

ORDINANCE NO. _____

An ordinance repealing and replacing Section 56.12, Article 6, Chapter V, of the Los Angeles Municipal Code to prohibit obstructions on streets and sidewalks.

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

Section 1. Section 56.12 of the Los Angeles Municipal Code is repealed in its entirety and replaced with the following:

SEC. 56.12. OBSTRUCTIONS ON STREETS AND SIDEWALKS.

1. It shall be unlawful for any person or entity occupying or having charge or control of any premises, to place or cause to be placed, or allow to remain upon the sidewalk, or upon the street in front of such premises, anything which shall obstruct any portion of the street or sidewalk, without a valid permit therefor. The prohibition in this section shall not apply to any article or substance temporarily placed on the sidewalk or street during the active process of loading or unloading, but only during the minimum amount of time for the active loading and unloading to occur and provided the article or substance does impede passage as required by the Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990), as amended from time to time.

2. It shall be unlawful for any person or entity to enter into a lease, rental agreement or contract of any kind, written or oral, with or without compensation, for the use of any street or sidewalk.

3. **Severability.** If any subsection, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this section, and each and every subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Sec. 2. **URGENCY CLAUSE.** The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety for the following reason: In order for the City of Los Angeles to ensure that its public areas are in clean, sanitary and accessible condition, and to promote the public health and safety by ensuring that public areas remain readily accessible for their intended uses, it is necessary that the amendments to the Los Angeles Municipal Code as reflected in this ordinance must become effective as soon as possible. For all these reasons, the ordinance shall become effective upon publication pursuant to Los Angeles City Charter Section 253.

Sec. 3. 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, **by a vote of not less than three-fourths of all of its members**, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk


By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
VALERIE L. FLORES
Senior Assistant City Attorney

Date 4/21/16

File No. CF 14-1656