

Communication from Public

Name: Erin
Date Submitted: 05/09/2023 04:24 PM
Council File No: 23-0008-S4

Comments for Public Posting: To Members of the Transportation Committee: I urge you to vote NO on Council File 23-0008-S4 agendized for the Transportation Committee meeting on Wednesday, May 10th. This is a motion from CM Park for six new overnight bans on oversized vehicles on street segments in CD11 pursuant to LAMC 80.69.4. This is an anti-poor people law dressed up like a traffic ordinance. It bans oversized vehicles from designated street segments in the middle of the night when there is no traffic, just people sleeping. We have investigated most of these street segments and NONE of them merit enforcement under the terms of the ordinance:
<https://docs.google.com/document/d/1Mae8AkDTJYwtjsqIa48ofbQEGSMKPAAdKA9z2R4E0T9I/edit?usp=sharing> For too long, the Transportation Committee and City Council have failed to exercise their oversight duty on LAMC 80.69.4, deferring to Councilmembers' bans in their own district. CM Park is abusing this ordinance and your deference, pushing through bans requested by tiny groups of NIMBY neighbors in hopes you'll continue rubber-stamping these motions on consent. This is not the way LAMC 80.69.4 is supposed to work. Any motion that comes through City Hall should be subjected to YOUR oversight. If it's a citizen-sponsored ban imposed at the whim of a few housed neighbors, it should go through subsection (2) of the ordinance and be subjected to LADOT review. Park is trying to have it both ways. If you rubber stamp this motion, we're ALL on the hook. We'll have to pay for City Councilmembers' and LADOT staffers' time, the physical no parking signage, LAPD harassment of vehicle dwellers, and the inevitable increase in trauma and harm inflicted on unhoused people - who will likely have to move from their vehicle to the sidewalk. Please do your job, and vote NO on Council File 23-0008-S4. Sincerely, Erin

Communication from Public

Name: Peggy Lee Kennedy
Date Submitted: 05/09/2023 05:43 PM
Council File No: 23-0008-S4

Comments for Public Posting: I urge you to vote NO on Council File 23-0008-S4 agendized for the Transportation Committee meeting on Wednesday, May 10th. This is a motion is for six new overnight bans on oversized vehicles on street segments in CD11 pursuant to LAMC 80.69.4. This law, in reality, was created to displace vehicle dwellers. It is an anti-poor people law dressed up like a traffic ordinance. This law bans oversized vehicles from designated street segments in the middle of the night when there is no traffic, just people sleeping. Most of these street segments in this motion have been investigated and NONE of them merit enforcement under the terms of the ordinance. Any motion that comes through City Hall should be subjected to YOUR oversight. If it's a citizen-sponsored ban imposed at the whim of a few housed neighbors, it should go through subsection (2) of the ordinance and be subjected to LADOT review. If you rubber stamp this motion, we're ALL on the hook. We'll have to pay for LADOT staffers' time, the physical no parking signage, LAPD harassment of vehicle dwellers, and the inevitable increase in trauma and harm inflicted on unhoused people - who will likely have to move from their vehicle to the sidewalk. This is a harmful non solution to homelessness. Please vote NO.

Communication from Public

Name: MAR VISTA VOICE
Date Submitted: 05/09/2023 06:12 PM
Council File No: 23-0008-S4

