

ORDINANCE NO. 174736

An ordinance amending Sections 91.6203 and 91.6205.18.2 of the Los Angeles Municipal Code to establish the amount of the Off-Site Sign Periodic Inspection Fee and adding Article 13.7 to Chapter 5 of Division 5 of the Los Angeles Administrative Code, to provide for an Off-Site Sign Periodic Inspection Fee Trust Fund.

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

Section 1. Section 91.6203 of the Los Angeles Municipal Code is amended by adding a new definition of the term "Off-Site Sign Structure" in proper alphabetical order to read:

Off-Site Sign Structure. A structure of any kind or character, erected, used or maintained for an off-site sign or signs, upon which any poster, bill, printing, painting, projected image or other advertisement may be placed.

Sec. 2. Section 91.6205.18.2 of the Los Angeles Municipal Code is amended to read:

91.6205.18.2. FEES FOR INSPECTION. This fee shall be known as the "Off-Site Sign Periodic Inspection Fee." The person in control of an off-site sign subject to inspection shall pay a regulatory fee on or before October 1, 2002. Thereafter, the fee shall be due on October 1 of each and every year. The fee for the 2002-2003 fiscal year is \$314.00 per off-site sign structure.

If the fees are not paid on or before the last day of the month in which they are due, a monthly penalty equal to five percent (5%) of any outstanding fees, but not less than \$10.00, shall be added to said fees. Any fees remaining unpaid after the last day of the month shall continue to accrue an additional monthly penalty of five percent (5%) of the outstanding principal fees on the last day of each month until paid in full. Should the owner fail to pay the required fee, the City of Los Angeles will recover it, plus accrued penalties, utilizing any remedies provided by law.

The Department shall cause all money collected pursuant to this section to be deposited into the Off-Site Sign Periodic Inspection Fee Trust Fund described in Section 5.111.17 of the Los Angeles Administrative Code for purposes of disbursement as that section permits. Any unspent fees collected under the provisions of this section shall be credited and considered for purposes of determining the amount of the fee for the next fiscal year. The Department of Building and Safety shall report to the City Council, no later than June 30 of each

year, on the actual costs of the regulatory program and shall recommend the amount of the fee for the next fiscal year.

The regulatory fee shall be used to finance the costs of administering the inspection program, including but not limited to investigation, inspection, issuance of inspection certificates, maintenance of the off-site sign database and the cost of civil enforcement. Payment of the fee shall not create a presumption that the sign is lawfully erected, as that term is defined in Section 91.6202.3 of this Code.

Sec. 3. Article 13.7 is added to Chapter 5 of Division 5 of the Los Angeles Administrative Code to read:

ARTICLE 13.7

OFF-SITE SIGN PERIODIC INSPECTION FEE TRUST FUND

Sec. 5.111.17. Creation and Administration of the Fund.

(a) There is created and established in the Treasury of the City of Los Angeles a special fund to be known as the "**Off-Site Sign Periodic Inspection Fee Trust Fund**," (the "**Fund**").

(b) The purpose of the Fund shall be for the receipt, retention and disbursement of all money collected as an Off-Site Sign Periodic Inspection Fee and any other money appropriated or given to the Fund for use in carrying out the purposes of the Off-Site Sign Periodic Inspection Fee program.

(c) Monies collected pursuant to Subsection (b) above, shall be deposited into the Fund. The monies in this Fund shall be used to offset the costs of administering the inspection program, including but not limited to investigation, inspection, issuance of inspection certificates, maintenance of the off-site sign database and the cost of civil enforcement. Enforcement includes investigating complaints to determine whether the off-site sign is in compliance with all applicable laws and to ensure correction of any noticed violation. The Fund shall be administered and expenditures authorized by the General Manager of the Department of Building and Safety or the designee of the General Manager ("General Manager"), in accordance with established City practice. There shall be no expenditure, transfer or other form of disbursement of monies from the Fund, except for purposes directly related to the administration and enforcement of Section 91.6205.18 of the Los Angeles Municipal Code.

(d) All interest and other earnings attributable to monies in the Fund shall be credited to the Fund and shall be devoted to the purposes of the Fund.

(e) The General Manager shall report to the City Council no later than June 30th of each year regarding and identifying all revenues and expenditures of the Fund, as well as the purposes for which the expenditures were made and a recommendation for the amount of the fee for the next fiscal year.

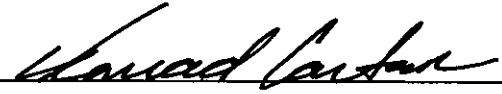
(f) At the close of any fiscal year, surplus money remaining in the fund shall continue to remain in the Fund. Any surplus money shall be considered and credited in determining the amount of the fee for the next fiscal year and shall not revert to the Reserve Fund.

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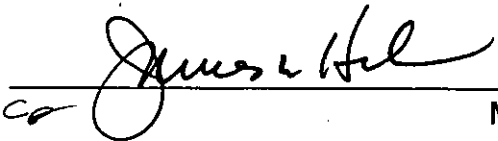
Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board 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 JUL 23 2002.

J. MICHAEL CAREY, City Clerk

By 
Deputy

Approved AUG 06 2002


Mayor

Approved as to Form and Legality

JUL 23 2002
ROCKARD J. DELGADILLO, City Attorney

By 
SHARON SIEDORF CARDENAS
Assistant City Attorney

File No. C.F. 02-0652