

COMMUNICATION

File No. 08-3167

TO: THE COUNCIL OF THE CITY OF LOS ANGELES

**FROM: COUNCILMEMBER RICHARD ALARCÓN, VICE CHAIR
PUBLIC WORKS COMMITTEE**

COMMUNICATION FROM VICE-CHAIR, PUBLIC WORKS COMMITTEE and ORDINANCE relative to adding Subsection (a) to Section 62.118.2 of the Los Angeles Municipal Code (LAMC) requiring any restaurant wishing to engage in dining activities within the dedicated public right-of-way to obtain a revocable permit.

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

APPROVE the accompanying ORDINANCE adding Subsection (a) to Section 62.118.2 of the LAMC requiring any restaurant wishing to engage in dining activities within the dedicated public right-of-way to obtain a revocable permit from the Board of Public Works, as administered by the Bureau of Engineering, and to pay a fee in addition to the revocable permit fee to cover the inspection and administrative costs for ensuring compliance of the revocable permit conditions for sidewalk dining.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement Submitted: None submitted

SUMMARY

On August 5, 2009, the Vice-Chair of the Public Works Committee considered a July 30, 2009 City Engineer report, November 20, 2008 City Attorney report and Ordinance relative to adding Subsection (a) to Section 62.118.2 of the LAMC requiring any restaurant wishing to engage in dining activities within the dedicated public right-of-way to obtain a revocable permit. This Ordinance is in response to Council's June 16, 2006 action requesting the City Attorney to prepare and present an Ordinance in regard to dining activities in the public right-of-way (Council File No. 05-2034).

Specifically, the Ordinance adds Subsection (a) to Section 62.118.2 of the LAMC requiring any restaurant wishing to engage in dining activities within the dedicated public right-of-way to obtain a revocable permit from the Board of Public Works, as administered by the Bureau of Engineering, and to pay a fee in addition to the revocable permit fee to cover the inspection and administrative costs for ensuring compliance with the revocable permit conditions for sidewalk dining. The fee for inspection and administrative costs shall be collected every two years beginning two years after initial permit issuance.

Additionally, the City Engineer presented an overview of the issues in connection with outdoor dining (aka sidewalk dining) as directed by Council on June 16, 2006 (Council File No. 05-2034) and an overview of how other jurisdictions in Southern California handle outdoor dining. A summary of these issues and findings are included in the July 30, 2009 City Engineer report and are attached to the Council file.

After consideration and having provided an opportunity for public comment, the Committee Vice-Chair moved to recommend approval of the Motion to amend the LAMC in regard to sidewalk dining. This matter is now submitted to Council for its consideration.

Respectfully submitted,

COUNCILMEMBER RICHARD ALARCÓN, VICE-CHAIR
PUBLIC WORKS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
ROSENDAHL:	ABSENT
ALARCÓN:	YES
SMITH:	ABSENT

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- Not Official Until Council Acts -