

OFFICE OF OPERATIONS

ORDER NO. 18

June 7, 1995

TO: All Concerned Personnel, Office of Operations

FROM: Director, Office of Operations

SUBJECT: TEMPORARY CLOSURE OF CITY THOROUGHFARES

PURPOSE

This Order establishes policy and procedures for responding to the City Council and the City Bureau of Engineering when requests are made concerning the temporary closure of City thoroughfares.

INFORMATION

On March 22, 1995, the Los Angeles City Council adopted and approved procedures for the temporary closure of City thoroughfares (see Attachment). A thoroughfare may be defined as a street, alleyway, walkway or stairway. In accordance with the City Council's mandate, all of the following criteria must be met prior to any temporary thoroughfare closure within the City:

1. There must be substantial evidence of serious and continual criminal activity in the thoroughfare recommended for temporary closure;

Note: The terms "serious and continual" were purposely written into the legislation to allow local law enforcement agencies and City Council officials flexibility in preparing temporary closure legislation. Each Area has crime problems that are unique from other Areas and need to be addressed in a manner that will best serve the respective community.

2. The temporary closure of the thoroughfare must be aimed at reducing or eliminating serious and continual criminal activities;
3. The thoroughfare closure may not prohibit vehicular access to any of the adjacent properties;
4. Affected property owners must agree to any thoroughfare closures that prohibit access to their property;
5. Vehicular and/or pedestrian traffic in the thoroughfare must contribute to the criminal activity; and,

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6. The closure may not adversely affect the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of the thoroughfare proposed to be temporarily closed.

PROCEDURE

The City Council and the Bureau of Engineering, having the responsibility for overseeing the closure of all thoroughfares, may require written certification from the Department in support of a temporary thoroughfare closure. Normally, Area commanding officers will only be expected to provide the Bureau of Engineering or a City Council member with a letter certifying that serious and continual criminal activity exists in the proposed closure area. However, these City entities may also require Department generated statistical and anecdotal crime information reports to further justify a thoroughfare closure.

All commanding officers shall comply with written requests for this information by these entities. However, commanding officers shall adhere to the following procedures when receiving requests for crime information relative to the closure of any thoroughfare within their Area:

Area Commanding Officer's Responsibilities

Area commanding officers receiving requests from the City Council and/or the Bureau of Engineering for crime information related to the closure of any thoroughfare, shall cause the completion of a crime information report. Completed reports shall be forwarded to the respective bureau commanding officer for approval.

Note: No crime information shall be supplied directly to members of the City Council or the Bureau of Engineering by any Area. Bureau C/O's shall review, approve and disseminate this information once it has been compiled by their respective Areas.

In situations where Area commanding officers desire to initiate the temporary closure of a thoroughfare within their Area, a formal written request from the commanding officer shall be prepared and submitted to the City Council District Office in which the thoroughfare is situated. If appropriate, the request will then be forwarded to the Bureau of Engineering for review and investigation, and then forwarded to the full Council for approval.

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The reports shall adhere to the following guidelines when applicable:

- * All Areas shall provide an analysis of the current "serious and continual" crime problems. The analysis should include the progress (or lack thereof) and goals for eliminating the problem.
- * The terms "serious and continual" criminal activity must be used when describing criminal activity that warrants a thoroughfare closure. In cases of requests for an extension, explain fully the reasons why a temporary thoroughfare closure location warrants a closure extension.
- * Upon the attainment of established goals or the inability to attain such goals, Areas shall document fully why a temporary thoroughfare closure location should be reopened or remain closed.

Note: Area commanding officers shall also ensure that semi-annual audits of temporary closure locations are completed and distributed to their respective bureaus.

Additionally, it will be the responsibility of each Area to closely monitor the identified criminal activity in the area of the closure. When the criminal activity has been sufficiently abated to reopen the thoroughfare, the Area shall request their bureau to notify the concerned Council District office and advise them of the change. Areas may also request a continuation of a closure based upon their findings.

Bureau Commanding Officer's Responsibilities

Upon receiving thoroughfare closure crime information reports from an Area, bureau commanding officers shall review the crime information reports to ensure that all required criteria have been met. If approved, bureau commanding officers shall ensure that the original Area reports are forwarded to the requesting entity. In addition, bureau commanding officers shall forward copies of the Area reports to the Evaluation and Administration Section (EAS), Office of Operations (O.O.). Additionally, bureau commanding officers shall ensure that semi-annual audits of all temporary thoroughfare closure locations within their bureaus are completed and forwarded to EAS.

