

ORDINANCE NO. _____

An ordinance amending Section 62.118.2 of the Los Angeles Municipal Code to authorize the use of the Special Engineering Fee for certain Revocable Permit applications, and to authorize a Department of Transportation Application Review Fee for Revocable Permit applications for roadway dining areas.

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

Section 1. Section 62.118.2 of the Los Angeles Municipal Code is amended to read as follows:

**SEC. 62.118.2. IMPROVEMENTS IN PUBLIC STREETS – ISSUANCE OF
REVOCABLE PERMITS.**

(a) Revocable Permits.

Where the City Engineer finds that a building, structure, or improvement maintained or proposed to be constructed within a public street will not interfere with the maintenance or use of the street, and is not intended for use by the public, the Bureau of Engineering (Bureau) may issue one or more permits for the maintenance or proposed construction of such building, structure, or improvement, or for an excavation in connection with such maintenance or construction. The Bureau shall charge and collect a fee to conduct an investigation to determine whether to issue a permit pursuant to the provisions of this section, and shall charge a fee of \$556 if no field investigation is required (Tier 1 fee), and shall charge a fee of \$1,854 if a field investigation is required (Tier 2 fee).

For Revocable Permit applications submitted under this subsection where the Bureau anticipates the staff time to process the permit application is three hours or less and for which no field investigation is required, the Bureau shall charge only the hourly Special Engineering Fee at the rate set forth in Section 61.14 of this Code in lieu of the Tier 1 fee. In such case, an applicant for a Revocable Permit must pay, before the Bureau provides any services, a deposit corresponding to the time the Bureau estimates will be needed to process the Revocable Permit application. If, before completion of the processing of the Revocable Permit application, the Bureau determines that additional time is needed to process the application, the Bureau may require the applicant to pay an additional deposit corresponding to the time the Bureau estimates will be needed to complete the processing of the application, up to a maximum of three hours total.

If an applicant paid the Special Engineering Fee and the Bureau determines that more than three hours of Bureau staff time is necessary to

process and determine whether to issue the Revocable Permit, the Tier 1 fee shall apply, and the Bureau shall charge and collect from the applicant the Tier 1 fee, including a credit for any Special Engineering Fees already paid.

If an applicant paid a Tier 1 fee and the Bureau of Engineering determines that it will be required to conduct a field investigation, the Bureau shall charge and collect from the applicant a fee of \$1,298, in addition to the \$556 already paid. If the Bureau is required to prepare a report of its investigation for consideration by the Board, the applicant shall not owe a Tier 1 or Tier 2 fee, and instead the Bureau shall charge and collect its actual costs (Tier 3 fee) and a deposit of such costs as determined and collected pursuant to the provisions of Section 61.15 of this Code.

(b) Revocable Permits – Roadway Dining Areas.

In addition to the fees required in Subsection (a), an application for a Revocable Permit for the purpose of establishing a Roadway Dining Area shall be subject to the following Department of Transportation fees.

(1) Application Review Fee – Existing Roadway Dining Area.

An applicant requesting a Revocable Permit for a Roadway Dining Area who already received a temporary use authorization for Roadway dining under the L.A. Al Fresco Program during the 2020-2022 COVID-19 pandemic and “Safer at Home” declarations shall be charged a Department of Transportation Application Review Fee of \$1,200.

(2) Application Review Fee – New Roadway Dining Area.

An applicant requesting a Revocable Permit for a Roadway Dining Area who did not receive a temporary use authorization for Roadway dining under the L.A. Al Fresco Program during the 2020-2022 COVID-19 pandemic and “Safer at Home” declarations shall be charged a Department of Transportation Application Review Fee of \$1,500.

Sec. 2. 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
EDWARD M. JORDAN
Assistant City Attorney

Date 6/15/22

File No. 20-1074

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Revocable Permits - Outdoor Dining - Fees.docx

The Clerk of the City of Los Angeles
hereby certifies that the foregoing
ordinance was passed by the Council
of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____