

MOTION

The recent I-110 Freeway fire that forced a full freeway closure and raised serious public safety and infrastructure concerns (Council Files 26-0674 and 26-0674-S1) appears to have been precipitated by both the failure of Caltrans to secure its infrastructure and the lack of security and maintenance of adjacent private properties upon which trash, debris, and overgrown vegetation were allowed to persist.

The Los Angeles Administrative Code (LAAC) sets forth the procedures for nuisance abatement and collections of specified fees, costs, and charges. LAAC Section 7.35.2(c) states that the City Council may declare by resolution the existence of a public nuisance and may also instruct that notices be issued and that the Board of Public Works or designee may proceed with the abatement, if necessary.

The property located between John S Gibson Boulevard and the I-110 Freeway (inclusive of APNs 7412024007; 7440016001; 7440016002; 7440016003) is a continuing public nuisance, and the declaration of a public nuisance for this property is fully attributable to its current use and condition, and in recognition that past efforts to abate this nuisance lot have been unsuccessful.


I THEREFORE MOVE that the City Council, based on fact and evidence presented into the record, pursuant to Section 7.35.2(c) of the Los Angeles Administrative Code (LAAC), the City Council takes the following actions:

1. Declares the property located between John S Gibson Boulevard and the I-110 Freeway (inclusive of APNs 7412024007; 7440016001; 7440016002; 7440016003) a Public Nuisance as the result of the presence of excessive trash and debris, storage of junk and rubbish, hazardous waste, and dangerous conditions;
2. Directs the Board of Public Works to expedite the issuance of appropriate notices and documentation that may be necessary to effectuate the abatement of the nuisance at the site; and
3. Directs the Board of Public Works or its designees to proceed with the abatement process, as may be necessary, and, pursuant to Section 7.35.3 of the LAAC, invoice the property owner for all and any abatement costs incurred by the City.

I FURTHER MOVE that the City Council instruct the City Attorney, with the assistance of the Chief Legislative Analyst and the City Administrative Officer, to report on and develop a formal process for cost recovery, reimbursement, and potential charge-backs to the City of Los Angeles for costs associated with emergency response, fire suppression, cleanup, traffic control, and related nuisance abatement operations arising from these incidents (pursuant to Council File

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26-0674-S1), with such cost recovery and/or charge backs to public and private property owners, as appropriate.

PRESENTED BY: 
TIM McOSKER
Councilmember, 15th District

SECONDED BY: 


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