Evaluation and Administration Section, Office of Operations' Responsibilities

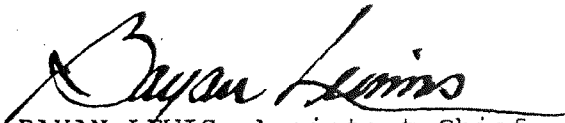
The EAS, O.O., will review all Area temporary thoroughfare closure reports for compliance with this directive and maintain file copies for future reference.

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The ability to temporarily close City thoroughfares provides the Department with an invaluable crime reduction tool. Adherence to the policies and procedures outlined in this Order will enable the Department to work in conjunction with outside entities in a uniform manner. It is only through the cooperative efforts of all responsible entities, that the Department can achieve its goal to provide proactive measures to reduce various offenses in and around our communities.


BAYAN LEWIS, Assistant Chief
Director
Office of Operations

Attachment

DISTRIBUTION "O"

LOS ANGELES CITY COUNCIL ADOPTED AND APPROVED
PROCEDURES FOR THE TEMPORARY CLOSURE OF CITY THOROUGHFARES

The following procedures were established for temporary thoroughfare closures on a "block by block" basis:

1. The Council member of the district shall introduce a Motion directing the City Engineer to investigate the feasibility of a temporary thoroughfare closure, or forward a written request to the City Engineer requesting this investigation.
2. The City engineer or Council Office shall request the Police Department to provide information and data that verifies substantial criminal activities within the thoroughfare being closed.
3. Adjoining property owners must agree to the closure by signing the consent form. The percentage of adjoining property owners agreeing to the closure by signing the consent form must be satisfactory to the Council Office of the district.
4. The City Engineer shall refer the closure request to the appropriate City offices and outside agencies for comments and recommendations.
5. The City Engineer shall prepare a report making appropriate recommendations as to the feasibility of the closure.
6. The City Clerk shall notify the adjacent property owners of the proposed closure, and date of the public hearing. Additionally, notification will be published in a local newspaper and any affected schools will be notified.

Note: If the temporary closure encompasses any school, the Bureau of Engineering will have the responsibility for making the closure notification.

7. If a temporary closure by Ordinance or Resolution is approved by the City Council, the adjoining property owners shall effect the closure within six months at no cost to the City, or the City Engineer may recommend that the approval be rescinded. If the City Council determines the closure shall be initiated at no cost to the property owner, an appropriation may be made to the respective department(s) to close the thoroughfare and install warning signs. Appropriate closure devices acceptable to the City Engineer with concurrent approval of the Fire Department shall be used.

8. The period of the closure shall be for eighteen months, extendable upon request and with necessary City Council approval, for one additional period of not more than eighteen months. A review of the closure area will be conducted every six (6) months to evaluate the effectiveness of the closure. The evaluation will be based upon the criteria established at the time of the closure. The thoroughfare may be reopened prior to the expiration of the eighteen months period if the evaluation indicates it is safe to do so.
9. When the closure devices are installed by the adjoining property owners, they shall also be responsible for the removal of the devices at the end of the allowed closure period at no cost to the City.

The City Council also approved the following policy for the temporary closure of all thoroughfares due to criminal activities pursuant to California Vehicle Code Section 21101.4:

1. A "temporary closure" may be initiated by either a City Council Motion or by a written request from a Councilmember's office to the City Engineer.
2. The City Council Office or the City Engineer shall obtain the Police Department's recommendation favoring the temporary closure as a means to reduce the criminal activity in the thoroughfare.
3. The City Engineer shall investigate the feasibility of the thoroughfare closure and shall refer the request to the appropriate City department or agency for comments and recommendations.
4. (Adjoining property owners must agree to the closure by signing the consent form. The Council Office of the involved district will evaluate the property owner's approval percentages and determine if the numbers are sufficient to approve the closure.
5. The City Engineer shall prepare and submit a City Engineer's report with recommendations to the Public Works Committee of the City Council.
6. The thoroughfare shall be temporarily closed, at no cost to the City, with gates or fences approved by the City Engineer within six months after City Council approval of the temporary closure; or the City Engineer may recommend that the approval be rescinded.

7. The period of closure shall be for eighteen (18) months from the date of City Council approval. This time period may be extended upon request from the Department and with City Council approval, for one additional period not to exceed an additional eighteen (18) months.
8. The adjacent property owners shall be responsible for maintenance of the closed area and the closure devices for the duration of the closure.

The City Council has directed the Bureau of Engineering to be the coordinating agency in handling requests for the temporary closure of all thoroughfares.