Comments for Public Posting: To Members of the Transportation Committee: We urge you to vote NO on Council File 23-0008-S4 agendized for the Transportation Committee meeting on Wednesday, May 10th. This is a motion from CM Park for six new overnight bans on oversized vehicles on street segments in CD11 pursuant to LAMC 80.69.4. This is an anti-poor people law dressed up like a traffic ordinance. It bans oversized vehicles from designated street segments in the middle of the night when there is no traffic, just people sleeping. We have investigated most of these street segments and NONE of them merit enforcement under the terms of the ordinance:
<https://docs.google.com/document/d/1Mae8AkDTJYwtjsqIa48ofbQEGSMKPAAdKA9z2R4E0T9I/edit?usp=sharing> For too long, the Transportation Committee and City Council have failed to exercise their oversight duty on LAMC 80.69.4, deferring to Councilmembers' bans in their own district. CM Park is abusing this ordinance and your deference, pushing through bans requested by tiny groups of NIMBY neighbors in hopes you'll continue rubber-stamping these motions on consent. This is not the way LAMC 80.69.4 is supposed to work. Any motion that comes through City Hall should be subjected to YOUR oversight. If it's a citizen-sponsored ban imposed at the whim of a few housed neighbors, it should go through subsection (2) of the ordinance and be subjected to LADOT review. Park is trying to have it both ways. If you rubber stamp this motion, we're ALL on the hook. We'll have to pay for City Councilmembers' and LADOT staffers' time, the physical no parking signage, LAPD harassment of vehicle dwellers, and the inevitable increase in trauma and harm inflicted on unhoused people - who will likely have to move from their vehicle to the sidewalk. Please vote NO on Council File 23-0008-S4. Sincerely, MAR VISTA VOICE

Claude Balls



Member
posts 423

NICE SHIRTS!!!!!!!



Woman wearing a \$85.02 shirt at a Venice community meeting

Background: CM Traci Park is ramping up efforts to crack down on people living in their vehicles via LA's oversized vehicle ordinance ("OVO") LAMC 80.69.4. The eight zones listed [here](#) are now off-limits to overnight parking, and [six more zones](#) are up for consideration by the Transportation Committee. So far, [we have visited four](#) of the six new zones and none of them could arguably merit enforcement under the ordinance. We also believe Park is misapplying the ordinance by pushing resident-triggered bans (which require a robust LADOT investigation) through the Committee/Council process. The Transportation Committee and City Council are abusing their power and wasting city resources by rubber-stamping these motions. In light of these findings, we started compiling this history of OVOs in LA based on council files, legislative history, news reports and lawsuits (most notably, *Desertrain v. LA*).

1983: LAMC 85.02 enacted

- "No person shall use a vehicle parked on or standing upon any City street or upon any parking lot owned by the City of Los Angeles or under control of the Los Angeles County Department of Beaches and Harbors as living quarters either overnight, day-by-day, or otherwise."

2003 Eden Andes fights stay away order

- <https://thevenicebeachhead.com/2015/06/01/the-rosa-parks-of-venice/>

October 6, 2006: LAMC 80.69.4 goes into effect; enforcement begins in early 2008

- [Council file 05-0207](#)

- February 4, 2005: CD15 Councilmember Janice Hahn [motion](#) requesting City Attorney and LADOT to report on available options for regulating RVs
- [Transportation Committee report](#) dated March 24, 2006 proposing overnight parking ban (2-6am) with enforcement done based on local requests from Council offices
- [City Attorney report](#) dated June 13, 2006 proposed ordinance 80.69.4 and amendments to other sections of the LAMC
- [Final ordinance](#) overnight (2-6am) RV parking wherever signage is posted; CM must get zones approved by City Council, which then directs LADOT to post signage. RV owners can apply for temporary permits for loading and unloading.
- October 3, 2007: CD15 Councilmember Janice Hahn [motion](#) requesting status update to speed up implementation
- December 17, 2007: [LADOT report](#) on status of implementation (delay mostly due to figuring out how to issue short term permits for loading and unloading before the ordinance is enforced) with ETA of first enforcement 3/17/08
- January 9, 2008: LADOT reported to Transportation Committee that they would be implementing a 30-day pilot program of the LAMC 80.69.4) in two areas of the City - San Pedro and South Brentwood
- February 12, 2008: [Enforcement begins](#) in Brentwood and San Pedro as part pilot program
 - [CF 08-0208](#)
 - [CF 08-0207](#)

November 18, 2008: Bill Rosendahl's failed motion amending LAMC 85.02 to allow CMs to designate specific areas in their district for safe parking

- [Motion](#)
- [Public comment](#)
- [Council file 08-3125](#)
- [LA Times article](#)
- Expired 2/1/2013; never passed

June 10, 2009: California Coastal Commission rejects Bill Rosendahl's plan to limit overnight parking via "Overnight Parking Districts"

