

REPORT OF GENERAL MANAGER

NO. 05-146

DATE: June 1, 2005

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: REVISION OF VENICE BEACH BOARDWALK PUBLIC EXPRESSION PERMIT RULES AND REQUEST FOR CORRESPONDING ORDINANCE CHANGES

S. Huntley	J. Kolb	_____
*J. Combs	F. Mok	_____
H. Fujita	K. Regan	_____
B. Jensen		_____

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve the revised Venice Beach Boardwalk Public Expression Permit Program Rules attached to this report; and,
2. Request the City Attorney to draft an ordinance amending LAMC 42.15 to provide that all spaces for general expression and performers have the same boundaries, 10 feet by 8 feet.

SUMMARY:

On October 1, 2003, the Board of Recreation and Park Commissioners approved Report No. 03-313, the Public Expression Participant Program at Venice Beach Boardwalk. This permit program establishes the policies and procedures for those individuals who wish to conduct public expression activities at the Venice Boardwalk and requested the City Attorney to draft an ordinance amending Los Angeles Municipal Code Section 42.15 to authorize enforcement by LAPD.

Following the adoption of the Board Report, a working group began meeting to plan the implementation and enforcement of the public expression program. This group consisted of representatives from the City Attorney, LAPD, Council District 11, and the Department. Revisions to the program rules were approved by the Board on April 7, 2004 (Report No. 04-96). Those changes included renaming the title to make it easier for the public to identify the program's purpose,

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clarification that violations of Los Angeles Municipal Code Section 42.15 would constitute administrative violations of the rules, and technical changes to the program regulations regarding the one-time processing fee of \$25 and the permit revocation process.

On February 2, 2005, the Board approved additional revisions to the rules to further define the process used to select permit holders and authorize a semi-monthly lottery procedure (Report No. 05-44). The first lottery was held on February 26, 2005. Currently, 487 permit holders are in the program. A total of six lotteries have been held, with an average of 30 performers and 120 general expression assigned spaces. On average, 22 permittees have been turned away from obtaining a designated space at each lottery, due to the limited number of spaces. At times, permit holders are issued spaces but do not use them at all times, leaving them empty. Permit holders who have been unable to obtain spaces have complained about the unused spaces. A total of 31 written notices of violation of the program rules have been issued. The Department's purpose in citing people is to achieve compliance with LAMC Sec 42.15 as implemented by the program rules adopted by the Board.

The attached revision to the rules will address several problems that have become apparent since the lottery selection has been enacted. Several meetings of the ad hoc committee designated by the Councilmember have been held with residents, performers, public expression permit holders, and Council representatives to discuss suggestions and options for improving the rules and regulations. A summary of the proposed revisions is as follows:

- In order to address the limited number of spaces, staff recommends amending Municipal Code Sec 42.15 by ordinance, and changing the rules so that the designated spaces are to be 10 feet by 8 feet. Currently, there are 154 spaces. The reconfiguration, with all spaces equal size, will create 200 designated spaces.
- To address the issue of empty spaces, staff recommends having two lotteries held each Tuesday, one for weekday designated spaces (Monday through Friday), and another for weekend spaces (Saturday and Sunday). Weekend space assignments would be in effect the weekend following the lottery, and weekly assignments would be in effect the following Monday.
- In order to address the numerous "noise" complaints, staff recommends prohibiting amplified sound before 9:00 a.m. and after dusk and to designate performer spaces away from street corners.

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- Changes in Boardwalk Regulations:
  1. Add "Section 42.15 prohibits all purely commercial vending." to regulation No. 1.
  2. Add "Amplified sound is prohibited on the boardwalk before 9:00 a.m. and after dusk." to regulation No. 7.
  
- Other Rule changes:
  1. Lottery to be held every Tuesday. One lottery to be for assignment of spaces for weekdays and a second lottery for assignment of spaces for weekends.
  2. Place of lottery changed to outdoor area in front of LAPD substation.
  3. More spaces available (200 total spaces) for assignment.

### FISCAL IMPACT STATEMENT:

The revised rules will have no impact to the General Fund.

This report was prepared by Vicki Israel and Alexa Esparza.

