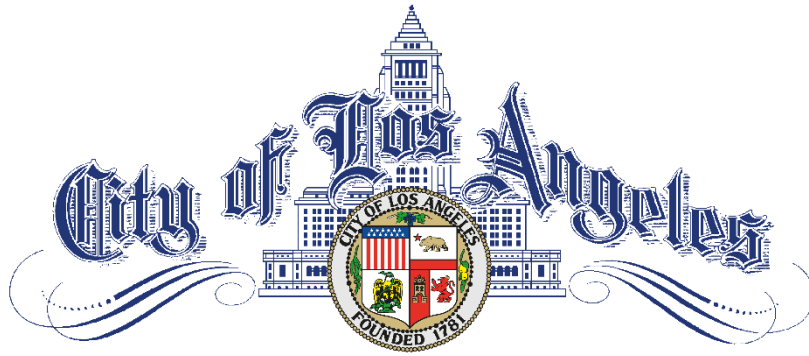




Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. **R26-0445**
AUGUST 03 2026

REPORT RE:

**DRAFT ORDINANCE AMENDING SECTION 63.44.P OF ARTICLE 3, CHAPTER VI
OF THE LOS ANGELES MUNICIPAL CODE TO ADD CERTAIN FIRE DANGER
RATINGS AS A CRITERIA FOR THE PROHIBITION ON LIGHTING, IGNITING,
SETTING FIRE TO, OR BURNING ANY SUBSTANCE, OR MAINTAINING AN OPEN
FLAME AT PARKS LOCATED IN HIGH FIRE HAZARD ZONES**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 25-0006-S35

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. Under the current language in Section 63.44.P of the Los Angeles Municipal Code, a person is prohibited from lighting, igniting, setting fire to, or burning any substance, or maintaining an open flame of any kind for any purpose between April 1 and November 1 of each year within the limit of any park designated as being in a "high fire hazard zone." The draft ordinance amends Section 63.44.P to similarly prohibit open flames any time of year at the specified "high fire hazard zone" parks whenever there exists a fire danger rating of "Very High" or "Extreme" as calculated on a daily basis by the Los Angeles Fire Department.

CEQA Determination

Prior to the adoption of this ordinance, we recommend that the City Council determine that its action is exempt from the California Environmental Quality Act (CEQA) under Sections 15301 and 15323 of the State CEQA Guidelines and that none of the exceptions in CEQA Guidelines 15300.2 apply. The City Council may also determine that its action does not constitute a project under CEQA pursuant to State CEQA Guidelines Section 15378(b), in that the action relates merely to administrative and organizational matters and the setting of policy and procedures that do not result in any direct or indirect change to the physical environment.

The action is categorically exempt pursuant to CEQA Guidelines 15301 in that the project involves the minor alteration of an existing public facility with negligible or no expansion of its current use. The project is not anticipated to change any uses and would only make additional restrictions for when someone can start or maintain an open flame. The action is categorically exempt pursuant to CEQA Guidelines Section 15323, as its action consists of the normal operation of existing facilities for public gatherings for which the facility was designed, where there is a past history of the facility being used for the same or similar kind of purpose. The project consists of typical operation rules for existing parks, which are public gathering facilities and have been used as parks for many years.

Finally, none of the exceptions to categorical exemptions in CEQA Guidelines 15300.2 apply. The location exception is inapplicable to Class 1 and Class 23 categorical exemptions. There are no proposed successive projects of the same type in the same place that would result in a significant impact. No unusual circumstances exist, as operational rules such as usage of fire are typical existing and public gathering facility rules, and there is no evidence of a significant effect. None of these park areas are State-designated scenic highways or on the State hazardous waste site list in Section 65692.5 of the Government Code. Also, while some of the parks, such as Griffith Park, may have historic resources, there would be no adverse change to these resources as the project involves certain prohibitions of fire usage which would lessen any future impacts.

If the City Council concurs, it may comply with CEQA by making one or more of these determinations prior to or concurrent with its action on the ordinance.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Recreation and Parks and the Los Angeles Police Department with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Assistant City Attorney Steven Hong at (213) 978-8130. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By



MICHAEL J. DUNDAS
Chief Assistant City Attorney

MJD:SH:ac
Transmittal