

APPROVED
JAN 18 2006

REPORT OF GENERAL MANAGER

NO. 06-24

DATE January 18, 2006

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VENICE BEACH BOARDWALK – REVISION TO PUBLIC EXPRESSION PERMIT RULES

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

Robert H. Jensen (a)
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board approve the revision of the Venice Beach Boardwalk Public Expression Permit Program Rules, attached to this report, to allow organizations to apply for a permit.

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 on the public portion of the Venice Boardwalk. The Board requested the City Attorney to draft an ordinance amending LAMC Section 42.15 to authorize enforcement of the program by the Los Angeles Police Department (LAPD).

Since its inception, several revisions to the program rules have been approved by the Board. Additional changes are pending revisions of portions of LAMC sections 63.44 and 42.15 by the City Attorney and approval by City Council.

On July 8, 2005, suit was filed in Federal Court (Venice Food Not Bombs, et al v. City of Los Angeles, CV 05-4998 DDP (SSx)), seeking declaratory and injunctive relief and damages on behalf of associations and individuals who allege that portions of LAMC sections 63.44 and 42.15 are unconstitutional violations of their right to free expression. As advised by the City Attorney, pending re-drafting of the Code Sections and Program Rules, several provisions were temporarily suspended on August 9, 2005 (Board Report 05-220).

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While a previous revision of the rules recognized the need to treat organizations the same as individuals, specific provisions enabling organizations to apply for and receive permits were not included. An additional change to the rules is needed to allow organizations to apply for a permit, as part of the revisions necessary to protect the right to free expression and comply with the First Amendment to the United States Constitution.

FISCAL IMPACT STATEMENT:

This revision of the Venice Beach Boardwalk Public Expression Permit Program Rules will have no impact to the General Fund.

This report was prepared by Debby Rolland, Superintendent of the West Region.