*City of Los Angeles Department of Recreation and Parks*  
**VENICE BEACH RECREATION CENTER**  
(Revised – (6/01/05))

**VENICE BEACH BOARDWALK PUBLIC EXPRESSION  
PERMIT PROGRAM RULES**

**A Tradition of Public Expression on the Venice Beach Boardwalk:**

The Boardwalk at Venice Beach is world-famous for its free performances and public expression activities. This tradition of performance and free speech is maintained under the Municipal Code of the City of Los Angeles (Section 42.15, copy attached), which prohibits commercial vending on the Boardwalk, but protects free speech activities. Improvements completed to the Boardwalk and Windward Plaza in 2001 have made the Venice Beach area even more popular with visitors, and the number of persons who wish to perform, show their art, or otherwise exercise their right to public expression also has expanded, creating problems in noise and congestion on the Boardwalk. The City of Los Angeles, Department of Recreation and Parks, has adopted a permit program to organize this activity. The Department and the Venice Beach Recreation Center would like to express our appreciation for your cooperation in keeping Venice Beach a safe, well-maintained and enjoyable area.

**Public Expression Permit Program:**

The Board of Recreation and Park Commissioners has established policies and procedures for participants who wish to conduct Public Expression activities on the west side of the Venice Boardwalk in the City of Los Angeles. Those individuals who are asking for money or soliciting donations in relation to their public expression activities must have a permit. Under these policies, the Department will issue a permit to persons who wish to conduct public expression activities on the west side of the Venice Boardwalk and assign space under a ~~2<sup>nd</sup> and 4<sup>th</sup>~~ Saturday lottery program. **weekday and weekend Lottery program.**

**Applying for a Permit:**

To apply for a permit, please complete an application form. Application forms are available from the Venice Beach Recreation Center, 1800 Ocean Front Walk. You may come to the office to obtain a form or you may request and receive one by mail. After filling out the form, return it in person, to the Venice Beach Recreation Center office, along with a one-time processing fee of \$25.00. The one-time processing fee pays for a photo identification card, which is your permit. The permit has no expiration date and is non-refundable. It is a lifetime permit unless revoked or lost, but to get a new or replacement permit, you must reapply and pay the fee again. Permits are only for individuals.

**Public Expression Spaces on the Boardwalk:**

The Department has drawn a plan of spaces on the west side of the Venice Beach Boardwalk which can be assigned to public expression permit holders. A total of ~~154~~ 200 spaces are marked and numbered on the Boardwalk. ~~One Hundred Eighteen (118)~~ **One Hundred Sixty (160)** spaces, 10' wide by 8' deep in size, are for general expression. An additional ~~36~~ 40 spaces, ~~20'~~ 10' wide by 8' deep are for performance use only. Only marked and numbered spaces may be assigned for public expression activities. Assignments are made through Lottery.

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### The Lottery:

A Lottery will be held ~~on the 2<sup>nd</sup> and 4<sup>th</sup> Saturday of the month~~ every Tuesday for weekdays (Monday through Friday) and weekends (Saturday and Sunday) to determine specific space assignments on the west side of the Boardwalk.

The Lottery, under the supervision of the Venice Beach Recreation Center staff, will be held ~~on the 2<sup>nd</sup> and 4<sup>th</sup> Saturday of the month~~ every Tuesday at 8:30 a.m. at ~~Westminster Senior Center, 1234 Pacific Avenue Venice, CA 90291.~~ Venice Beach Recreation Center, 1800 Ocean Front Walk, Venice, CA 90291 (In front of the Los Angeles Police Department Substation). Persons needing special accommodation due to disability should bring their documentation for discussion with the Lottery staff no later than 8:00 a.m. the day of the Lottery.

