fire alarms.

The Los Angeles Fire Department (LAFD) estimates that it annually receives approximately 32,000 fire alarm activations, 15,000 (or 47%) of which are deemed not to be the result of fire or other life safety emergencies ("false fire alarm"). These false fire alarms divert vital LAFD resources from actual emergencies.

Although the LAMC criminalizes false fire alarms that are willfully and knowingly initiated, it does not address false fire alarms that are the result of human or

technological error, nor does it provide a mechanism to recover the costs associated with responding to false fire alarms. This ordinance establishes a False Fire Alarm Program that, among other things, establishes fees and progressive penalties for false fire alarms. The Board of Fire Commissioners of the City of Los Angeles and the City Administrative Office (CAO) have determined the verifiable costs for responding to false fire alarms.

Fee Notice Requirement

We note that because this ordinance would impose a new fee, 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 second publications, not counting the dates of publication.

Council Rule 38

Pursuant to Council Rule 38, a copy of the ordinance was sent to the LAFD and the CAO with a request that any comments 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 Linda Nguyen at (213) 978-8393. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By



VALERIE L. FLORES
Chief Assistant City Attorney