

OFFICE OF OPERATIONS

NOTICE
1.11

February 25, 2016

TO: All Office of Operations Personnel

FROM: Director, Office of Operations

SUBJECT: REGULATIONS AFFECTING PARKS AND RECREATION AREAS –
LAMC § 63.44

On September 27, 2015, the City Council amended Los Angeles Municipal Code (LAMC) Section 63.44. The purpose of this Notice is to identify the changes to the ordinance. Officers should cite all first-time offenders as an infraction on a Release From Custody, Form 05.02.02, except for those offenses otherwise listed as a misdemeanor, which will require a Release From Custody Report Continuation, Form 05.02.08.

First violations of all subsections of LAMC Section 63.44 are now INFRACTIONS, except for violations of the specific subsections of the following two subdivisions, which remain MISDEMEANORS.

- I. **Section 63.44(B)(26) - Bulky Items, Tents and Storage of Personal Property (Parks).**
 - (c) Prohibits bringing bulky items into a park without a permit.
 - (d) Prohibits setting up a tent in a park unless the park specifically allows tent camping.
 - (e) Prohibits erecting any barrier against or otherwise attaching any personal property to permanent City property including benches, trees, bike racks, utility poles, etc. without the City's consent.
 - (i) Prohibits failing to remove attended "Stored Personal Property" (as defined in the ordinance) from a park after either receiving 24-hours written notice or after the park closes (only where signs are posted).
 - (l) Prohibits illegal dumping.
- II. **Section 63.44(I)(13) - Bulky Items, Tents, and Storage of Personal Property (Beach Parks)**
 - (c) Prohibits bringing bulky items into a park without a permit.
 - (d) Prohibits setting up a tent in a park unless the park specifically allows tent camping.

- (e) Prohibits erecting any barrier against or otherwise attaching any personal property to permanent City property including benches, trees, bike racks, utility poles, etc. without the City's consent.
- (i) Prohibits failing to remove attended "Stored Personal Property" (as defined in the ordinance) from a beach park after either receiving 24-hours written notice or after the beach park closes (only where signs are posted).
- (l) Prohibits illegal dumping.

The following three subdivisions of LAMC Section 63.44 have been ADDED or AMENDED. These subsections are now INFRACTIONS.

I. Section 63.44(B)(3) - Vending Prohibited (Except as specifically allowed below).

NOTE: Section 63.44(B)(3) prohibited all vending in parks. Now, while general vending is still prohibited, certain vending and performance-related activities are allowed.

- (a) A person may engage in traditional expressive speech and petitioning activities, and may vend the following expressive items: newspapers, leaflets, pamphlets, bumper stickers, patches, and/or buttons.
- (b) A person may vend the following items, which have been created, written, or composed by the vendor: books, audio, or other recordings of their performances, paintings, photographs, prints, sculptures, or any other item that is inherently communicative and is of nominal value or utility apart from its communication.
- (c) Any item which has **more than** nominal value or utility or use apart from whatever message/expression it conveys **cannot** be vended. Examples include, but are not limited to: housewares, appliances, articles of clothing, sunglasses, auto parts, oils, incense, perfume, crystals, lotions, candles, jewelry, toys, and stuffed animals.
- (d) A vendor only may display items that may be vended pursuant to this subsection.
- (e) A vendor may not include a non-exempt product as a free gift with the required purchase of one of the above exempt items.
- (f) A performer may perform.
- (g) Notwithstanding the above, persons with a valid City permit, license, or contract may engage in vending or operate an event, concession, or business.
- (h) Any person vending items allowed under the ordinance must still follow proper tax/licensing requirements.

II. Section 63.44(D)(4) - Camping in Parks.

No person shall camp in a park, except in locations designated for such purposes, or erect any tent, excluding umbrellas or sun shades.


III. Section 63.44(I)(9) - Camping on the Beach.

No person shall camp on a beach, except in locations designated for such purposes, or erect any tent, excluding umbrellas or sun shades. No person shall fasten or connect their umbrella or sun shade to any structure, stake, pole, tree, rock, fence, or other object.

NOTE: Second and subsequent violations for all LAMC 63.44 Sections can be considered either an infraction or a misdemeanor. Misdemeanor filings require a Release From Custody Report Continuation, Form 05.02.08.

NOTE: To ensure proper enforcement, officers should familiarize themselves with the definitions of the various terms included in the ordinance.

Should you have questions regarding this matter, please contact the Evaluation and Administration Section, Office of Operations, at (213) 486-6050.


JORGE A. VILLEGAS, Assistant Chief
Director, Office of Operations

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