

Title: Anit-Camping 41:18 Motion	Item No. 2.2
Meeting date: 10.25.2021	
Agendized by: Ad-Hoc Encampment (Homeless) Committee	
Contact person: Paula Gerez	Phone number:
Committee Vote (if appropriate): Yes – 5	
Does this item have a fiscal impact on the Neighborhood Council? NO	
Additional documents attached? YES	

**RECOMMENDATION:**

**BACKGROUND:**

See Attached Background Information anti Camping R2

**DISCUSSION:**

The committee discussed the proposed motion and voted unanimously in favor to send to the NCWP Board.

**FISCAL ANALYSIS:**

None known

**ATTACHMENTS:**

MOTION in support of enforcement of Municipal Code Sections 41:18 Anti-Camping

**MOTION:**

That the Neighborhood Council approve request that the City immediately undertake efforts to begin enforcement of Municipal Code Sections 41:18 in and around Westchester Park, as well as Titmouse Park and Dockweiler beach, which is defined as a “park unit operated by L.A. county” and is under Parks and Recreation, consistent with the notice and outreach efforts required by the Code.

**Background Information: Motions recommended to WRAC  
1) to support the resolution in CF 21-0929; and 2) for CMs to consult with  
WRAC Member-Councils and bring resolutions to designate sites for  
enforcement under the “anti-camping” ordinance (LAMC Sec. 41.18)**

On September 3, 2021, the so-called “anti-camping” ordinance, recently passed in City Council by an overwhelming majority, went into effect. See:

[https://clkrep.lacity.org/onlinedocs/2020/20-1376-S1\\_ord\\_187127\\_09-03-21.pdf](https://clkrep.lacity.org/onlinedocs/2020/20-1376-S1_ord_187127_09-03-21.pdf).<sup>1</sup>

The ordinance provides for certain limited areas (for example, near driveways and fire hydrants) where individuals are banned from using the sidewalk or other public-rights-of-way (PROW) to “sit, lie, sleep, store, use, maintain or place personal property,” i.e., to set up homeless encampments.

It also provides that in specified additional areas, this activity (camping in the PROW) may be banned within a certain radius from the site, but *only if* the Councilmember first brings a resolution in City Council to designate the site under LAMC Sec. 41.18; the Council passes the resolution; and signs banning the activity are then posted at the site, with enforcement (mainly issuance of citations) to occur 14 days after signage is posted (LAMC Sec. 41.18(c)(1)-(4) and 41.18 (d)). The sites requiring such a “pre-enforcement” resolution are:

- 1) “**Sensitive uses**” – **schools, day care centers, public parks and public libraries** (radius prohibition up to 500 ft.; 41.18(c)(1));<sup>2</sup>
- 2) Overpasses, underpasses, freeway ramps, tunnels, bridges, pedestrian bridges, subways, washes, spreading grounds and active railways, when public health, safety or welfare is served by the prohibition (radius prohibition up to 500 ft.; 41.18(c)(2));
- 3) Designated facilities opened after January 1, 2018 that provide shelter, safe sleeping or safe parking to homeless persons or that serve as homeless services navigation centers (radius prohibition up to 1,000 ft.; 41.18(c)(3));
- 4) Locations in public rights-of-way for which there is documentation of a “particular and ongoing threat to public health or safety” (prohibition not to exceed one year; no radius prohibition specified; 41.18(c)(4)).

On August 17, 2021, Councilmember Joe Buscaino brought a resolution in Council (CF 21-0929; second by Paul Koretz) seeking designation of **all public (LAUSD) schools in Los Angeles** as sensitive sites where homeless encampments could be banned within a 500 ft. radius (Sec. 41.18(c)(1)). The schools are listed in an attachment to the resolution. See: [https://clkrep.lacity.org/onlinedocs/2021/21-0929\\_misc\\_08-17-21.pdf](https://clkrep.lacity.org/onlinedocs/2021/21-0929_misc_08-17-21.pdf).

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<sup>1</sup> Certain additional motions regarding a citywide homeless outreach framework were passed by the City County on September 14, 2021 (CF 20-1376 and 21-0329). The anti-camping ordinance does not require pre-enforcement outreach in the specific designated areas; the CLA’s report issued in connection with these motions explained that such outreach (i.e., pre-enforcement offers of shelter/housing) was not required in these cases. The WRAC motion sponsors and the WRAC Homelessness Committee believe that current disturbing conditions – *the existence of widespread homeless encampments in the PROW throughout the City, which engendered enactment of the anti-camping ordinance* - clearly require action under the terms of the existing ordinance in order to designate sites for enforcement without delay. At the same, the WRAC Homelessness Committee feels strongly that offers of shelter/housing should be made to and refused by the homeless prior to enforcement of the ordinance, and the recommended motion so provides.

<sup>2</sup> Schools, day care centers, public parks and libraries are defined terms in LAMC Sec. 105.01 (a provision of the City cannabis ordinance which the anti-camping ordinance specifically references). The definitions of these sensitive uses include private and public schools as well as open space areas. The resolution proposed in CF 21-0929 addresses only public (LAUSD) schools.

The motion sponsors regard this resolution as a reasonable, common-sense approach. The City's public schools are known and easily identified; it would be a waste of time and public resources for Councilmembers to bring scores of resolutions in Council in order to designate individual public schools as sensitive, as would otherwise be required under the anti-camping ordinance.