- [Minutes](#)
- Venice Stakeholders Association [rallying support](#)
- [History of Rosendahl OPDs](#)
- Permits to establish 7 Overnight Parking Districts (OPDs) in CD11 ([covering almost all of Venice west of Lincoln Blvd](#)) denied on appeal to California Coastal Commission. Such parking restrictions in the coastal zone would negatively affect the public's ability to access the beach in the early morning.
- [Article](#)

August 2009: Venice Stakeholders Association sues the CCC and City of Los Angeles over CCC ruling, reaches settlement

- Venice Stakeholders Association [sued](#); they reached a settlement in May 2010

- The [settlement](#) would allow for residents, who vote by a two-thirds majority, to eventually have overnight restricted parking on their block
- [Council file 10-0843](#)
- June 17, 2010: Mayor Villaraigosa returns settlement agreement without signature, [citing concerns in letter](#) (the CCC's original denial)

June 11, 2010: California Coastal Commission nullifies settlement

- [Argonaut article](#)
- Bill Rosendahl said he was very disappointed and "flabbergasted" and called the decision "terribly unfair"
- August 2010: Venice Stakeholders Association [sued again](#)

June 29, 2010: Amendment to LAMC 80.69.4

- [LAMC 80.69.4](#)
- December 15, 2009: Bill Rosendahl motion to amend LAMC 80.69.4 to expand the definition of oversized vehicles and allow councilmembers to unilaterally request enforcement signage from LADOT
- [Council file 09-3036](#)
- [Motion](#)
- May 22, 2010: City attorney [report](#) with proposed amendment to ordinance
- July 13, 2010: Mayor Villaraigosa returns proposed ordinance without signing, citing concerns in [letter](#)
- July 19, 2010: [Ordinance passed over the Mayor's objection](#)

September 2010: Bill Rosendahl "Streets to Home" project and renewed enforcement of LAMC 85.02 via LAPD Task Force

- [\[Why wasn't Rosendahl's urgency ordinance for ramping up enforcement of 80.69.4 part of this project and the resulting Desertrain lawsuit?\]](#)
- [Council file 10-0011-S15](#)
- [April 7, 2010 motion](#) seeking funding for safe parking and services
- Substitute (approved) [motion](#) seeking an additional \$450K from Venice Area Surplus Real Property Fund
- September 23, 2010: Los Angeles officials held a "Town Hall on Homelessness" to address complaints of homeless individuals with vehicles living on local streets in Venice. Present at the meeting were a member of the City Council, the Chief of the LAPD, the Chief Deputy to the City Attorney, and the Assistant Director of the Los Angeles Bureau of Sanitation. Officials announced a renewed commitment to enforcing Section 85.02
- Within a week, LAPD created the Venice Homelessness Task Force led by Captain Jon Peters, with 21 officers instructed to use LAMC 85.02 to cite and arrest unhoused people living in their vehicles
- Beginning in late 2010, the Task Force began enforcing LAMC 85.02 against unhoused individuals with the following protocol: if vehicle contained any items normally found in a home (whether or not person was residing in vehicle: (1) on first

violation, issue a warning and provide info about shelters (2) on second violation, issue a citation (3) on third violation, make arrest

- LAPD compiled a list of 250 vehicles with help from residents
- Promised safe parking that never materialized. In October, new signs posted at Rose Avenue parking lot barring access to any vehicle that does not fit into a single space (this parking lot had been an informal safe parking zone)

November 17, 2010: City Council adopts Rosendahl's urgency ordinance prohibiting RVs in certain zones in CD11 pursuant to 80.69.4

- [Motion](#)
- [Council file 09-3036-S1](#)
- City Attorney [report](#) with proposed ordinance B
- Articles ([1](#), [2](#), [3](#))

