

ORDINANCE NO. 182778

An ordinance adding Subsections (g), (h) and (i) to Section 56.08 of the Los Angeles Municipal Code to add administrative penalties for failure to remove obstructions in the street or sidewalk.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 56.08 of the Los Angeles Municipal Code is amended to add Subsections (g), (h) and (i) to read as follows:

(g) Any person having charge or control of any lot or premises who violates the provisions of Subsections (a) or (c) shall be subject to administrative penalties as set forth in Subsection (h).

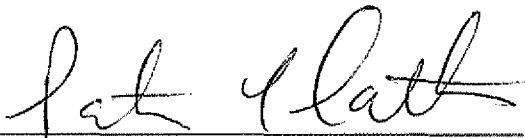
(h) The first violation of Subsections (a) or (c) in a calendar year is subject to a warning or an administrative monetary penalty not to exceed \$50.00. Subsequent violations in the same calendar year will result in a second penalty not to exceed \$100.00 for the second violation after receiving the initial \$50.00 penalty. The penalty for the third administrative violation in a calendar year is \$150.00. More than three administrative fines in one calendar year shall result in the violation being prosecuted as a misdemeanor and the violator shall be subject to all penalties applicable to criminal violations. The Bureau of Street Services is authorized to assess a processing fee established by the Board of Public Works for all citations with an administrative monetary penalty. All non-criminal enforcement actions are subject to the administrative hearing process as mandated by California Government Code Section 53069.4.

(i) Any person who receives a written notice or administrative monetary penalty pursuant to this section may request an administrative review of the accuracy of the determination or the propriety of any fine issued by filing a written notice of appeal with the Board of Public Works no later than 30 days after receipt of a written notice or fine, as applicable. The notice of appeal must include all facts supporting the appeal and any supporting documentation, including copies of all photos, statements and other documents that the appellant wishes to be considered in connection with the appeal. The appeal shall be heard by the Board of Public Works. The Board of Public Works shall conduct a publicly noticed hearing concerning the appeal within 45 days from the date that the notice of appeal is filed, or on a later date if agreed upon by the appellant and the Board of Public Works, and shall give the appellant at least 10 days prior written notice of the date of the hearing. The Board of Public Works may sustain, rescind, or modify the written notice or fine, as applicable. The Board of Public Works shall have the power to waive any portion of the fine in a manner consistent with its decision. The decision of the Board of Public Works shall be final and effective on the date the decision is rendered.

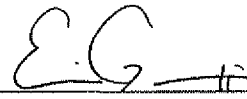
Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of NOV 5 2013.

HOLLY L. WOLCOTT, Interim City Clerk


By 
Deputy

Approved 11/7/13


Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
EDWARD M. JORDAN
Assistant City Attorney

Date 5-24-2013

File No. CF ~~07-0699~~ 13-0650