

Steven Appleton  
LA River Kayak Safari  
2825 Benedict St., Los Angeles, Ca 90039

Planning and Land Use Committee, City Council of Los Angeles.  
Re: Electrified Fences for Commercial Properties, Council File 19-0668

Esteemed Councilmembers:

LA River Kayak Safari and its non-profit partners “embrace” the river and its expanding public pathways. At our riverfront location in Elysian Valley we employ open chain link fence v. closed metal or wood fencing that obscures our site from the river and vice versa. Our gates are often open to the public. Unfortunately, the same openness that encourages public participation during the day makes us a target for repeated thefts when we close our site at night. At the same time property values surge and gang presence is reduced, the local area has experienced a bump in theft. In 2018 our losses to theft exceeded \$10,000. As a founding member of the Frogtown Association of Business (FTAB), I have heard similar stories from others. Soon our association will meet to take a formal position on this matter. For the time-being I speak for my business only.

Many businesses employ cameras but even when clear images are available, LAPD struggles to pursue these crimes. Some individuals have repeatedly targeted the same businesses, leaving owners to make their own efforts to investigate these crimes. After a recent theft we searched for and found many of our stolen possessions in an encampment along Gilroy Street in Elysian Valley. At the location we witnessed open fires, intravenous drug use and a collection of bikes and bike parts that would rival any small shop. LAPD officers who responded to our call expressed that they were constrained by law and policy from entering the camp. The only assistance we gained was to remove a single obviously displayed item (a tandem bike). To my knowledge there was no further investigation. I am sure some of you are aware, LAPD (beat cops, detectives and leadership alike) often express frustration that their time-spent on small property crimes amounts to no good. Even where there is evidence of a systematic pattern of theft by the same individuals, City Prosecutors rarely change such crimes at this time.

As the City and Metro move forward with greatly expanded river paths, the issues experienced by business owners in Elysian Valley are a cautionary tale. Small business owners along the river path are increasingly frustrated.

After 20 years of advocating for our City to be open to its river, I am loath to make our site a fortress that closes itself to the river. However, after some study I believe that electric fences can help. Most property crimes along the expanded river path are crimes of opportunity. Modern electric fence systems pulse high voltage but low amperage, which stings but does not harm intruders. The mere presence of warning signs combined with a single experience touching such a system would make intruders think twice and go elsewhere.

Senate Bill 582, Chapter 273 legalized and regulates electrified fences State-wide. It was passed unanimously, demonstrating growing awareness of modern electrified fences as a viable security tool. To my reading, the State Law permits electrified fences, unless the local jurisdiction prohibits them.<sup>1</sup> Los Angeles Department of Building and Safety already lists recognized labs for testing of fence controllers- “UL 69 Electric Fence Controllers”.<sup>2</sup> Arguably, State law already has the effect of legalizing electrified fences in Los Angeles for commercial properties.

**The Motion being considered today is an opportunity for Los Angeles to clarify its position and tailor its own common-sense regulations.**

**I support the Motion because electrified fences are a safe option to help businesses stem increasing theft losses. I concur with the motion’s suggestion that electrified fences can help to reduce burdens on LAPD.**

While supporting the Motion I suggest the following modifications to provide additional safety measures for Emergency Responders and mitigate any slight Fire Safety Concerns:

- (1) Require that an “Electrified Fence” notification be filed with the Fire Department.
- (2) Require sign at the “Knox Box” for emergency responders. (see “7” of the Motion)
- (3) Require installation of “lightening arrestor”.
- (4) Require that within two feet (2’) of an electrified conductor (as measured from the conductor) that the area be kept clear of flammable materials.
- (5) Require that all connections from energizers to conductors be “hard wired” (no use of alligator clips or temporary connections.)

Thank you for your consideration,



Steven Appleton

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<sup>1</sup> See 835.4(c): “An owner of real property shall not install and operate an electrified security fence where a local ordinance prohibits that installation and operation. If a local ordinance allows the installation and operation of an electrified security fence, the installation and operation of the fence shall meet the requirements of that ordinance and the requirements of subdivision (b).”

<sup>2</sup> See: <https://www.ladbs.org/docs/default-source/publications/misc-publications/list-of-recognized-electrical-testing-laboratories-for-listing-of-electrical-equipment.pdf?sfvrsn=26>