



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 4 - 0 2 8 6
JUN 20 2014

REPORT RE:

DRAFT ORDINANCE AMENDING SUBSECTION (a) OF SECTION 87.55 OF CHAPTER VIII, DIVISION T OF THE LOS ANGELES MUNICIPAL CODE TO ADD THE FOLLOWING STREETS: THE NORTH SIDE OF FOUNTAIN AVENUE BETWEEN LYMAN PLACE AND VIRGIL AVENUE; BOTH SIDES OF VIRGIL AVENUE BETWEEN FOUNTAIN AVENUE AND BURNS AVENUE; BOTH SIDES OF SANTA MONICA BOULEVARD BETWEEN VIRGIL AVENUE AND HOOVER STREET; THE EAST SIDE OF HOOVER STREET BETWEEN SANTA MONICA BOULEVARD AND HYPERION AVENUE; BOTH SIDES OF HOOVER STREET BETWEEN HYPERION AVENUE AND TEMPLE STREET

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 14-0581

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends Subsection (a) of Section 87.55 of Chapter VIII, Division T of the Los Angeles Municipal Code to add the following streets: The north side of Fountain Avenue between Lyman Place and Virgil Avenue; both sides of Virgil Avenue between Fountain Avenue and Burns Avenue; both sides of Santa Monica Boulevard between Virgil Avenue and Hoover Street; the east side of Hoover Street between Santa Monica Boulevard and Hyperion Avenue; both sides of Hoover Street between Hyperion Avenue and Temple Street. The draft ordinance is being transmitted as an urgency ordinance.

Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Transportation with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Michael Nagle at (213) 978-8141. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By

A handwritten signature in dark ink, appearing to read "Dalli", is written over the printed name of David Michaelson.

DAVID MICHAELSON
Chief Assistant City Attorney

DM:MDN:fa
Transmittal

ORDINANCE NO. _____

An ordinance amending Subsection (a) of Section 87.55 of Chapter VIII, Division T of the Los Angeles Municipal Code to add the following streets: The north side of Fountain Avenue between Lyman Place and Virgil Avenue; both sides of Virgil Avenue between Fountain Avenue and Burns Avenue; both sides of Santa Monica Boulevard between Virgil Avenue and Hoover Street; the east side of Hoover Street between Santa Monica Boulevard and Hyperion Avenue; both sides of Hoover Street between Hyperion Avenue and Temple Street.

The City finds and declares the following:

WHEREAS, the California Legislature enacted California Vehicle Code Section 22651.9, regulating vehicles left on the street with "for sale" signs or placards, as an urgency statute "necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the California Constitution" finding that the legislation was necessary to "alleviate the critical shortage of parking spaces in a city, county, and city and county, and to help reduce traffic hazards in those jurisdictions;" and

WHEREAS, there is a critical shortage of on-street parking places on certain streets in the City of Los Angeles; and

WHEREAS, the critical parking shortage on certain City streets is exacerbated by people parking vehicles on these streets for the sole purpose of displaying the vehicles for private sale; and

WHEREAS, the congregation of these vehicles with "for sale" signs or placards and the people trying to sell them occurs on City streets where there is a high volume of vehicular and pedestrian traffic creating traffic hazards and traffic congestion along these streets; and

WHEREAS, the congregation of these vehicles with "for sale" signs and the people trying to sell them are creating a public nuisance and blight, as the sellers of these vehicles are frequently defecating, urinating or discarding trash on the residential lawns or business property located along the streets, or getting into altercations with the residents and/or business owners; and

WHEREAS, the congregation of these vehicles with "for sale" signs and the people that are trying to sell them is occurring in or near historic neighborhoods or along routes designated as historic, resulting in a diminishment of the historic character of these neighborhoods and/or roadways and the quality of life of the residents that live in these areas; and

WHEREAS, Los Feliz Boulevard from Interstate 5 to Western Avenue is a historic and major traffic route into the City, containing a number of significant homes of

historic interest along its route, as well as major tourist attractions such as Griffith Park, with its Observatory, and the Greek Theatre; and

WHEREAS, Los Feliz Boulevard, and its side streets, from Interstate 5 to Western Avenue has become a magnet for sellers trying to sell their vehicles which has resulted in the conditions described above; and

WHEREAS, Franklin Boulevard, from Hillhurst Avenue to Western Avenue has also now become a magnet for sellers trying to sell their vehicles which has resulted in the conditions described above; and

WHEREAS, Normandie Avenue between 15th Street and the 10 Freeway has also now become a magnet for sellers trying to sell their vehicles, which has resulted in conditions described above; and

WHEREAS, "Little" Normandie Avenue south of Venice Boulevard has also now become a magnet for sellers trying to sell their vehicles which has resulted in conditions described above; and

WHEREAS, Washington Boulevard between South Kingsley Drive and South Catalina Street has also now become a magnet for sellers trying to sell their vehicles which has resulted in conditions described above; and

WHEREAS, The north side of Fountain Avenue between Lyman Place and Virgil Avenue, both sides of Virgil Avenue between Fountain Avenue and Burns Avenue, both sides of Santa Monica Boulevard between Virgil Avenue and Hoover Street, the east side of Hoover Street between Santa Monica Boulevard and Hyperion Avenue, and both sides of Hoover Street between Hyperion Avenue and Temple Street have also become a magnet for sellers trying to sell their vehicles which has resulted in conditions described above; and

WHEREAS, the California Legislature enacted California Vehicle Code Section 22651.9 authorizing the City to regulate and impound vehicles with "for sale" signs from the streets or public lands which the City has identified within this Section.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection (a) of Section 87.55 of Chapter VIII, Division T of the Los Angeles Municipal Code is amended in its entirety to read as follows:

SEC. 87.55. REGULATION OF VEHICLES CONTAINING “FOR SALE” SIGNS OR PLACARDS.

It shall be unlawful for any person to park any vehicle on the streets or public lands in the City of Los Angeles listed in Subdivision (a) of this Section for the purpose of advertising to the public the private sale of that vehicle.

(a) City Streets or Public Lands Where Vehicle Sales are Prohibited.

1. On Los Feliz Boulevard between Interstate 5 and Western Avenue.
2. On Franklin Avenue between Hillhurst Avenue and Western Avenue.
3. Normandie Avenue between 15th Street and the 10 Freeway.
4. “Little” Normandie Avenue south of Venice Boulevard.
5. Washington Boulevard between South Kingsley Drive and South Catalina Street.
6. The north side of Fountain Avenue between Lyman Place and Virgil Avenue.
7. Both sides of Virgil Avenue between Fountain Avenue and Burns Avenue.
8. Both sides of Santa Monica Boulevard between Virgil Avenue and Hoover Street.
9. The east side of Hoover Street between Santa Monica Boulevard and Hyperion Avenue.
10. Both sides of Hoover Street between Hyperion Avenue and Temple Street.

The City may amend this Section, after conducting a public hearing, to include additional streets or public lands.

Sec. 2. Urgency Clause. Based on the findings set forth above, the Council adopts this ordinance as an urgency ordinance that is required for the preservation of the public peace, health and safety. Pursuant to Charter Section 253, this ordinance shall become effective upon publication.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members, at its meeting of _____.

HOLLY L. WOLCOTT, Interim City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By Michael D. Nagle
MICHAEL D. NAGLE
Deputy City Attorney

Date 6/20/2014

File No. 14-0581