

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) relating to unauthorized presence in restricted areas within the Very High Fire Hazard Severity Zone.

Recommendations for Council action, as initiated by Motion (Blumenfield - Rodriguez), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE dated August 22, 2019 to amend LAMC Sections 57.4908.4, 57.4908.8, and 57.4908.8.1 relating to unauthorized presence in restricted areas within the Very High Fire Hazard Severity Zone.
2. REFER page five of the Communication from the Mayor dated August 22, 2019 (attached to the Council file), to the Budget and Finance Committee.

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

Community Impact Statement: Yes.

For:  
Sylmar Neighborhood Council

**(URGENCY CLAUSE - 12 VOTES REQUIRED ON SECOND READING)**

Summary:

On March 27, 2019, your Committee considered a Motion (Blumenfield - Rodriguez) relative to the mitigation of the risk of wildfires in the Very High Hazard Severity Zone, as well as trespassing and other dangerous activities in the Zone. According to the Motion, the presence of individuals camping or dwelling in brush areas within the City's Very High Fire Hazard Severity Zone (Zone) remains a serious public safety concern. The risk of wildfire caused by activities of unauthorized individuals within the Zone must be addressed and mitigated. Under LAMC Section 57.4908.8, the City may post notice that no person may enter or remain in the Zone except on public roadways, inhabited areas, or established trails and campsites which are open to the public. A person who violates this Section is guilty of trespass, which is punishable as a misdemeanor. Posting notice gives a person knowledge that they should not be in a restricted area of the Zone. The contents of the notice and how it is to be posted is currently prescribed in LAMC Section 57.4908.8.1.

Posting requirements include installing a sign at each entrance and corner of a property and at intervals no more than 600 feet along the property boundary. Meeting these posting requirements for the entire Zone is therefore unrealistic and leaves significant portions of the Zone unposted. It would be more effective if the City's law allowed in-person notice to a person inside the restricted portion of the Zone as an alternative to posted notice. Personal notice of this nature would alert the person that he or she is in a restricted portion of the Zone (not on a road, or in an inhabited area, or on an established trail or campsite). This notice would also warn the person that failure to immediately leave the restricted portion of the Zone, or leaving and returning to the Zone, constitutes a criminal trespass. This in-person notice would be an alternative to the posting of the notice, but posting would remain an option to convey notice. After consideration and having provided an opportunity for public comment, the Committee moved to continue this matter.

Subsequently, on August 28, 2019 the Committee re-considered this matter to include an August 22, 2019 City Attorney report, Ordinance, and Communication from the Mayor. Representatives from the Los Angeles Fire Department, Los Angeles Police Department, Department of Recreation and Parks, Los Angeles Homeless Services Authority, Office of the City Attorney, and Office of the Mayor responded to questions posed by the Committee members. After consideration and after having provided an opportunity for public comment, the Committee moved to recommend approval of the Ordinance as detailed in the above recommendation. The Committee also recommended that page five of the Communication from the Mayor be referred to the Budget and Finance Committee. This matter is not forwarded to the Council for its consideration.

Respectfully Submitted,

PUBLIC SAFETY COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
RODRIGUEZ:	YES
O'FARRELL:	YES
BUSCAINO:	YES
RYU:	YES
SMITH:	ABSENT

ARL  
8/28/19

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**