



Fwd: CONSTITUTIONAL OBJECTION: New Gas Hookup Ordinance (Regulatory Taking)

Office of the City Clerk <cityclerk@lacity.org>
To: City Clerk Council and Public Services <clerk.cps@lacity.org>

Tue, Feb 17, 2026 at 10:01 AM

Sender's email: oroa1776@proton.me

----- Forwarded message -----

From: 'Old Republic of America' via Clerk - CityClerk <cityclerk@lacity.org>
Date: Sun, Feb 15, 2026 at 7:56 AM
Subject: CONSTITUTIONAL OBJECTION: New Gas Hookup Ordinance (Regulatory Taking)
To: Mayor.Helpdesk@lacity.org <Mayor.Helpdesk@lacity.org>, Hydee.FeldsteinSoto@lacity.org <Hydee.FeldsteinSoto@lacity.org>, Controller.Mejia@lacity.org <Controller.Mejia@lacity.org>
Cc: CityClerk@lacity.org <CityClerk@lacity.org>

To Mayor Bass, City Attorney Feldstein Soto, and Controller Mejia,

FILING ON BEHALF OF: Old Republic of America Constitutional Audit Unit

Reporter: Robert Pitts

NATURE OF OBJECTION We formally object to the City Ordinance banning new gas hookups for commercial kitchens upon change of ownership. This regulation effectively destroys the resale value of legacy restaurants by mandating cost-prohibitive renovations as a condition of sale.

CONSTITUTIONAL VIOLATIONS (5TH & 14TH AMENDMENTS)

1. Regulatory Taking (5th Amendment): The Supreme Court has ruled that a regulation that deprives a property owner of all economically beneficial use of their property constitutes a "taking". By attaching a poison pill to the deed (the gas ban), the City has seized the equity of the business owner. A restaurant specialized in gas cooking (e.g., wok, charbroiler) becomes unsellable if the new owner is forced to pay \$100,000+ for electrical conversion.
2. Economic Liberty (14th Amendment): The right to earn a living and transfer property is fundamental. The City is regulating a legal product (natural gas) out of existence by targeting the *transaction* rather than the safety of the building.

DEMAND FOR EXEMPTION We demand the City Council and City Attorney:

1. Exempt "Change of Ownership" transfers from the gas ban (Grandfather Clause).
2. Suspend enforcement against existing commercial kitchens immediately to avoid litigation under the Takings Clause.

Please direct all correspondence to: oroa1776@proton.me

Respectfully,

Robert Pitts
OROA Constitutional Audit Unit