

11-1072

MOTION

"Implementing a CLEAN HANDS ORDINANCE in the City of Los Angeles."

The development process in the City of Los Angeles is crucial for the ongoing recovery of the economy. While the City must do its part to encourage this type of activity, it must also do everything it can to rid the process of fraud and abuse.

The Department of Building and Safety currently has safeguards in place when contractors are operating without permits and/or acting outside of the context of the allowed frame of work for that specific project. However, this continues to be abused.

There have been instances where a project has been cited for a certain violation but continues to pull permits for a different matter. This type of activity should not be allowed. Once a project has violated the law, and issued a stop work order permit, they should not be allowed to continue the project on any level without first complying with their initial violation.

The County of Los Angeles has a "clean hands" ordinance which states, "If you violate the zoning code, we will not process a new application on your property until you remedy the existing violations." This law holds violators of the law accountable.

The City of Los Angeles, however, does not have a "clean hands" ordinance. So property owners with multiple violations have been allowed to obtain grading, building, and other permits without first bringing their properties into compliance with zoning and other land-use requirements. This is a major loophole in the land-use regulation enforcement process which allows for constant abuse of City policy.

This issue can easily be cured by adopting a "clean hands" ordinance similar to Section 22.04.110 of the County's Zoning Code.

I THEREFORE MOVE the City Council instruct the Department of Building and Safety to report back to the Audits & Governmental Efficiency Committee on the constant abuse & fraud on the City's zoning and land-use policy.

I FURTHER MOVE the City Council instruct the City Attorney to work with the Department of Building & Safety to draft and present an Ordinance which mirrors the County policy found in Section 22.04.220 of their zoning code.

PRESENTED BY:

Dennis P. Zine
DENNIS P. ZINE
Councilmember, 3rd District

SECONDED BY:

E.G.

ORIGINAL

22 2011