The Lottery will be conducted in two parts—one for ~~the 36 performance spaces weekdays,~~ (Monday through Friday) at 8:30 a.m., and one for ~~other 118 spaces available for general expression weekends (Saturday and Sunday)~~ at 9:30 a.m. Persons who will be performing and want Monday through Friday spaces will put their ID cards in the "performance space" hopper and all others desiring a space will put their ID cards in the "general use space" hopper between 8:15 a.m. and 8:30 a.m. At 8:30 a.m., the Lottery Committee staff will announce "Last Call for Lottery". At that time, the ID cards will be drawn, one at a time, by a staff member. As each card is drawn, the person whose card is drawn will choose an identified numbered space on the Boardwalk (as shown on the Boardwalk Plan) which has not yet been selected for the following time period. Persons who will not be performing will choose a space designated for general use. Permit cards will be handed back with a space assignment slip or sticker. After the weekday Lottery is concluded, the weekend Lottery will be held. Persons who will be performing, and want Saturday – Sunday spaces will put their ID cards in the "performance space" hopper and all others desiring a space will put their ID cards in the "general use space" hopper between 9:15 a.m. and 9:30 a.m. At 9:30 a.m., the Lottery Committee staff will announce "Last Call for Lottery". At that time, the ID cards will be drawn, one at a time, by a staff member. As each card is drawn, the person whose card is drawn will choose an identified numbered space on the Boardwalk (as shown on the Boardwalk Plan) which has not yet been selected for the following time period. Persons who will not be performing will choose a space designated for general use. Permit cards will be handed back with a space assignment slip or sticker. A roster of assigned spaces for the coming time period will be available at the Venice Beach Recreation Center Office and the Los Angeles Police Department Substation.

Space assignments for the weekends (Saturday and Sunday) will be in effect the Saturday and Sunday of the Lottery. Space assignments for the weekdays (Monday through Friday) will be in effect from the following Monday through Friday after the Lottery is held. ~~until the Sunday after the subsequent Lottery is held (e.g., Lottery held the 2<sup>nd</sup> Saturday of October, 2005, will assign spaces for October 10 through October 23<sup>rd</sup> and the Lottery held on the 4<sup>th</sup> Saturday in October, 2005, will assign the spaces for October 24 through November 13~~ After the total number of spaces available for "performance" or "general use" has been assigned, persons not selected in the Lottery will not be assigned for a space for that time period but will have another chance in the next weekly Lottery.

After completion of the ~~2<sup>nd</sup> and 4<sup>th</sup> Saturday~~ Lottery, if any performance or general use spaces remain unassigned for the time period covered by the Lottery, any permit holder may request

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assignment of an unassigned space from the Venice Beach Recreation Center staff for the remainder of that time period on a first come, first served basis. The rules applicable to post-Lottery assigned spaces shall, in all other respects, be the same as the rules applicable to spaces assigned by the Lottery.

**Lottery Rules:**

1. You must be physically present at the time of the drawing.
2. You may not select a space and give it to or trade it with any other person, including members of your own family.
3. You may not sell or offer an exchange with any other person.
4. You may not buy a space from a permit holder for money or barter.

**Boardwalk Regulations:**

All public expression permit holders must comply with applicable laws and ordinances in their use of assigned spaces under this program. The Board of Commissioners has also adopted these regulations for permitted use of assigned spaces on the Boardwalk.

1. Receiving payment or accepting any donation in connection with activities prohibited by Section 42.15, is a violation of these rules. **Section 42.15 prohibits all purely commercial vending.**
2. Assigned spaces cannot be occupied before 9:00 a.m. and must be vacated by dusk.
3. Assigned spaces must be kept clean; and litter, debris, or any marking must be removed from the assigned space by dusk.
4. Gasoline-fueled generators are not allowed. Electric cords may not be connected outside the assigned space or to any City power source.
5. Assigned spaces cannot be enclosed on more than 2 sides.
6. Structures, fixtures, furniture, tents or displays of any kind cannot extend higher than 4 feet above the ground, except an umbrella or sun shade.
7. Persons must comply with regulation of noise levels as established by the applicable sections of the Los Angeles Municipal Code (L.A.M.C.) **Amplified sound is prohibited on the boardwalk before 9:00 a.m. and after dusk.**
8. The free movement of pedestrian or emergency vehicles cannot be blocked or obstructed. Parking or unloading in red zones is not permitted.
9. Permit holders must display the Recreation and Parks issued photo identification card at all times when in the assigned space.
10. A permit holder can only set up in the space assigned to him or her, for the time period covered by the Lottery and must keep all items within the space as outlined by marks on the Boardwalk. No items may be placed on the grass, beach or parking lots.
11. Permit holders may not move public furniture, equipment, or fixtures (examples are benches and trash cans) and may not attach anything to public property.
12. Permit holders may not interfere with any City staff person, including Recreation and Parks Department or Los Angeles Police Department personnel doing his or her job, including inspecting your display or issuing a notice of violation of the permit rules.
13. Permit holders may not verbally abuse or threaten another permit holder, staff member, other departmental or City personnel, store merchant, or any member of the public, or distract listeners by blocking views or using offensive or threatening language.
14. Falsifying or reproducing permit cards is grounds for immediate revocation of permission.