June 19, 2014: 9th Circuit strikes down LAMC 85.02 as unconstitutionally vague

- In [Desertrain vs. City of Los Angeles](#), the 9th Circuit ruled LAMC 85.02 unconstitutionally vague (fails to provide adequate notice of the conduct it criminalizes, and promotes arbitrary enforcement that targets the homeless)
- December 2010: [lawsuit filed](#)
- April 15, 2011: [Complaint](#)
- June 19, 2014: [Opinion](#)
- <https://www.latimes.com/local/la-me-homeless-vehicles-20140620-story.html>
- The old law had prohibited people from using a vehicle parked on a city street or in a municipal or county parking lot as “living quarters” — both overnight and “day-by-day, or otherwise.” The 9th Circuit said the law failed to define “living quarters” or specify what “otherwise” meant. The court’s ruling also said the city’s ban had resulted in “arbitrary and discriminatory enforcement.”

August 30, 2016: CD13 Councilmember Mitch O’Farrell introduced [a motion](#) regulating OVOs at [the behest of the Media District BID](#)

November 9, 2016: City Council adopts a new ban on people living in vehicles **[need CF]**

- “A day after voters handed Los Angeles \$1.2 billion to build supportive housing, the City Council on Wednesday adopted a nighttime ban on living in vehicles near homes, parks and schools, over objections from advocates who contend the measure will criminalize thousands of homeless people. Council members said the new city ban legalizes living overnight in vehicles for the first time by permitting parking and sleeping in industrial or commercial districts from 9 p.m. to 6 a.m. Mike Bonin said half the city’s streets will be open for overnight parking, but advocates objected that block-by-block regulations adopted in the wake of the court decision severely limit homeless people’s options. Civil rights lawyers asserted Wednesday that the new law’s definition of “dwelling,” which includes possessing a blanket or bedroll or preparing a meal, could apply to any driver stopping to rest or eat on the road. Lawyer Gregory Bonett of Public Counsel, a public

interest legal group, faulted the council for adopting the ban on a day's notice at a special meeting "barely 24 hours after a high-stakes election."

- In L.A., [city municipal code 85.02 went into effect in January \(2017\)](#), making it illegal to sleep in a vehicle from 9 p.m. to 6 a.m. unless it's in an approved overnight zone. For now those zones are all in nonresidential areas. The city is going to study the law for 18 months and then roll out a new safe-parking program, says Alisa Orduna, the mayor's homeless-policy director. It will likely involve non-profits and churches managing small lots with bathrooms and security. Mike Bonin, who helped author the current version of 85.02
- The new ordinance, if signed into law, would be revisited in **July 2018** after a study of the number of occupied vehicles; the impacts on public health, safety and the environment; and the effectiveness of the new regulations.
- This restriction was initially meant to be a stopgap measure while the city got "safe parking" programs up and running. They permitted vehicle dwellers to stay the night in industrial or commercial districts, but kept them out of residential neighborhoods where Angelenos had complained about scarce parking, trash and other nuisances tied to RVs.
- L.A. passed this new law that barred vehicle dwellers from spending the night near homes, parks and schools, but allowed them to park and sleep on a scattering of streets in industrial and commercial districts, marked in green on city maps. [But then started cracking down with street by street bans](#)
- <https://www.latimes.com/local/lanow/la-me-ln-vehicle-sleeping-ban-20161109-story.html>

July 30, 2019: LAMC 85.02 extended for 6 months past the original 7/1/19 expiration

- It was set to sunset on 7/1/2019 and on 5/8/2019 Mitch O'Farrell [moved to extend it 6 months](#) to assess safe parking situation. The extension was approved by Council on 6/12/19. The ordinance effective date was 8/2/2019
- On 7/30/19, [85.02](#) was [reinstated](#) with a [Sunset Provision](#). "This section shall expire and be deemed to have been repealed on January 1, 2020, unless extended by ordinance."
- At a hearing at City Hall, local activists argued that it was cruel and counterproductive to punish people for bunking down in vehicles while housing, shelters and "safe parking" programs for homeless people remain inadequate. Despite the impassioned pleas from opponents, the council voted 13-0, without any discussion, to reinstate the rules.
- [so did it sunset for good on 1/1/20?]

