

CITY OF LOS ANGELES

CALIFORNIA



JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

www.cityclerk.lacity.org

ANTONIO R. VILLARAIGOSA
MAYOR

June 30, 2010

To All Interested Parties:

The City Council adopted the action(s), as attached, under
Council file No. 08-1122, at its meeting held June 22, 2010.


City Clerk
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TIME LIMIT FILES
ORDINANCES

Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2010 JUN 23 PM 1:15
CITY OF LOS ANGELES

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2010 JUN 23 PM 1:14
CITY CLERK
BY _____ DEPUTY

COUNCIL FILE NUMBER 08-1122 COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE JUNE 22, 2010 LAST DAY FOR MAYOR TO ACT JUL 06 2010

ORDINANCE TYPE: Ord of Intent Zoning Personnel General

Improvement LAMC LAAC CU or Var Appeals - CPC No. _____

SUBJECT MATTER: AMENDING SECTION 66.25 OF ARTICLE 6, CHAPTER VI OF THE LOS ANGELES MUNICIPAL CODE TO ADD ADMINISTRATIVE PENALTIES FOR THE ILLEGAL DEPOSITING OF NONCOMBUSTIBLE RUBBISH

	APPROVED	DISAPPROVED
PLANNING COMMISSION	_____	_____
DIRECTOR OF PLANNING	_____	_____
CITY ATTORNEY	X	_____
CITY ADMINISTRATIVE OFFICER	_____	_____
OTHER	_____	_____

RECEIVED
CITY CLERK'S OFFICE
2010 JUN 29 AM 11:43
CITY CLERK
BY _____ DEPUTY

DATE OF MAYOR APPROVAL JUN 29 2010 DEEMED APPROVED OR *VETO _____
(*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR JUN 29 2010 ORDINANCE NO. 181201

DATE PUBLISHED JUL - 2 2010 DATE POSTED _____ EFFECTIVE DATE JUL - 2 2010

ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: YES NO

ORDINANCE NO. 181201

An ordinance amending Section 66.25 of Article 6, Chapter VI, of the Los Angeles Municipal Code to add administrative penalties for the illegal depositing of noncombustible rubbish.

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

Section 1. Section 66.25 of Article 6, Chapter VI, of the Los Angeles Municipal Code is amended to read:

(a) No person shall deposit or cause to be deposited any combustible or noncombustible rubbish or any refuse of any kind whatsoever upon or in any street, or upon any private premises in this City, or in the Los Angeles River, or in the bed thereof. Noncombustible rubbish may be deposited upon any low ground after the person proposing so to deposit upon same shall have obtained a written permit therefor from the Board and from the owner of the premises upon which it is proposed to deposit such noncombustible rubbish. Any permit granted pursuant to the provisions of this section may be revoked by the Board at any time without notice, and upon such revocation all rights thereunder shall immediately cease.

(b) Any person whose identifying information is found in or who is otherwise responsible for the deposit of rubbish or any refuse of any kind whatsoever, upon or in any street, shall be responsible for depositing it on the public right-of-way and shall be subject to administrative penalties as defined in Subsection (c).

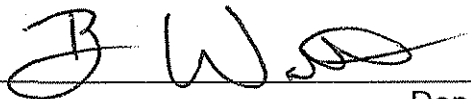
(c) The first violation of Subsection (b) in a calendar year is subject to warning or an administrative monetary penalty not to exceed \$500.00. Subsequent violations in the same calendar year will result in a second penalty not to exceed \$750.00 for the second violation after receiving the initial \$500.00 penalty. The penalty for the third administrative violation in a calendar year is \$1000.00. More than three administrative fines in one calendar year shall result in the violation being charged as a misdemeanor in Superior Court and subject to all penalties applicable to criminal violations. The Bureau of Street Services is authorized to assess a processing fee established by the Board of Public Works for all citations with an administrative monetary penalty. All noncriminal enforcement actions are subject to the administrative hearing process as mandated in the California Government Code Section 53069.

Sec. 2. URGENCY CLAUSE. The City Council finds and declares that this ordinance is required for the immediate preservation of the public peace, health and safety for the following reasons. The ordinance would add administrative penalties for the disposal of refuse in the public way. Such disposal has reached epidemic proportions in parts of the City. These penalties will provide City staff with an effective tool to address this problem. Therefore, this ordinance shall become effective upon publication pursuant to Los Angeles City Charter Section 253.

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 at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 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 JUN 22 2010.

JUNE LAGMAY, City Clerk

By  Deputy

Approved JUN 29 2010

 Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
KEITH W. PRITSKER
Deputy City Attorney

Date 1-22-10

File No. 08-1122

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**TO THE COUNCIL OF THE
CITY OF LOS ANGELES**

Your

PUBLIC WORKS COMMITTEE

reports as follows:

PUBLIC WORKS COMMITTEE REPORT and ORDINANCE relative to amending Los Angeles Municipal (LAMC) Section 66.25 to authorize administrative penalties for the illegal depositing of noncombustible rubbish.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

ADOPT the accompanying ORDINANCE amending Section 66.25 of Article 6, Chapter VI of the LAMC to add administrative penalties for the illegal depositing of noncombustible rubbish.

Fiscal Impact Statement: Neither the City Administrative Officer or the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted

SUMMARY

On June 16, 2010, your Committee considered a January 22, 2010 City Attorney report and Ordinance relative to amending LAMC Section 66.25 to authorize administrative penalties for the illegal depositing of noncombustible rubbish. According to the City Attorney, this Ordinance would amend the LAMC to add two new subsections which would create administrative penalties for the illegal dumping of rubbish on the public right-of-way. After consideration and having provided an opportunity for public comment, the Committee moved to recommend adoption of the Ordinance. This matter is now submitted to Council for its consideration.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

ADOPTED

JUN 22 2010

LOS ANGELES CITY COUNCIL

<u>MEMBER</u>	<u>VOTE</u>
HUIZAR:	YES
ALARCÓN:	YES
SMITH:	ABSENT

ARL
6/16/10
#081122A