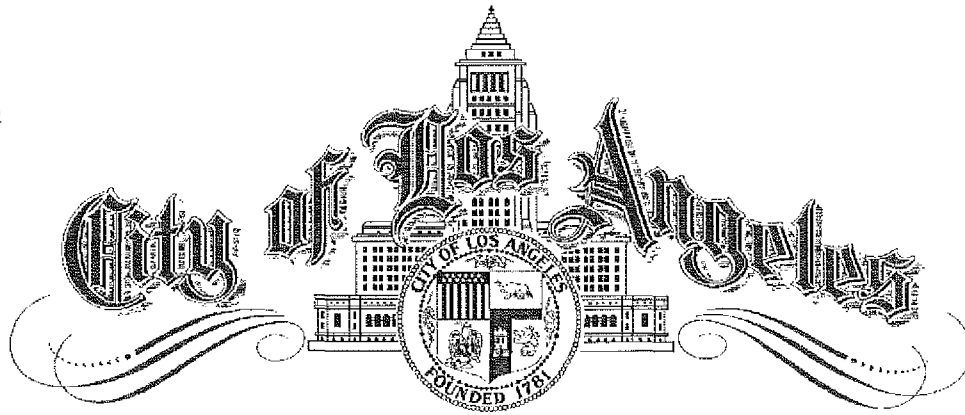


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CARMEN A. TRUTANICH
City Attorney

REPORT NO. R 10 - 0 3 9 3
NOV 12 2010

REPORT RE:

DRAFT ORDINANCE AMENDING SECTION 31.00 OF CHAPTER III OF THE LOS ANGELES MUNICIPAL CODE TO ADOPT THE LOS ANGELES COUNTY HEALTH REGULATIONS RELATING TO THE INSPECTION AND RATING OF MOBILE FOOD FACILITIES AND MOBILE SUPPORT UNITS, THUS AUTHORIZING COUNTY ENFORCEMENT OF THE HEALTH REGULATIONS WITHIN THE CITY

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

Council File No. 09-2357

Honorable Members:

Your Honorable Body requested that this Office draft an ordinance to adopt the Los Angeles County health regulations relating to the inspection and rating of mobile food facilities and mobile support units, thus authorizing Los Angeles County enforcement of the health regulations within the City. As requested, this Office has prepared and now transmits for your action the attached draft ordinance, approved as to form and legality.

Background and Summary of Ordinance Provisions

The attached draft ordinance incorporates the Los Angeles County regulations establishing letter grading for mobile food facilities and mobile support units.

CEQA Findings

We recommend that, prior to adoption of this ordinance, you determine that your action is exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines sections 15060(c)(2) and (3) because it will not result in a direct, or reasonably foreseeable indirect physical change in the environment, and is therefore not a project approval as defined in section 15378. In addition, you could determine that adoption of the ordinance is exempt from CEQA under City CEQA Guidelines Article II, Section 1 (General Exemption) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. If you concur, you may comply with CEQA by making one or both of these determinations prior to or concurrent with your action on the ordinance.

Council Rule 38 Referral


A copy of the draft ordinance was sent pursuant to Council Rule 38 to the Los Angeles Department of Transportation and the Los Angeles Police Department, with a request that any comments be transmitted directly to Council.

If you have any questions regarding this matter, please contact Deputy City Attorney Judith Reel at (213) 978-2021. She or another member of this Office will be present when you consider this matter and to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By



PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE:JER:lee
Transmittal

ORDINANCE NO. _____

An ordinance amending Section 31.00 of Chapter III of the Los Angeles Municipal Code to adopt the Los Angeles County health regulations relating to the inspection and rating of mobile food facilities and mobile support units, thus authorizing County enforcement of the health regulations within the City.

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

Section 1. Paragraph (E) is added to Subdivision (1) of Subsection (a) of Section 31.00 of Chapter III of the Los Angeles Municipal Code to read:

(E) The provisions of Sections 8.04.142, 8.04.200, 8.04.225, 8.04.275, 8.04.306, 8.04.311, 8.04.337, 8.04.403, 8.04.595, 8.04.752, 8.04.755, and 8.04.943 of Title 8 of the Los Angeles County Code, as enacted by and referenced in Los Angeles County Ordinance 2010-0045, effective November 18, 2010, as the referenced provisions of the Los Angeles County Code may be amended from time to time, fully express the will and intention of the Council of the City of Los Angeles as to those matter relating to public heath that are contained therein, and are hereby adopted and are incorporated herein by reference.

Sec. 2. 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 _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By Judith E. Reel
JUDITH E. REEL
Deputy City Attorney

Date November 12, 2010

File No. CF 09-2357