

PUBLIC SAFETY

MOTION

TRANSPORTATION

HOMELESSNESS AND HEALTH

The Supreme Court, federal jurisprudence, and the California Vehicle Code indicate that the impoundment of a private vehicle is considered a seizure under the Fourth Amendment and, therefore, requires a court warrant. These cases include but are not limited to *Fitzpatrick v. City of Los Angeles*, *Brewster v. Beck* 859 F.3d 1194 (9th Cir. 2017), *Dakota v. Opperman* 428 U.S. 364 (1976), *Miranda v. City of Cornelius* 429 F.3d 858 (9th Cir. 2005), *Coalition on Homelessness v. City and County of San Francisco* 93 Cal.App.5th 928 (9th Cir. 2023), *Potter v. City of Lacey*, No. 21-35259 (9th Cir. 2024) and *United States v. Torres*, 828 F.3d 1113 (9th Cir. 2016).

However, courts have also ruled that exceptions to the warrant requirement exist. Known as the “community caretaking” doctrine, warrantless impounds can occur when an immediate safety concern or traffic hazard exists. Reasons may include vehicles that pose a traffic safety hazard such as blocking a bike lane, a public health or environmental hazard, interfere with public works projects or special events; and inoperable vehicles.

In recent years, the City has seen a significant increase in Recreational Vehicles parked on its streets, creating numerous health, safety and environmental hazards for residents and businesses, such as wastewater discharge, fires, crime and line of sight risks for motorists, cyclists, and pedestrians. The City has a fundamental obligation to manage its curbspace and address these unique challenges.

The City’s existing tools for addressing the hazards created by Recreational Vehicles include Los Angeles Municipal Code section 80.69.4, which authorizes the Council to prohibit the parking of oversized vehicles on City Streets. However, these restrictions are limited between the hours of 2AM and 6AM and are dependent on the City Council adopting a resolution designating a street segment for the prohibition. Violations of this code section also result in the issuance of a citation rather than a vehicle impoundment, unless a community caretaking provision is satisfied.

Recognizing that City streets are inappropriate for the long-term parking of Recreational Vehicles, many cities bordering Los Angeles have adopted more expansive RV or oversize vehicle parking regulations, if not outright prohibitions, including Beverly Hills, Culver City, El Segundo, Burbank, Glendale and Santa Monica. These inconsistent restrictions across cities cause more and more Recreational Vehicles to park in Los Angeles.

Given the challenges and publicly reported health and safety incidents resulting from Recreational Vehicles parking on City streets, the City should align its parking policies with its border cities and prohibit the parking of RVs on all City streets. In order to address the immediate health and safety hazards that can result from RVs parking on City streets, the ordinance should also include constitutional findings that satisfy the community caretaking doctrine so that RVs in violation of this ordinance can be impounded immediately. Any changes should also create temporary exceptions for local residents to temporarily park, load or unload their Recreational Vehicles outside their homes, similar to provisions in Los Angeles Municipal Code section 80.69.4.


OCT 20 2025

I THEREFORE MOVE that Council request the City Attorney with the assistance of the Police Department, Fire Department, and Department of Transportation, to prepare and present an ordinance in 60 days that prohibits the parking of Recreational Vehicles on all City streets at all times. The ordinance should include the following:

- Utilize the California Health and Safety Code Section 1801 definition for Recreational Vehicle
- A permit process similar to 80.69.4 - Parking of Oversize Vehicles - that permits owners of Recreational Vehicles to park their vehicles on City streets for an allotted amount of time in order to load or unload their vehicle outside their home
- Findings that satisfy the community caretaking doctrine in order to permit the immediate impoundment of Recreational Vehicles in violation of this ordinance
- A severability clause

I FURTHER MOVE that Council instruct the Los Angeles Police Department, Fire Department and Department of Transportation to provide data, including but not limited to calls for service, to be utilized for ordinance findings that satisfy the community caretaking doctrine.

I FURTHER MOVE that Council request the Police Commission in coordination with the City Attorney and other departments as needed, upon adoption of the ordinance, to create a transparent policy that governs the removal of Recreational Vehicles in violation of this ordinance.

I FURTHER MOVE that Council instruct the Department of Transportation, in coordination with the City Administrative Officer, City Attorney and General Services Department, to report to council prior to ordinance adoption on the cost of sign fabrication and installation, and posting locations in order to give notice to registered owners or individuals having control of a Recreational Vehicle prior to the commencement of enforcement.

I FURTHER MOVE that Council request the City Attorney, in coordination with other departments as necessary, to report on any other required steps to effectuate the immediate impoundment of Recreational Vehicles pursuant to the community caretaking doctrine.

PRESENTED BY: _____



TRACI PARK

Councilwoman, 11th District

SECONDED BY: _____



OFFICE OF THE
CITY CLERK
JULY 11 2017