March 2020: COVID emergency provisions included relaxed enforcement of parking provisions

- [in March 2020](#), in response to the Coronavirus (COVID-19) pandemic and effort to maintain public safety, the City declared a local emergency that included relaxed enforcement for parking violations.
- [need CFs for those revisions]

October 2020: LADOT resumes enforcement except towing vehicle dwellings

- In October 2020, as residents returned to the workplace, the LADOT resumed enforcement for all parking violations with the exception of towing vehicle dwellings as Directed.
- Pursuant to Council direction, LADOT traffic officers suspended towing vehicles identified as contained inside or on the vehicle that are not typically associated with ordinary vehicle use, such as a sleeping bag, bedroll, blanket, sheet, pillow, kitchen utensils, cookware, or cooking equipment. This inclusive definition was helpful during the early stages of the pandemic to ensure vehicles used as dwellings were exempt from impound and the unhoused did not meet additional burdens during a health crisis.
- Over time, however, officers note that the definition is so broad that it captures vehicles that are clearly abandoned which have become a source of frustration and potential health hazards for people nearby. To address this issue, the LADOT recommends revised citation and towing criteria that can better identify vehicles used as dwellings that warrant additional engagement and distinguish them from abandoned vehicles based on evidence of active living.
- <https://www.ladot.lacity.org/coronavirus/update-city-la-resumes-enforcement-vehicles-used-dwellings>
- <https://yovenice.com/2020/10/15/ladot-resumes-parking-enforcement/>

August 25, 2021: [Rodriguez motion](#) for report back from LADOT, LAPD on process for towing OV's pursuant to 80.69.4 (CF 21-0956)

- Transportation Committee [report](#) dated 9/21/21, [adopted](#) by City Council on October 20, 2021
- Police Commission [report](#) dated 2/18/2022
- LADOT [report](#) dated 2/23/2022

February 2022: The city of Los Angeles suspended the practice of towing and impounding vehicles due to unpaid parking tickets (citations)

April 6, 2022: City Council directed LADOT to adopt an updated prioritization process for citing and towing abandoned and oversized vehicles

- [Rodriguez & Buscaino amendment to CF 21-0956](#) authorized LADOT to resume parking enforcement for the five categories of vehicles detailed in its [2/23/22 report](#)
 - Vehicles that pose a traffic safety hazard
 - Vehicles that pose a public health or environmental hazard
 - Vehicles that interfere with public works projects or special events
 - Inoperable vehicles
 - Unregistered vehicles
- [LA Times article](#)

February 2022: Los Angeles suspends “poverty tows” (towing and impounding vehicles due to 5+ unpaid parking tickets)

- [LA Times article](#)
- [Nisha Kashyap report](#)

- Vehicles posing a traffic or safety hazard can still be towed

May 15, 2022: Council instructed LADOT to resume enforcement of all posted parking regulations

November 2, 2022: City Council directs CAO to report back on comprehensive, city-wide rehousing strategy for people living in their vehicles

- [Council File 22-1313](#)
- [Motion](#)
- February 10, 2023: [CAO report](#): with cost assessment but no request for funding as directed

March 2023: Traci Park ramps up enforcement of 80.69.4 in CD11

- March 10, 2023: [motion with 4 zones](#)
- April 25, 2023: [motion with 6 zones](#)
- Click [here for footage](#) of zones
- [Yo Venice](#)
- [TP says 85.02 is gone](#) and she's frustrated with the RVs
- April 29, 2023: Traci Park [newsletter](#)
 - information about her two 80.69.4 motions
 - instructions to residents for creating new bans
 - Call the council office to get a petition and have it signed by 67% of dwellings on a given street
- Note: this process is not aligned with the ordinance.
 - Subsections 1+2 of 80.69.4 provide that a zone will be restricted if either (1) city council approves the zone ban or (2) a city councilmember requests a zone ban from LADOT. Subsection 2 was added via the Bill Rosendahl amendment dated June 19, 2010 (see above) to get around City Council
 - But to use the back-door approach (subsection 2), there are additional requirements: (a) the Councilmember must represent a district where fewer than 6 street segments are impacted [**What does "district" mean here? If it means the Council District / all of CD11, this certainly could not be invoked by Traci Park**], (b) LADOT must determine the zone meets the criteria (highlighted [in this document](#)), and (c) the Councilmember must obtain a petition signed by "a substantial number of affected community residents"
 - Traci Park is combining subsections 1+2, getting a petition signed and then pushing the motions through City Council. If they pass Council, the petitions are irrelevant (they're not needed for subsection 1). If they don't pass council, they are insufficient (she would also need to satisfy the other two requirements of subsection 2, and it seems there would be a higher bar in terms of LADOT's investigation since City Council denied the motion).



