

To Captain Eppolito*

An open letter requesting the city ticket and tow RVs and OV's

Captain Eppolito,

Thank you for taking my call earlier this week. I write to follow up on the issues we discussed and to request the LAPD to work closely with the LADOT to aggressively and continually ticket the RVs and OV's which continually and illegally park on both sides of Washington Boulevard. Many are not currently licensed or unsafe. Many constitute nuisances. All adversely affect the people who live and work on Washington. The City has ample legal authority and resources to ticket and tow them, but has failed to do that in any consistent manner.

RVS, OV'S ON WASHINGTON AND ADJACENT STREETS

Venice resident Chris Cerbo took photos of RVs and OV's on Washington Boulevard and the corner of Washington Boulevard and Thatcher on Oct. 29.

The photos include RVs and OV's which:

- Have been continually parked in front of the Kinney for years
- Do not have current license tags or the tags are covered. These are on both sides of Washington Blvd between Marr and Ocean
- Are inoperable

LEGAL AUTHORITY TO REMOVE THE RVS AND OV'S

The following provisions of the California Vehicle Code and the Los Angeles Municipal Code authorize the City to ticket and tow these vehicles for the above violations of law.

California Vehicle Code sec. 22651. "A peace officer ... or a regularly employed and salaried employee who is engaged in directing traffic or enforcing parking laws and regulations of a city, in which a vehicle is located, may remove a vehicle located within the territorial limits in which the officer or employee may act, under the following circumstances:...(j) If a vehicle is found illegally parked and there are no li-

cense plates or other evidence of registration displayed, the vehicle may be impounded..."

California Vehicle Code sec.22669(d): "Motor vehicles which are parked, resting, or otherwise immobilized on any highway or public right-of-way and which lack an engine, transmission, wheels, tires, doors, windshield or any other part or equipment necessary to operate safely on the highways of this state, are hereby declared a hazard to public health, safety and welfare and may be removed immediately upon discovery by a peace officer or other designated employee of the state, county or city."

LAMC sec. 71.02.3: This authorizes the City to tow and impound unlicensed vehicles. "(a) It shall be unlawful for any person...to ... park any vehicle...on any street...within the ...City ... without a permit... by an authorized governmental entity in the State of California. (b) Violation of this section will subject the violator to impoundment of the unlawful vehicle by the City of Los Angeles and is deemed a misdemeanor. (c) Whenever any peace officer, public officer or employee of the City of Los Angeles arrests any person for violation of this section, the officer or employee shall impound and retain possession of any vehicle used in violation of this section until a court of competent jurisdiction or an officer or employee of the City of Los Angeles shall release said vehicle.

California Vehicle C. sec. 22651: This authorizes the City to remove a vehicle which is unlicensed and parked in excess of 72 hours: "(j) If a vehicle is found illegally parked and there are no license plates or other evidence of registration displayed, the vehicle may be impounded until the owner or person in control of the vehicle furnishes the impounding law enforcement agency evidence of his or her identity and an address within this state where he or she can be lo-

cated. (k) If a vehicle is parked or left standing upon a highway for 72 or more consecutive hours in violation of a local ordinance authorizing removal"

LAMC 88.13 (a) makes it unlawful to park next to an expired parking meter. (" (a) It shall be unlawful for any person to park... a vehicle in any parking meter space,... without immediately making or causing to be made a lawful payment at an applicable parking meter....")

In addition to all the above, these RVs and OV's and others like them constitute nuisances as defined by LAMC sec. 91.9002. The section states a nuisance includes "Any use of land that jeopardizes or adversely affects the public health, peace, or safety of persons residing...in the surrounding area;..." LAMC sec. 11.00 (l) authorizes the City to promptly abate nuisances.

CITY DOT OFFICERS CAN TICKET ALL THE ILLEGALLY PARKED RVS AND OV'S

At an Aug. 21 Q&A with some residents of Washington Boulevard and its nearby streets Juan Fregoso, the District Deputy for Councilwoman Park admitted that In a couple hours City DOT personnel could start at one end of Washington Boulevard, and ticket all the vehicles which violate the above laws, the City can issue liens against the vehicles and their owners if the tickets were not paid or successfully defended and that the city can tow ticketed vehicles.

THE CITY DOES NOT PAY TO TOW RVS AND OV'S

The City does not pay to tow RVs and OV's. On Aug. 21 and Aug. 27, I spoke with Kevin Bruff at Bruffy's Tow Service which regularly tows vehicles for the City. He told me that in almost all cases the City does not pay Bruffy's for towing or storing the vehicles it tickets. Instead, Bruffy's requires the vehicle owners to pay

Bruffy's to release the vehicle to them. He was adamant that Bruffy's always tows and stores vehicles when the City asks Bruffy to do that. Kevin insisted his contract with city requires him to do that and that the City does not pay Bruffy's for towing or storage.

THE CITY HAS AMPLE SPACE TO STORE THE RVS AND OV'S IT TOWS

Various City officials have claimed the City does not have the storage space to store the RVs and OV's it tows. This claim is without merit. For the City owns a huge vacant parcel of land within LAX at the intersection of 111th Street and Aviation. This parcel is three miles from the nearest house in Westchester. There are undoubtedly other City owned vacant parcels the City could use for this purpose.

THE RVS AND OV'S REMAIN ON WASHINGTON

On Oct. 30 at 7: 52 am, you sent an email which stated "I am deploying patrol resources there (Washington Blvd) within the hour to deal with this issue and we also coordinating with CD 11 for sanitation if needed at this location. Not to worry we will appropriately address these concerns in a timely manner." Shortly after that the LAPD and LADSAN removed a camper and his junk from the sidewalk in front of Hoyt Plaza on Marr but all the other RVs and OV's on Washington remained and were there at 4:30 p.m. that day. I counted 15.

CONCLUSION

The above shows the only way to deal with the RVs and OV's on Washington is to continually ticket them until they move and tow them if they refuse.

The City has the necessary funds and resources. Happy to help in any way. Just let me know how. Thank you for your consideration. ■