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15. The permit holder must be present in the space assigned to him or her at all times that expressive activity is taking place in the assigned space.

Permit holders who do not comply with City laws or the public expression program rules are subject to revocation of their permit.

#### **Permit Suspension/Revocation:**

If a permit holder violates the rules of the public expression permit program, he or she will receive notices and be subject to reimbursement of costs, probation, suspension of the permit, or revocation of the permit.

1. The first violation of the rules will result in a written notice being issued to the permit holder. This notice will require compliance and payment of any costs for necessary repairs or cleanup, if that is the nature of the violation. The permit holder may also be asked to leave at the time of notice. An assigned space cannot be occupied by a permit holder until any charges for clean up or damage repair are paid.
2. The second violation of the rules will result in a written notice, which will require payment of any costs if that is the nature of the violation, and suspension of use of the assigned space for the remainder of the applicable Lottery time period and suspension of Lottery privileges for the next Lottery.
3. The third violation of the rules, or third violation of Section 42.15 or any combination thereof, will result in revocation of the permit.
4. If a single offense constitutes both a violation of a program rule and a violation of Section 42.15, it shall be considered one offense for purposes of permit revocation.

Department staff will notify the Los Angeles Police Department of permit holders who are suspended for any period, or who have had his or her permit card revoked. If LAPD issues a criminal citation to a permit holder while in a permitted space, a copy of that citation will be given to Department staff and treated as an administrative violation under the three-step enforcement plan.

At each step, a permit holder may appeal an administrative violation. The Recreation and Parks District Supervisor will consider and reply to any appeals. That is the final appeal for first or second offenses. On a third offense, consisting of program rule violations, Municipal Code Section 42.15 violations, or a combination of both, the permit holder may appeal. A revocation appeal will be heard and considered by a five-person board consisting of: a representative of the Park Advisory Board designated by the Board of Recreation and Park Commissioners; a community member appointed by the Council Office; a member of the Venice Neighborhood Council appointed by the Neighborhood Council; the Senior Lead Officer for the Pacific Division of the Los Angeles Police Department; and the General Manager of the Department of Recreation and Parks or the General Manager's designee. The conclusion of the applicable appeal process shall constitute exhaustion of administrative remedies pursuant to California Code of Civil Procedure 1094.5.

A permit holder who has had his or her permit finally revoked for the Venice Boardwalk can re-apply in one calendar year from the revocation date.

**Please Sign a Copy for our Records**

Thank you for your compliance with the rules. For questions or concerns, please call us at (310) 399-2775.

I have read the above rules and Los Angeles Municipal Code Section 42.15 (a copy is attached hereto), and agree to abide by all rules and laws governing the public expression permit program at Venice Boardwalk. I understand that any violation of these rules or laws may cause my permit to be suspended or revoked.

(Signature of Applicant/Permittee) \_\_\_\_\_

Date \_\_\_\_\_

Initial \_\_\_\_\_



# Venice Beach Permit Program Count "LOTTERY NUMBERS"

May 15<sup>th</sup> - Number of Permit Holders in Program: 487

	2/26/05	3/12/05	3/26/05	4/9/05	4/23/05	5/14/05
# of Permit holders at the lottery	150	170	200	180	179	260
# of Performers who obtained a spot at the lottery	20	30	32	30	30	33
# of General Artists who obtained a spot at the lottery	118	118	118	118	124	124
# of Empty performer spaces at the end of the lottery	17	7	5	7	7	0
# of Empty general spaces at the end of the lottery	0	0	0	0	0	0
# of Total empty spaces after the lottery	17	7	5	7	7	0
# of People turned away Every Tuesday following the lottery. The number of people who participated in the second lottery for spaces.	15	20	50	25	25-30	103
			25	35	40	0

Total Number of Verbal Warnings Given Out

Total Number of People with Written Violations	31
Total Number of People with One Written Violation	19
Total Number of People with Two Written Violations	12
Total Number of People with Three Written Violations	0

**ORDINANCE NO. 176970**

An ordinance amending Section 42.15 of the Los Angeles Municipal Code to require that the public expression activities allowed by that section be exercised in designated spaces on the Venice Beach Boardwalk, and that the use of those designated spaces be regulated by a permit process.