**The existence of widespread homeless encampments, particularly those in the PROW throughout the City, has been THE presenting issue in Los Angeles for at least the past year.**

We are advised that encampments have grown in the PROW adjacent to school property at many LAUSD schools throughout the district and the City, presenting dangerous conditions unacceptable for students and school staff. Here is one example in South LA:

<https://abc7.com/south-los-angeles-homeless-elementary-school-gerald-a-lawson-academy/10565069/>. Recent reports and commentary about a dangerous encampment outside of Westminster School in Venice can be found in: <https://www.westsidcurrent.com/brentwood/>. See also the Venice NC position regarding Westminster School: <http://pacpalicc.org/wp-content/uploads/2021/08/westminster-school-safety.pdf>.

Protecting our children and supporting our schools are priorities for the vast majority of WRAC constituents with families. Passage of motion #1 – support for the resolution in CF 21-0929 – would be consistent with these priorities.

We also request in motion #1 that the “radius” prohibition be specified as 500 ft. **from the exterior boundary** of each of the sites. This would help ensure that the distance is not measured from interior locations within each site and communities would be afforded maximum protection.

*Jay Handal, Chair, WRAC HOC; WLASNC Treasurer and rep to WRAC Board  
Chris Spitz, WRAC Vice-Chair; PPCC Secretary and rep to WRAC Board  
September 2021*

MOTION in support of enforcement of Municipal Code Sections 41:18

Whereas, the Los Angeles City Council (“City”) recently adopted revised Los Angeles Municipal Code 41:18, which permits the City to, among other things, restrict sitting, sleeping, lying, storing personal property, or otherwise obstructing the public right-of-way, in an area designated by City Council resolution that is within up to 500’ foot radius of a school, daycare, public park or public library, and within up to 1,000’ foot radius of a facility opened after January 1, 2018, providing shelter, safe sleeping, safe parking, or navigation centers for persons experiencing homelessness;

Whereas, this regulation was aimed at maintaining a clean and safe environment for children attending school and members of the public utilizing parks, as well as those residing and working in covered homeless shelters, safe sleeping and parking areas, navigation centers, and related facilities;

Whereas, since the 1940s Westchester Park has historically offered important community programming, including a public library, tennis courts, a public swimming pool, Senior Center, sports fields, skate park, playground, picnic and barbecue areas and Recreation Center;

Whereas Westchester Park has historically offered important community programming, including youth sports leagues, youth summer camps, adult classes and meals for seniors;

Whereas, Westchester Park is vitally important to creating social equity, maintaining quality of life, promoting community wellness, providing services and recreation for children, families and seniors and sustaining the physical, economic, social and environmental well-being of the community at large;

Whereas, the City Administrative Officer recently declared Westchester Park infeasible and unsuitable for homeless interventions due to heavy recreational use;

Whereas, the grounds of Westchester Park have become a large-scale, unregulated homeless encampment, with more than 75 tents throughout all the public spaces intended for public and recreational use, and with people permanently living and sleeping in vehicles in all of the parks designated parking lots;

Whereas, the unregulated encampment has led to the accumulation of massive amounts of personal property, semi-permanent structures, and garbage, including human waste, drug needles and paraphernalia and other toxic and hazardous materials;

Whereas the Westchester Park encampment has become dangerous, violent and unsanitary with open air drug use, violent assaults, shootings, fires and other significant unsafe and serious criminal conduct as evidenced by significantly increased calls for service to LAPD and LAFD;

Whereas, these encampment conditions have negatively impacted the quality of life for anyone residing in or near Westchester Park, and have placed both the unhoused and housed at risk;

Whereas, these encampment conditions continue to threaten and have actually caused extensive damage and degradation to the park amenities and environment;

Whereas, these encampment conditions thwart use of the park by seniors, families and children, various ball and athletic clubs, such that the public can no longer safely utilize the area, community programming or amenities;

Whereas, Westchester Park currently provides safe parking and camping in one lot adjacent to Lincoln Blvd., warranting the 1,000' no-camping barrier, and also is the site of a public library, warranting a 500' no-camping barrier;

Thereby, the NCWP moves to request that the City immediately undertake efforts to begin enforcement of Municipal Code Sections 41:18 in and around Westchester Park, as well as Titmouse Park and Dockweiler beach, which is defined as a "park unit operated by L.A. county" and is under Parks and Recreation, consistent with the notice and outreach efforts required by the Code.

cc:

Mayor, Eric Garcetti  
Councilmember, Mike Bonin  
Councilmember, Gil Cedillo  
Councilmember, Paul Krekorian  
Councilmember, Bob Blumenfield  
Councilmember, David R. Ryu  
Councilmember, Paul Koretz  
Councilmember, Nury Martinez  
Councilmember, Monica Rodriguez  
Councilmember, Marqueece Harris-Dawson  
Councilmember, Curren D. Price, Jr.  
Councilmember, Herb J Wesson, Jr.  
Councilmember, John Lee  
Councilmember, Mitch O'Farrell  
Councilmember, Jose Huizar  
Councilmember, Joe Buscaino  
Supervisor, Janice Hahn  
Supervisor, Holly J. Mitchell  
Supervisor, Hilda L. Solis  
Supervisor, Sheila Kuehl  
Supervisor, Kathryn Barger  
Chief of Police, Michel Moore  
Sheriff, Alex Villanueva