

PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT relative to the legality of the placement of small wooden structures affixed with wheels, also known as tiny houses, in both the public right-of-way and on private property.

Recommendations for Council action, as initiated by Motion (Buscaino – Englander):

1. REQUEST the City Attorney to:

- a. With the assistance of any other department as necessary, report on the legality of the placement of tiny houses in both the public right-of-way and on private property, and recommend removal protocol for City departments to follow.
- b. Prepare a report giving enforcing departments clear direction on how to remove and dispose of tiny houses, and to verify and confirm that tiny houses are classified as bulky items, and do not need to be stored for 90 days prior to disposal.

2. DIRECT the Bureau of Sanitation to include homeless and human health service providers, such as the Los Angeles Homeless Services Authority (LAHSA), when conducting the removal of tiny houses and the deconstruction of homeless encampments.

Fiscal Impact Statement: 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 August 11, 2015, Council considered Motion (Buscaino – Englander) relative to the legality of the placement of small wooden structures affixed with wheels in both the public right-of-way and on private property. Motion states that several small wooden structures affixed with wheels, approximately the size of a garden shed, have recently been placed on public streets in San Pedro, and other communities across the City, and are being used as temporary shelters for the homeless. These structures are unpermitted, and have no running water, no sewer connection, and no reflective markings to make them visible to drivers, posing a great risk to public health and safety. Motion movers recommend that the City Attorney report on related legal issues and enforcement protocol for the removal of the structures. Council referred Motion to the Public Works and Gang Reduction and Homelessness and Poverty Committees for consideration.

At its meeting held August 24, 2015, the Public Works and Gang Reduction Committee discussed this matter with representatives of the City Attorney and the Bureau of Sanitation. The City Attorney representative stated that the tiny houses are not vehicles, nor do they meet the criteria for a house. For the purpose of enforcement, they are considered bulky items and can be removed from public property and disposed. The City is not required to hold the structures for 90 days or any period of time prior to disposing of them. Such structures located on private property are subject to inspection and enforcement by the Department of Building and Safety.

The Committee recommended that Council approve Motion, as amended to request the City Attorney prepare a written report relative to the removal and disposal of tiny houses, and that the Bureau of Sanitation include homeless and human health service providers, such as LAHSA, when conducting the removal of tiny houses and the deconstruction of homeless encampments.

Respectfully Submitted,

PUBLIC WORKS AND GANG REDUCTION COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
BUSCAINO:	YES
MARTINEZ:	YES
PRICE:	YES
O'FARRELL:	YES
RYU:	YES

jaw

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**