

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)

Motion #1:

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.¹

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));²
- 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.

¹ 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.

² 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.westsidecurrent.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.

Motion #2:

This motion calls for Councilmembers representing WRAC Member-Councils to consult with their respective Member-Councils and bring resolutions in Council designating additional sites that are identified to the Councilmembers by Member-Councils, for enforcement under the anti-camping ordinance (LAMC Sec. 41.18(c)(1)-(4) and 41.18(d)). The motion is intended to emphasize the importance of this issue to Councilmembers and their constituents and to stress that action should be taken to designate these sites without delay. Further, as noted in FN 1, the motion calls for offers of shelter/housing to be made and refused prior to enforcement under the ordinance.

It is unknown whether Councilmembers Bonin and Raman, who voted against enacting the anti-camping ordinance, will seek to designate any sites in their respective districts for this purpose. Adopting this motion as a WRAC position may have a positive impact on these or any Councilmembers who may otherwise be reluctant to bring such resolutions.

Jay Handal, Chair, WRAC HOC; WLASNC Treasurer and rep to WRAC Board

Chris Spitz, WRAC Vice-Chair; PPCC Secretary and rep to WRAC Board

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