**WHEREAS**, the Boardwalk at Venice Beach is world-famous for its free performances and public expression activities, a tradition that is maintained pursuant to Los Angeles Municipal Code (LAMC) Section 42.15, which prohibits commercial vending, and

**WHEREAS**, recent improvements completed to the Boardwalk have made the area even more popular with visitors than ever before, and the number of persons wishing to perform, show their paintings, sculptures or photographs, or otherwise exercise their right to public expression also has increased, creating problems in noise, crowd control and competition for space among those wishing to legally perform, exhibit, or otherwise engage in expressive activity on the Boardwalk; and

**WHEREAS**, to alleviate noise, control crowds, provide for emergency ingress and egress for health, safety and law enforcement purposes, allocate available space on the Boardwalk in an equitable manner that balances the uses of visitors, businesses and residents located adjacent to the Boardwalk with those wishing to receive space for the legal exercise of their public expression activities, and to provide for public access to and enjoyment of the Boardwalk and Venice Beach, the Department of Recreation and Parks has adopted a permit program to organize and regulate the activities allowed on the Boardwalk by LAMC Section 42.15; and

**WHEREAS**, for purposes of enforcement, and to make certain violations of the permit regulations punishable as misdemeanors, the City desires to codify those violations of the permit program included in this ordinance

**NOW THEREFORE,**

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

**Section 1. SEC. 42.15. PEDDLING, HAWKING AND VENDING IN BEACH AREAS** is amended to read:

- A.** No person shall hawk, peddle, vend or sell, or request or solicit donations for, any goods, wares, merchandise, foodstuffs or refreshments upon any public beach lands or beach properties adjoining the waterfront of the

Pacific Ocean, or upon any boardwalk, sidewalk or public way immediately adjacent thereto between the southern boundary of the City of Santa Monica and the northern boundary of the City of El Segundo and between the northwestern boundary of the City of Santa Monica and the northwestern boundary of the City of Los Angeles.

- B. No person shall use any City-owned or maintained street furniture or structure, including but not limited to, any bench, planter or trash receptacle, installed on public property for the display of anything whatsoever in connection with the sale, or offer for sale of any goods, wares, merchandise, foodstuffs or refreshments.
- C. Nothing in this section shall be construed to prohibit the sale or offering for sale, or the possession, control or custody of newspapers, magazines, periodicals, or other printed matter commonly sold or disposed of by news vendors, nor shall the same be applicable to or prohibit persons engaged in the selling or offering for sale or disposing of newspapers, magazines, periodicals, or any other such printed matter from crying, calling attention to, hawking, advertising or proclaiming the same.

This section shall not prohibit the sale of merchandise constituting, carrying or making a religious, political, philosophical or ideological message or statement which is inextricably intertwined with the merchandise. Nor shall the provisions of this section prohibiting sales or soliciting of donations apply to any performer or musician engaging in constitutionally protected activities, or to any painter, sculptor or photographer, provided the painter, sculptor or photographer is displaying his or her own original creations and/or limited editions. Each such painting, sculpture, photograph or limited edition thereof shall bear the original signature of the painter, sculptor or photographer and said painter, sculptor or photographer shall be in possession of a valid, signed personal photographic identification card or document at all times while engaging in activities which would otherwise be prohibited by this section.

- D. No person shall receive any payment or accept any donation in connection with any activities not otherwise prohibited by this section unless that person holds a valid "Public Expression Participant Permit" issued pursuant to the program adopted by the Board of Recreation and Park Commissioners on October 1, 2003, as that program may be amended by the Board from time to time. The permit is not transferrable and the permittee must be present in the permitted space at all times that permitted activity is occurring. No person shall place or allow anything within the permitted space that extends beyond the boundaries of the permitted space (20 feet by eight feet for performers, and ten feet by eight feet for all others), nor shall the permit holder conduct any activities

requiring a permit outside the boundaries of the permitted space. No person shall set up, take down or use a permitted space between sunset and 9:00 a.m. No person shall place or allow any item (except an umbrella or other sun shade) exceeding four feet above ground in the permitted space, nor shall any item placed in the permitted space have more than two sides. No person shall alter or reproduce any permit issued pursuant to the program, nor shall any person possess an altered, reproduced or falsified permit document.

