OFFICE OF THE CHIEF OF POLICE

NOTICE
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September 7, 2021

TO: All Department Personnel

FROM: Chief of Police

SUBJECT: REMINDER RE SUSPENSION OF ENFORCEMENT OF LOS ANGELES MUNICIPAL CODE (LAMC) SECTION 56.11(10)(d) – RESISTING, DELAYING OR OBSTRUCTING A CITY EMPLOYEE'S REMOVAL OF BULKY ITEMS

On April 13, 2020, a federal district court in *Garcia vs. City of Los Angeles*, CV 19-6182 DSF, determined it was unreasonable for the City to seize and immediately destroy bulky items simply because of their size, and issued a preliminary injunction prohibiting the City from enforcing LAMC Section 56.11(3)(i) (removing an item because of its designation as a "bulky item") **and** LAMC Section 56.11(10)(d) (taking criminal enforcement against a person who resists, delays or obstructs a City employee in the removal of a bulky item under Section 56.11(3)(i)). On September 2, 2021, the Ninth Circuit Court of Appeal affirmed the preliminary injunction, which remains in full force and effect.

As a reminder, Department personnel shall not enforce Los Angeles Municipal Code Section 56.11(3)(i), *Storage of Bulky Item in a Public Area*, or 56.11(10)(d), *Resisting, Delaying or Obstructing a City Employee's Removal of Bulky Items*.

Enforcement Considerations:

The City may continue to enforce the other provisions of 56.11, including removing items in violation of LAMC 56.11.3(a)-(h), including items that block access under the Americans with Disabilities Act, or which pose an immediate threat to public health and safety, regardless of the size of the item. As such, officers may take enforcement action against persons who resist, delay or obstruct a Department of Sanitation or other City employee who is removing the item(s) for any permissible reasons under LAMC 56.11.3(a)-(h). **The offender would be cited for violation of LAMC Section 56.11(10)(a).**

Any questions regarding this Notice can be directed to the Office of Operations Homeless Coordinator, at (213) 486-6633.

MICHEL R. MOORE
Chief of Police

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