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****PRESS RELEASE****

THURSDAY, OCTOBER 29, 2009

COURT OF APPEAL UPHOLDS CITY ORDINANCE RESTRICTING EXTENDED PARKING IN RESIDENTIAL AREAS

LOS ANGELES – The City Attorney’s Office has successfully secured a judgment in the Ninth Circuit Court of Appeal upholding a city ordinance regulating extended parking of mobile advertising trailers in residential areas. Lone Star Security and Video challenged the ordinance and Assistant City Attorney Michael Nagle successfully argued the case.

As part of its marketing strategy for its security business, Lone Star routinely parks mobile trailer advertisements on residential streets in violation of the Los Angeles Municipal Code’s 72-hour parking limit. Over several years, LAPD and the Los Angeles Department of Transportation issued multiple notices and towed and impounded 77 of Lone Star’s trailers.

Lone Star subsequently filed an action in United States District Court challenging the validity of the City’s Ordinance alleging it was in conflict with the California Vehicle Code. A Los Angeles County Superior Court had previously denied the company’s request for a preliminary injunction. The Ninth Circuit Court held that Lone Star failed to establish that state law preempted the City’s ordinance. Additionally, the court held that the City is not required to provide chronic offenders, such as Lone Star, with advance notice before it impounds their vehicles for violating the 72-hour parking ordinance.

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