

MOTION

The Board of Public Works recently proposed an ordinance amendment to the Los Angeles Municipal Code Section 66.25 to authorize administrative penalties for the illegal dumping or rubbish on the public right-of-way and establish a new revenue source code in the General Fund to identify all penalties collected to be used for illegal dumping enforcement by the Bureau of Street Services, Investigation and Enforcement Division.

This is an excellent idea which should also be applied for enforcement of illegal handbills, advertisements for music and movies that clutter up too many of our City's main thoroughfares. Staffing to remove these handbills was proposed to be cut in the draft budget due to the CAO's concerns that the Bureau was not able to fully fund the program by billing companies responsible for the handbills for the cost of retrieval.

The City Council was able to restore funding for the program, but clearly there is a need to find a way to make the program totally self-financed to protect it from future budget cuts. One easy way to do this is by allowing the Bureau of Street Services to assess administrative fines or penalties in addition to simply billing companies who are so flagrantly violating City laws for the cost of pulling down their illegal advertisements.

The City Attorney has worked with the Bureau of Street Services to prosecute some of the worst handbill posting offenders in civil court, most famously Herbalife International several years ago. This is a labor intensive process that can result in fines of up to \$1,000 per sign (instead of the \$194.20 the Bureau charges for the first sign, plus \$6.25 per each additional sign), which can serve as a deterrent to the few companies that are prosecuted.

A more effective method in which to stop the practice of illegal handbill posting, which generates untold millions of dollars per year in extremely cheap advertising for the large corporations that utilize this practice, is to allow the Bureau of Street Services to hand out escalating administrative penalties to violators, with higher rates for companies that have already received warnings to cease and desist from littering our light and power poles.

I THEREFORE MOVE THAT the City Attorney be requested to draft an ordinance amendment to Los Angeles Municipal Code Section 28.04 to authorize administrative penalties for the illegal posting of handbills and stickers along the public right-of-way and establish a new revenue source code in the General Fund to identify all penalties collected to be used for enforcement activities by the Bureau of Street Services, Investigation and Enforcement Division.

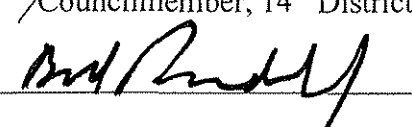
JUN 10 2008

PRESENTED BY:


JOSÉ HUIZAR

Councilmember, 14th District

SECONDED BY:



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