The permit may be revoked in accordance with the program adopted by the Board of Recreation and Park Commissioners for violations of the program rules. Revocation shall occur upon a third violation of a program rule, a third violation of the conditions set forth in this section, or a combination of any three violations of the program rules or conditions set forth in this section. A notice of violation of the program rules may be appealed to the Department of Recreation and Parks District Supervisor. Revocation of a permit may be appealed to a 5-person board consisting of: a representative from the Park Advisory Board designated by the Board of Recreation and Park Commissioners; a community member appointed by the Councilmember of the District; a member of the Venice Neighborhood Council appointed by the Neighborhood Council; the Senior Lead Officer for the Pacific Division of the Los Angeles Police Department; and, the General Manager of the Department of Recreation and Parks or the General Manager's designee. The conclusion of the applicable appeal process shall constitute an exhaustion of administrative remedies pursuant to California Code of Civil Procedure Section 1094.5.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of OCT 27 2004

J. MICHAEL CAREY, City Clerk

By *Michael Carey*  
Deputy

Approved NOV 01 2004

*James Hahn*  
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By *Mark L. Brown*  
MARK L. BROWN  
Senior Assistant City Attorney

Date 10-27-04

File No. 04-1566

(94995)

**ORDINANCE NO. 170518**

An Ordinance amending Ordinance No. 170270 to make a technical correction to Subsection D of Section 42-15 of the Los Angeles Municipal Code.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

**Section 1. Subsection D of Section 42-15 of the Los Angeles Municipal Code is deleted in its entirety and replaced with:**

- D. No person shall receive any payment or accept any donation in connection with any activities not otherwise prohibited by this section unless that person holds a valid "Public Expression Participant Permit" issued pursuant to the program adopted by the Board of Recreation and Park Commissioners on October 1, 2003. Such program may be amended by the Board from time to time. The permit is not transferable and the permittee must be present in the permitted space at all times that permitted activity is occurring. No person shall place or allow anything within the permitted space that extends beyond the boundaries of the permitted space (20 feet by eight feet for performers, and ten feet by eight feet for all others), nor shall the permit holder conduct any activities requiring a permit outside the boundaries of the permitted space. No person shall set up, take down or use a permitted space between sunset and 9:00 a.m. No person shall place or allow any item (except an umbrella or other sun shade) exceeding four feet above ground in the permitted space, nor shall any person cause or allow a permitted space to be enclosed on more than two sides. No person shall alter or reproduce any permit issued pursuant to the program, nor shall any person possess an altered, reproduced or falsified permit document.**

The permit may be revoked in accordance with the program adopted by the Board of Recreation and Park Commissioners for violations of the program rules. Revocation shall occur upon a first violation of a program rule, a third violation of the conditions set forth in this section, or a combination of any three violations of the program rules or conditions set forth in this section. A notice of violation of the program rules may be appealed to the Department of Recreation and Parks District Supervisor. Revocation of a permit may be appealed to a 5 person Board consisting of a representative from the Park Advisory Board designated by the Board of Recreation and Park Commissioners, a community member appointed by the Council member of the District, a member of the Venice Neighborhood Council appointed by the Neighborhood Council, the Senior Lead Officer for the Public Division of the Los Angeles Police

**Department; and, the General Manager of the Department of Recreation and Parks or the General Manager's designee. The conclusion of the applicable appeal process shall constitute an exhaustion of administrative remedies pursuant to California Code of Civil Procedure Section 1094.5.**

**Sec. 2. The operative date of this ordinance shall be December 13, 2004.**

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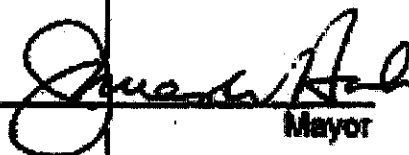
**Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.**

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of DEC 07 2004

FRANK T. MARTINEZ, City Clerk


By   
Deputy

Approved DEC 18 2004

  
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By   
MARK L. BROWN  
Senior Assistant City Attorney

Date 11-21-04

File No. 04-1598

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