

ORDINANCE NO. _____

An ordinance adding Section 63.137 to Article 3, Chapter VI of the Los Angeles Municipal Code to prohibit nighttime entrance onto City public rights-of-way abutting the Ballona Wetlands.

WHEREAS, habitat areas within the Ballona Wetlands, including those portions within the City's jurisdiction, qualify as Environmentally Sensitive Habitat Areas (ESHAs) pursuant to the California Public Resources Code, Section 30107.5 (Coastal Act), which are areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities;

WHEREAS, California Coastal Act Section 30240 states that ESHAs shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas;

WHEREAS, the City owns public rights-of-way abutting the Ballona Wetlands from which persons regularly enter upon the ESHAs in a manner harmful to the ESHAs, particularly adjacent to Culver Boulevard, Jefferson Boulevard, and Lincoln Boulevard;

WHEREAS, persons have improperly entered the Ballona Wetlands from City public rights-of-way abutting the Ballona Wetlands causing adverse impacts to the health of the ESHAs by undertaking activities, such as disposal of waste and lighting campfires, which have caused significant damage the ESHAs; and

WHEREAS, on October 27, 2021, the City Council determined that Ballona Wetlands ESHAs are delicate ecosystems that may easily be disturbed by human activities and that, in order to strengthen the City's ability to protect these habitats, the City should make it unlawful to improperly enter upon the ESHAs.

NOW, THEREFORE,

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

Section 1. Section 63.137 is added to Article 3, Chapter VI of the Los Angeles Municipal Code to read as follows:

**SEC. 63.137. NIGHT ENTRY PROHIBITED UPON CITY PUBLIC RIGHTS-OF-WAY
ABUTTING BALLONA WETLANDS.**

(a) Definitions.

1. **"Ballona Wetlands"** shall mean those portions of the Ballona Wetlands Ecological Reserve located east and north of the residential

neighborhoods of Playa del Rey and Westchester, west of Lincoln Boulevard, and south of the City boundary along Ballona Creek.

2. **“ESHA Adjacent City Public Right-of-Way”** shall mean public rights-of-way owned by the City on either side of Jefferson Boulevard or Culver Boulevard abutting the Ballona Wetlands.

(b) **Nighttime Entry Upon ESHA Adjacent City Property Prohibited.** Between dusk to dawn each day, no person or vehicle shall enter upon an ESHA Adjacent City Public Right-of-Way. This subsection does not apply to an employee or officer of a public agency.

(c) **Signs to be Posted.** The restrictions of this section shall be posted on signage identifying ESHA Adjacent City Public Right-of-Way areas.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with City 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

By 
ROBERT MAHLOWITZ
Deputy City Attorney

Date 10/27/22

File No. CF 21-1081

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\LAMC 63.137 - Ballona ESHA.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 _____