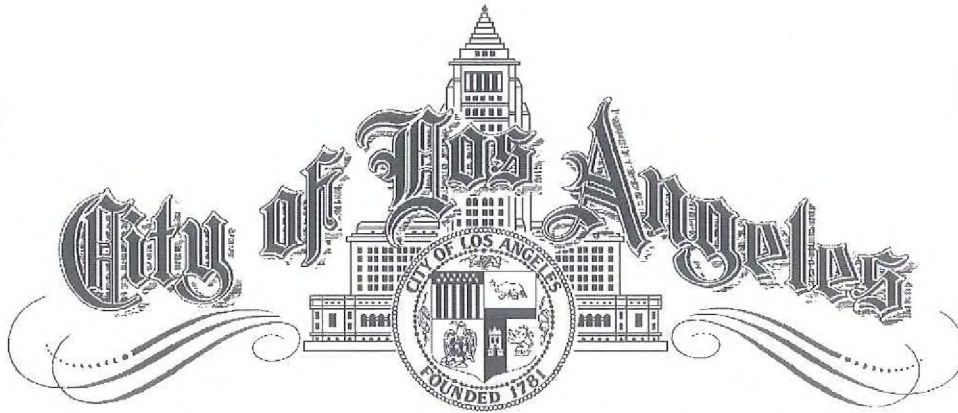


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CARMEN A. TRUTANICH
City Attorney

REPORT NO. R 1 1 - 0 0 6 1

FEB 15 2011

REPORT RE:

**REVISED DRAFT OF ORDINANCE PROVISION AMENDING SUBDIVISION (3) OF
SUBSECTION (d) OF SECTION 66.32.3, CHAPTER VI, ARTICLE 6 OF THE LOS
ANGELES MUNICIPAL CODE, PERTAINING TO ADMINISTRATIVE HEARINGS
BEFORE THE BOARD OF PUBLIC WORKS IN MATTERS RELATED TO THE
REQUIREMENT THAT CONSTRUCTION AND DEMOLITION WASTE GENERATED
IN THE CITY OF LOS ANGELES BE TAKEN TO A CITY CERTIFIED
CONSTRUCTION AND DEMOLITION WASTE PROCESSING FACILITY**

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. 09-3029

Honorable Members:

Your Honorable Body recently adopted a draft ordinance amending Chapter VI, Article 6 of the Los Angeles Municipal Code that established a requirement that construction and demolition waste generated within the City of Los Angeles (City) be taken to a City certified construction and demolition waste processing facility. The attached draft ordinance effects technical corrections to the provision of the enacted ordinance pertaining to administrative appeal hearings before the Board of Public Works.

Council Rule 38 Referral

A copy of the revised draft ordinance provision was sent, pursuant to Council Rule 38, to the Bureau of Sanitation, and the Bureau was asked to provide comments directly to Council.

If you have any questions regarding this matter, please contact Deputy City Attorney Judith E. Reel at (213) 978-2021. She or another member of this Office will be present when you consider this matter 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 Subdivision (3) of Subsection (d) of Section 66.32.3, Chapter IV, Article 6 of the Los Angeles Municipal Code pertaining to administrative hearings before the Board of Public Works in matters related to the requirement that construction and demolition waste generated within the City of Los Angeles be taken to a City certified construction and demolition waste processing facility.

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

Section 1. Subdivision (3) of Subsection (d) of Section 66.32.3 of the Los Angeles Municipal Code is amended to read as follows:

(3) After receipt of a written request for a hearing filed pursuant to and in compliance with the provisions of Subdivision (1) of this Subsection, the Board will set the matter on one of its regular agendas as soon thereafter as the Board deems practical. At the Board hearing, the Board shall hear the testimony of the Appellant, Bureau staff, and other testimony it deems relevant. Upon conclusion of the hearing, the Board shall issue a verbal or written decision. The Board may affirm, modify or rescind a Notice of Suspension or Notice of Revocation, and may affirm, decrease or cancel a penalty assessment. If the Board affirms a suspension or revocation, the suspension or revocation shall be effective on the date of the issuance of the Board's decision, unless the Board decides otherwise. If the Board affirms a penalty assessment, the amount affirmed shall be owed thirty (30) days after issuance of the Board's decision, unless the Board decides otherwise. Once the Board issues a decision, the matter is final and no further administrative relief is provided by the City.

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 February 15, 2011

File No. 09-3029