

PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to commercial property encroachment onto public sidewalks and streets.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE dated January 21, 2016 amending Section 56.12 of Chapter V of the Los Angeles Municipal Code (LAMC) to address commercial property encroachment onto public sidewalks and streets.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Homelessness and Poverty Committee waived consideration of the above matter)

Summary:

On January 25, 2016, your Committee considered a January 22, 2016 City Attorney report and Ordinance dated January 21, 2016 relative to LAMC Section 56.12 to address commercial property encroachment onto public sidewalks and streets. According to the City Attorney, the proposed new version of LAMC Section 56.12 prohibits a person or entity occupying or controlling a business establishment from allowing anything to be placed upon and obstruct any portion of an adjoining sidewalk or street. The Ordinance contains exceptions for permitted encroachments and also for the temporary loading and unloading of a merchant's goods. The proposed Ordinance further makes it unlawful for any owner of a business establishment to lease or contract with a tenant to use any portion of a sidewalk or street for the placement or display of property.

The Ordinance is modeled after a similar ordinance dealing with commercial property in San Francisco. The proposed new version of LAMC Section 56.12 replaces in its entirety an outdated ordinance which addressed the unloading of bakery and dairy goods in the Central Traffic District. Finally, the Ordinance contains a loading and unloading exemption that makes the former version of Section 56.12 unnecessary.

After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the Ordinance. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

PUBLIC WORKS AND GANG REDUCTION COMMITTEE

MEMBER VOTE



BUSCAINO: YES
MARTINEZ: YES
PRICE: YES
O'FARRELL: YES
RYU: YES

ARL
4/13/16

-NOT OFFICIAL UNTIL COUNCIL ACTS-