

ORDINANCE NO. _____

An ordinance amending Sections 11.2.07(a), 11.2.08(a) and 11.2.02 of the Los Angeles Municipal Code extending the time for payment of the fine for an Administrative Citation and expanding the definition of "Continuing Violation" to include other than structural or zoning matters.

The City finds and declares the following:

WHEREAS, the City's Administrative Code Enforcement Program is an alternative method of enforcement for violations of the Los Angeles Municipal Code and its timely implementation is important to safeguard the public peace, health and safety; and

WHEREAS, adoption of this ordinance is important in order to ensure consistency with City Council prior action regarding the time for payment of an administrative citation fine and the definition of "continuing violation."

NOW, THEREFORE,

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

Section 1. Subsection (a) of Section 11.2.07 of the Los Angeles Municipal Code is amended to read as follows:

(a) **Pay the Fine.** Pay the Administrative Fine within twenty (20) calendar days after the notice of the Administrative Violation is sent to the Responsible Person.

1. Payment of the Administrative Fine waives the Responsible Person's right to the administrative hearing and appeal process as outlined in Sections 11.2.08 and 11.2.09, below.

2. Payment of an Administrative Fine shall not excuse or discharge a failure to correct an Administrative Violation, as defined in Subsection (b) of Section 11.2.03, nor shall it bar the Enforcement Officer or Issuing Department from taking any other enforcement action in response to an Administrative Violation; or

Sec. 2. Subsection (a) of Section 11.2.08 first paragraph of the Los Angeles Municipal Code is amended to read as follows:

(a) **Request for Initial Review and Administrative Hearing.** If the Responsible Person chooses to contest the Administrative Citation, the Responsible Person shall submit to the City Attorney a request to do so on an

official form provided by the City no later than twenty (20) calendar days after the notice of the Administrative Violation is sent to the Responsible Person. Said form, hereinafter referred to as a Request for Initial Review, shall notify the Responsible Person that an initial review regarding the validity of the Administrative Citation will be conducted prior to scheduling an administrative hearing and shall comply with the policy and procedures established by the City Attorney.

Sec. 3. The definition of "Continuing Violation" in Section 11.2.02 of the Los Angeles Municipal Code is amended to read as follows:

"Continuing Violation" means any Administrative Violation pertaining to a condition or matter, including but not limited to building, plumbing, electrical, or other structural or zoning matter that does not create an imminent hazard to health or safety. A Continuing Violation does not include an Administrative Violation that can be corrected by the Responsible Party through the immediate cessation or discontinuation of any prohibited activity or by the immediate implementation of a required activity as determined by the Issuing Department.

Sec. 4. 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. 5. 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, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
DAVID MICHAELSON
Chief Assistant City Attorney

Date 10/24/14

File No. CF 14-0818

ORDINANCE NO. _____

An ordinance amending Sections 53.06.2(b), 53.15(e), 53.15.2(b)(7), 53.15.2(d)(1), 53.15.2(d)(3), 53.15.2(e)(7), 53.15.3(b), 53.42(i), 53.49, 53.71(d) and 53.73 of Article 3, Chapter V of the Los Angeles Municipal Code (LAMC) for consistency with the administrative fines in the recently adopted Administrative Code Enforcement (ACE) program.

The City finds and declares the following:

WHEREAS, the City's Administrative Code Enforcement Program is an alternative method of enforcement for violations of the Los Angeles Municipal Code and its timely implementation is important to safeguard the public peace, health and safety;

WHEREAS, adoption of this ordinance is important in order to ensure consistency with City Council prior action regarding the administrative fine structure in the Administrative Code Enforcement Program.

NOW, THEREFORE,

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

Section 1. Subsection (b) of Section 53.06.2 of Article 3 of Chapter V of the Los Angeles Municipal Code is deleted in its entirety.

Sec. 2. Subsection (e) of Section 53.15 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(e) The owner of any dog found without a current active license or without a certificate of rabies vaccination indicating such dog is immune to rabies as required by this section is guilty of a misdemeanor.

Sec. 3. Subsection (b)(7) of Section 53.15.2 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(7) No person shall own, possess, harbor or have custody and control of a cat or dog in violation of this subsection.

Sec. 4. Subsection (d)(1) of Section 53.15.2 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(d) **Penalties:**

(1) A violation of the breeding permit provisions of this section is a misdemeanor.

Sec. 5. Subsection (d)(3) of Section 53.15.2 of Article 3 of Chapter V of the Los Angeles Municipal Code is deleted in its entirety.

Sec. 6. Subsection (e)(7) of Section 53.15.2 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(7) Failure to display the breeding permit number or include it in any advertisement for sale, adoption or other transfer of dogs and cats is a misdemeanor.

Sec. 7. Subsection (e)(12) of Section 53.15.2 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(12) A violation of the transfer permit provisions of this Section may be prosecuted as a misdemeanor. Failure to comply with the terms and conditions of the transfer permit and applicable law shall also be grounds for the revocation or suspension of the transfer permit.

Sec. 8. Subsection (b) of Section 53.15.3 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(b) Failure by the owner or custodian of any dog to pay the license tax and fee required by this Article within 45 days from the date of acquisition of a dog four months of age or older, within 45 days of the dog reaching the age of four months, within 45 days of the date of expiration of any previously issued dog license, within 45 days from the date of mailing of notice to secure a license to the owner or custodian of any previously unlicensed dog, or within 45 days of the expiration date of the anti-rabies vaccination, is a misdemeanor.

Sec. 9. Subsection (i) of Section 53.42 of Article 3 of Chapter V of the Los Angeles Municipal Code is deleted in its entirety.

Sec. 10. Section 53.49 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

SEC. 53.49. DOGS - DOG DEFECATION TO BE REMOVED BY OWNERS.

It shall be unlawful for the owner or person having custody of any dog to fail to immediately remove and dispose of in a sanitary manner, by replacing in a closed or sealed container and depositing in a trash receptacle, any feces deposited by such dog upon public or private property, without the consent of the public or private owner or person in lawful possession of the property, other than property owned or controlled by the owner or person having custody of such dog. The provisions of this subsection shall not apply to a blind person being accompanied by a guide dog.

Sec. 11. Subsection (c) of Section 53.55 of Article 3 of Chapter V of the Los Angeles Municipal Code is deleted in its entirety.

Sec. 12. Subsection (G) of Section 53.70 of Article 3 of Chapter V of the Los Angeles Municipal Code is deleted in its entirety.

Sec. 13. Subsection (d) of Section 53.71 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(d) A violation of the provisions of this section is a misdemeanor.

Sec. 14. The second paragraph of Section 53.73 of Article 3 of Chapter V of the Los Angeles Municipal Code is deleted in its entirety.

Sec. 15. 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. 16. 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, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
DAVID MICHAELSON
Chief Assistant City Attorney

Date 6/21/14 _____

File No. CF 14-0818 _____