

Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R26-0241
April 23, 2026

REPORT RE:

**REVISED DRAFT ORDINANCE ADDING SECTION 98.0419.1 TO DIVISION 4,
ARTICLE 8, CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE TO WAIVE
FEES IMPOSED IN CONNECTION WITH PERMITS TO REPAIR OR REBUILD
BUILDINGS OR STRUCTURES DAMAGED OR DESTROYED BY THE WILDFIRES
OF JANUARY 2025**

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-S57

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed revised draft ordinances, attached as Exhibits A and B, approved as to form and legality. The two different versions of the revised draft ordinance respond to the Mayor's Revised Emergency Executive Order No. 7, dated May 9, 2025, (Revised EO7) and, therefore, contain a retroactivity provision, an urgency clause, and consider the scope of fee waivers referenced by the City Council's (Council) February 3, 2026, Amending Motion 30A concerning post-Wildfires rebuilding (Motion 30A). (Council File No. 25-0006-S57). For the urgency clause to take effect, the draft ordinance must be passed by no less than three-fourths of all Councilmembers. Los Angeles Charter §253.

Legislative Background

On June 20, 2025, this Office transmitted a draft ordinance which would waive fees associated with the issuance of building permits for all projects that repair or replace buildings or structures damaged or destroyed in the Palisades, Hurst, Kenneth, Archer, and Sunset Fires of January 2025 (Wildfires). At the February 3, 2026, meeting of the Budget and Finance Committee of the Los Angeles City Council, the Committee recommended the following:

1. That the City Council approve Option 3 as detailed in the CAO report dated January 16, 2026. Option 3 would waive the fees for all structures (including single family dwellings, duplexes, accessory dwelling units, multi-family dwellings, and commercial properties) rebuilt or repaired only up to the amount attributed to 110 percent of the area of the original structure(s). Property owners would be liable for fees in excess of that threshold.
2. Request that the City Attorney's Office prepare and present a new Ordinance consistent with its recommendations and including all previous provisions around eligibility subject to ownership at the time of the January 2025 Wildfires, including relevant provisions around eligibility subject to ownership at the time of the January 2025 Wildfires and relevant provisions from previous draft Ordinances that align with this report, with a timeline for eligibility retroactive to the date of the Wildfires and not longer than three years from the date that the Council acts.

The City Council adopted all of these recommendations and also adopted the recommendation made by Motion 30A. Motion 30A, as amended, requested the City Attorney to revise the draft Ordinance to include that any property owner who utilizes the fee waiver be required to reimburse the City for the fee waiver amount if any property is sold before a certificate of occupancy is issued, with an exemption for condos and townhomes.

Summary of Ordinance Provisions

The enclosed revised draft ordinances add a new LAMC Section 98.0419.1 to waive fees imposed in connection with permits to repair or rebuild buildings or structures damaged or destroyed by the Wildfires of January 2025. Both versions of the ordinance waive certain permitting fees for rebuilding or repairing damaged structures up to 110 percent of the area damaged or destroyed, establish a cap of \$90 million for waiver of such fees over a three-year period, and require an owner/seller to reimburse the City for any fees waived if their property is sold prior to issuance of a certificate of occupancy.

The alternative version of the revised draft ordinance, attached as Exhibit B, does not include a provision that anticipates reimbursement for payments from insurance companies for the cost of permits and it *does* include a limitation on the amount of fees to be waived of \$30 million per year to be granted to eligible waiver recipients in the order that the fees would have been due and payable to the City.

Charter Findings Not Required

The enclosed revised draft ordinances relate to regulations and activities already within the authority of the Department of Building and Safety (DBS) and other City departments, do not enact a new fee, and are not land use ordinances. For this reason, this revised draft ordinances are not subject to recommendation by the City Planning Commission pursuant to Charter Section 558.

Special Notice Not Required

This revised draft ordinances do not impose any new fees. Consequently, special notice of their proposed adoption in accordance with the provisions of California Government Code Sections 66018 and 6062a is not necessary.

CEQA Determination

This Office recommends that prior to the adoption of these revised draft ordinances the City Council determine that its action does not constitute a project under the California Environmental Quality Act (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. If the City Council concurs, it may comply with CEQA by making this determination prior to or concurrent with its action on the ordinance.

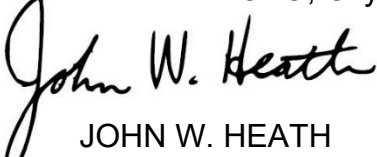
Council Rule 38 Referral

Pursuant to Council Rule 38, a copy of the revised draft ordinances was sent to DBS, Public Works Bureaus of Engineering, Sanitation, Street Services, Recreation and Parks, LAFD, DOT, City Planning, the Housing Department, and DWP, with a request that all comments, if any, be presented directly to the City Council at the time this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth T. Fong at (213) 978-8202. 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 

JOHN W. HEATH
Chief Assistant City Attorney

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Transmittal