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December 20, 2024

Honorable Members of the City Council
City of Los Angeles
City Hall, Room 395
Los Angeles, CA 90012

**SUBJECT: CF 24-1128 ABANDONED CONSTRUCTION SITES / SITE SECURITY /
PROPERTY OWNER'S NEGLIGENCE / ACCOUNTABILITY MEASURES/PUBLIC
SAFETY**

Background

On November 20th, 2024, City Council passed a motion which was largely triggered by a fire at an inactive construction site in Chinatown, which displaced over 50 residents and spread to three neighboring apartment buildings, resulting in significant injuries, including critical conditions for one elderly man. Four Los Angeles Fire Department firefighters also sustained non-life-threatening injuries while responding to the incident. This was the third fire at the site since its abandonment in November 2022.

The Department of Building and Safety (DBS) was directed to report back providing:

1. Options for property owners to be subjected to accountability measures regarding inactive construction sites including but not limited to abandonment orders to restore a site and notices to complete construction or be subject to liens on the property.
2. Options to enhance development requirements, including but not limited to mandating construction site security and insurance bonds the City can call on to fund the demolition at incomplete construction sites causing a nuisance.
3. Feasibility and proposed implementation of a requirement for a Los Angeles Police Department (LAPD) No Trespass Authorization for all new building permits issued within the City of Los Angeles.
4. Options for methods for LAPD and Los Angeles Fire Department (LAFD) to notify DBS when there are multiple calls for service to an active or inactive construction site, including an estimated threshold for when that notification to DBS should occur.

1. Options for property owners to be subjected to accountability measures regarding inactive construction sites including but not limited to abandonment orders to restore a site and notices to complete construction or be subject to liens on the property.

Once construction has commenced at a site, a project is considered inactive if the Department can verify that 180 days have elapsed without work being performed at the site, or if two years elapse from the date of permit issuance, and no extension of time has been granted (**L.A.M.C. 98.0602, 98.0605**).

In order to address inactive construction sites in a consistent and code-based manner, LADBS proposes to create a new category for reporting violations (customer service request or CSR) on the Department's website: POTENTIALLY INACTIVE CONSTRUCTION SITE. This will allow constituents to submit this type of complaint directly to the Department.

When such a request is received, the Department will investigate to determine whether the site meets the code's criteria to be considered inactive. If it is determined that a construction site has become inactive, the Department will begin the related enforcement process. A notice will be issued directing the property owner to diligently pursue the work to completion. Non-compliance will result in an Order to Comply and subsequent referral to the City Attorney's office for criminal filing.

2. Options to enhance development requirements, including but not limited to mandating construction site security and insurance bonds the City can call on to fund the demolition at incomplete construction sites causing a nuisance.

The Department is currently focusing its efforts on enhancing the early identification of inactive construction sites and utilizing existing enforcement measures to manage them. An internal review of the CSR process has been initiated by the Department to streamline the procedure and amend related policies and procedures. This would prioritize inactive job sites and enable the Department to initiate protocols more promptly, aiming to reduce the number of such sites across the City.

Additionally, if a reported site qualifies for nuisance abatement, the Department will commence the procedure to secure the site and, if applicable, demolish the structures.

The Department is also generating reports and devising policies to proactively begin enforcement on inactive or abandoned job sites. This task and the associated enforcement will require considerable time due to the large volume of permits.

3. Feasibility and proposed implementation of a requirement for an LAPD No Trespass Authorization for all new building permits issued within the City of Los Angeles.

The LAPD uses two forms to enforce trespassing laws. For the purpose of permitting and construction, the most effective of the two options would be the **Trespass Arrest Authorization (Form 03.21.01)** where property owners or their agents complete this form to give LAPD authority to arrest individuals trespassing on their property. This authorization form enables LAPD to act even when the property owner is not present, particularly for properties where posted signage or prior warnings exist. The requirement for a Trespass Arrest Authorization form can be integrated in the permitting processes as a condition to granting an extension of time for a permit.

4. Options for methods for LAPD and LAFD to notify DBS when there are multiple calls for service to an active or inactive construction site, including an estimated threshold for when that notification to DBS should occur.

At present, the DBS online portal for submitting complaints, the DBS customer call center, and direct contact by various means are available options for LAPD and LAFD to notify DBS when there are multiple calls for service at an inactive construction site. Creating additional options for reporting can be developed, if needed, in coordination with LAPD and LAFD.

Should you have any questions, please contact Devin Myrick at 213-482-0447 or by email at Devin.Myrick@lacity.org.

Respectfully,

Devin Myrick for

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