



PACIFIC PALISADES COMMUNITY COUNCIL

August 7, 2015

Hon. Los Angeles Mayor Eric Garcetti
Hon. Councilmember Mike Bonin; member, Homelessness and Poverty Committee
Hon. Councilmember Gilbert Cedillo; member, Homelessness and Poverty Committee
Los Angeles City Hall
200 North Spring Street
Los Angeles, CA 90012

Via email

Re: CF 14-1551 (SUPPORT in full immediate ordinance implementation); AND CF 14-1656/1656-S1, S2 (OPPOSE in part Motions 5-A & 5-B; expected hearing 8/12/15 in Homelessness and Poverty Committee)

Dear Mayor Garcetti, Councilmember Bonin and Councilmember Cedillo:

Pacific Palisades Community Council (PPCC) is the most broadly-based community organization and the voice of the Palisades since 1973. The Palisades community is alarmed by impacts on its quality of life from the unfortunate reality and growing presence of the population that is homeless within our geography. With these circumstances in mind, PPCC urges that (1) the new parks storage ordinance (LAMC section 63.44) be implemented as written without further delay and (2) proposed amendments to LAMC section 56.11; Motions 5-A & 5-B in CF 1656-S1, S2 be rejected, and that different amendments (described below) be considered/adopted in order to strengthen the ordinance for the City of Los Angeles and its affected residents.

(1) Immediately Implement the Parks Storage Ordinance (LAMC 63.44) As Written. The City Council has voiced no objection to the new version of LAMC 63.44 (which passed in Council by a vote of 12-1-2). Thus, LAMC 63.44 should be implemented immediately to facilitate the removal of persons illegally camping and/or storing personal items on City parks property. Particularly important in the Palisades is the increasing threat of fire resulting from active camping presently occurring in explosively dry chaparral exacerbated by extremely high drought conditions.

(2) Proposed Amendments to the Sidewalks Storage Ordinance (LAMC 56.11; Motions 5-A & 5-B) Should be Rejected and Additional Amendments Should be Considered/Adopted.

A. Do Not Remove the Phrase “personal items such as luggage, backpacks, clothing, documents and medication, and household items.” The resulting effect of deleting this phrase is that these categories of items could remain on sidewalks and parkways at all times, even after 24 hours’ notice is given. PPCC opposes deletion of this phrase because: (1) under the current language these personal items are specifically “*protected from removal as long as they are removed within 24 hours,*” *i.e.*, ample time for the owner of property to claim and remove their possessions from the sidewalk or parkway; (2) the Mayor can rest assured that personal items, especially documents and medications, will not be destroyed or confiscated because the proposed existing LAMC 56.11 assures they will be cataloged and stored for a later retrieval; (3) LAPD and the Department of Sanitation would be unduly burdened in any legal challenge

of segregating between “personal items” and these other items then not entitled to removal; and (4) these exempted items when left on sidewalks and parkways for more than 24 hours arguably lead to permanent encampments, drug use, food waste, public defecation, urination and inebriation, the attraction of vermin, and other public nuisances.

- B. Do Not Remove the Misdemeanor Violations of LAMC 56.11 (Motion 5-B).** In some instances, campers will not remove their possessions when the penalty is only an infraction. While LAPD is not required to file a misdemeanor, they must have that option in instances when campers are recalcitrant.
- C. Add a New Amendment That Provides For a 300 Feet Buffer Zone from Residences.** PPCC recommends that another subsection be added to read: *“Personal Property placed in Public Areas within 300 feet of a residence may be removed and impounded at any time without prior notice. Post-removal notice shall be provided as set forth in Section 56.11, Subsection 4(b) below.”* The proximity of encampments to residences in the Palisades has caused a host of dangerous conditions and it is incumbent upon the City to establish appropriate measures to ensure quiet enjoyment, health and safety throughout the community.
- D. Revise Language Relative to ADA Access.** While PPCC supports the addition of a new subsection to enable immediate removal of property that interferes with safe passage on the sidewalk, including ADA access, we suggest that the language proposed in Motion 5-A be replaced with: *“Property that interferes with sidewalk passability, including passage by the disabled under the Americans with Disabilities Act, may be removed and impounded without prior notice. For the purposes of this section, a passage way of at least five feet, the distance to allow two disabled persons in wheelchairs or assisted by a walker to pass in opposite directions, shall be maintained at all times free of any personal property. Post-removal notice shall be provided as set forth in Section 56.11, Subsection 4(b) below.”*

Thank you for the opportunity to comment on these proposed amendments.

Sincerely,

Christina Spitz
President
Pacific Palisades Community Council

cc (via email):

Hon. Mike Feuer, Los Angeles City Attorney
Hon. Councilmembers Huizar, Harris-Dawson, Price (members, Homelessness and Poverty Committee)
Charlie Beck, Chief, Los Angeles Police Department.
Tina Nieto, Captain, West Los Angeles Division, Los Angeles Police Department
Enrique Zaldivar, Director, Bureau of Sanitatio