Council File Number
07-0699

Title
SIDEWALK / PARKWAY MAINTENANCE PROGRAM

Subject
Motion - When trash, dead vegetation, weeds or other debris are allowed to collect in public places, it affects the quality of life of a neighborhood by reducing the aesthetic value, as well as by leading the community to lose interest in the care and safety of the neighborhood. When neighborhoods are kept tidy and attractive, residents are more likely to care about the community, which tends to make neighborhoods safer. It is therefore in the interest of the City to do everything possible to prevent trash, weeds and debris from collecting and becoming a blight on the public landscape. Currently the Los Angeles Municipal Code (Section 56.08 (a) prohibits trees, bushes, grass, and vegetation that grow on any lot or premises, including the limbs, twigs, leaves, or parts of such tree, bush or vegetation, to interfere or obstruct the free passage of pedestrians or vehicles on streets and sidewalks. Section 56.08 (c) of the Code states, in part, that "No person having charge or control of any lot or premises shall allow any soil, rubbish, trash, garden refuse, tree trimmings, ashes, tin cans, or other waste..... to remain upon any sidewalk, parkway or..... upon any street abutting..... or adjacent to such lot or premises..... which will interfere with, or obstruct the free passage of pedestrians or vehicles....." The Bureau of Street Services - Investigation and Enforcement Division, has the authority to cite violators, but there is no monetary penalty or fine for non- Compliance unless a criminal complaint is filed with the City Attorney's Office. Under the existing process, the Investigation and Enforcement Division will issue a: (1) Warning Notice; (2) Hearing Notice to Appear (for non-compliance of Warning Notice); and (3) Criminal Complaint Filing with the City Attorney if the problem is not abated. This process is time-consuming and has very little effect in getting the attention of those who violate the law and ignore the citations issued. It is important that the City Council continue to take the steps necessary to improve the quality of life for residents and visitors. This can be accomplished by: (1) Continuing to inform and educate property owners, or persons in control of the lot or premises, of their residential responsibility for keeping public access areas (sidewalks and parkways) free from trash, tree trimmings, overgrowth of vegetation and other waste, etc.; (2) Imposing a monetary penalty or fine for violating Section 56.08 (a) and (c) of the Municipal Code. (3) Amend the current Municipal Codes to address not only when these conditions interfere with the obstruction of public rights of way, but also when these conditions create blight in the community. THEREFORE MOVE that the City Council direct the Bureau of Street Services - Investigation and Enforcement Division, to: 1. Develop a one-page information sheet regarding the residential responsibility for maintaining sidewalks and parkways, pursuant to Section 56.08 (a) and (c) of the Municipal Code; 2. Determine the feasibility of creating a "Sidewalk and Parkway Maintenance Program" that allows a monetary penalty or fine to be imposed for violating Section 56.08 (a) and (c) of the Los Angeles Municipal Code, as it relates to maintaining clean and obstruction-free sidewalks and parkways; and 3. Provide a report to the Public Works Committee, within thirty (30) days, to carry out the intent of this Motion. 4. Amend 56.08 (a) and (c) of the Municipal Code to require maintaining clean sidewalks and parkways in order to prevent the proliferation of blight in our community. FURTHER MOVE that the City Council authorize the Chief Legislative Analyst, or his designee, to make technical corrections or clarifications as may be necessary to implement the intent of this Motion.

Last Change Date
05/02/2008

Mover
GREIG SMITH

Second
TOM LABONGE

Archive History

3-7-07 - This day's Council session
3-7-07 - Ref to Public Works Committee
3-7-07 - File to Public Works Committee Clerk
5-15-07 - For ref - Communication from the Bureau of Street Services, dated May 11, 2007, relative to amending Los Angeles Municipal Code (LAMC) Section 56.08 to impose a graduated penalty of $50, $100 and $150 for each successive violation of the ordinance in a 12 month period, pertaining to sidewalk and parkway maintenance enforcement program.
5-16-07 - Ref to Public Works Committee - to Committee Clerk
5-22-07 - Council Action - Public Works Committee report ADOPTED to:
1. REQUEST the City Attorney to PREPARE and PRESENT an ORDINANCE to incorporate the amendments, as detailed in Attachment A of the May 11, 2007 Bureau of Street Services (BOSS) report and attached to the Committee report, amending Section 56.08 of the Los Angeles Municipal Code (LAMC) to include Subsections e and f in said report as it pertains to parkway maintenance and overgrown vegetation on public property.
2. REQUEST the Controller to create a NEW REVENUE SOURCE CODE in the General Fund called Right-of-Way Maintenance Enforcement Program to identify fees collected to enforce illegal dumping laws by the BOSS.
5-25-07 - File to Public Works Committee Clerk OK
5-29-07 - File in files