OVERSIZED VEHICLE ORDINANCE

NO PARKING

2 AM TO 6 AM; VEHICLES OVER 7 FT HIGH OR OVER 22 FT LONG EXCEPT BY PERMIT

- Residents who want parking restrictions on their street must gather petitions signed by at least 67% of the dwelling units/properties/businesses residing on that street.
- The completed petitions are then submitted to the council office.
- If the petitions meet the required number of signatures from adjacent property owners, they will be processed through the city council via a resolution.
- The resolution will be introduced in council then go to committee and full council for a final vote.
- To circulate a petition in your neighborhood, you can call (310) 568-8772 and someone on staff will email you the required information.

Venice west of Lincoln Boulevard falls under different rules

LADOT

Also: In the city of Los Angeles, you can't park in one spot for more than 3 days (72 hrs) at a time (this is not strictly enforced, but people can report when a vehicle has been parked for more than 3 days and have your car towed)

Communication from Public

Name: Judy Branfman
Date Submitted: 05/09/2023 06:41 PM
Council File No: 23-0008-S4

Comments for Public Posting: I am writing to urge you to vote NO on Council File 23-0008-S4 scheduled for the Wednesday, May 10, Transportation Committee meeting. This is a motion from Councilmember Park for six new overnight bans on oversized vehicles on street segments in CD11 pursuant to LAMC 80.69.4. This is an anti-poor people law dressed up like a traffic ordinance. It bans oversized vehicles from designated street segments in the middle of the night when there is no traffic, just people sleeping. We have investigated most of these street segments and NONE of them merit enforcement under the terms of the ordinance: <https://docs.google.com/document/d/1Mae8AkDTJYwtjsqla48ofbQEGSMKPAAdKA9z2R4E0T9I/edit?usp=sharing> For too long, the Transportation Committee and City Council have failed to exercise their oversight duty on LAMC 80.69.4, instead deferring to Councilmembers' bans in their own district. CM Park is abusing this ordinance and your deference, pushing through bans requested by tiny groups of NIMBY neighbors in hopes you'll continue rubber-stamping these motions on consent. This is not the way LAMC 80.69.4 is supposed to work. Any motion that comes through City Hall should be subjected to YOUR oversight. If it's a citizen-sponsored ban imposed at the whim of a few housed neighbors, it should go through subsection (2) of the ordinance and be subjected to LADOT review. Park is trying to have it both ways. If you rubber stamp this motion, we're ALL on the hook. We'll have to pay for City Councilmembers' and LADOT staffers' time, the physical no-parking signage, LAPD harassment of vehicle dwellers, and the inevitable increase in trauma and harm inflicted on unhoused people - who will likely have to move from their vehicle to the sidewalk. Please see this cruel motion for what it is, and vote NO on Council File 23-0008-S4.

Communication from Public

Name: Laddie Williams

Date Submitted: 05/09/2023 07:09 PM

Council File No: 23-0008-S4

Comments for Public Posting: I oppose this ordinance OVO that doesn't give a solution to those who are living in their vehicles. It needs to be a parking station for RV's since rent is astronomical. Let's look for solutions that assist people rather than creating problems that doesn't help those living in their vehicles. Ms Parks look for solutions that assist rather than criminalize people living in their vehicles.

Communication from Public

Name: Devon
Date Submitted: 05/09/2023 07:17 PM
Council File No: 23-0008-S4

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Communication from Public

Name: Brett

Date Submitted: 05/09/2023 09:33 PM

Council File No: 23-0008-S4

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