

MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 17-0441
DEC 26 2017

REPORT RE:

**DRAFT ORDINANCE AMENDING SECTIONS 62.02 AND 62.04 OF THE
LOS ANGELES MUNICIPAL CODE TO PROVIDE INSURANCE AND NOTIFICATION
REQUIREMENTS FOR PUBLIC UTILITIES PERFORMING CONSTRUCTION WORK
IN THE PUBLIC RIGHT-OF-WAY UNDER PERMIT FROM THE
BUREAU OF ENGINEERING**

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

Council File No. 11-1935

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. As more fully described below, this draft ordinance amends Sections 62.02 and 62.04 of the Los Angeles Municipal Code to add new insurance and notification requirements for public utilities performing construction work in the public right-of-way under permit from the Bureau of Engineering.

Los Angeles Municipal Code Section 62.02(f)(1) requires a permit applicant to provide liability insurance as a condition for obtaining a permit to excavate in the public right-of-way. Los Angeles Municipal Code Section 62.02(f)(2) provides an exception for permit applicants that are not required to provide liability insurance. The enclosed draft ordinance removes public utilities from the existing exception to the insurance requirement.

Los Angeles Municipal Code Section 62.02(g) specifies the content of a permit to excavate in the public right-of-way. The enclosed draft ordinance adds a requirement for public utilities to include a designation of who will be performing the work described in the permit.

Los Angeles Municipal Code Section 62.04(b) specifies that a permittee shall notify the Bureau of Contract Administration not less than one working day prior to starting work on any excavation which will extend 100 square feet or more in area. The enclosed draft ordinance requires public utilities to provide the notification for excavations of any size.

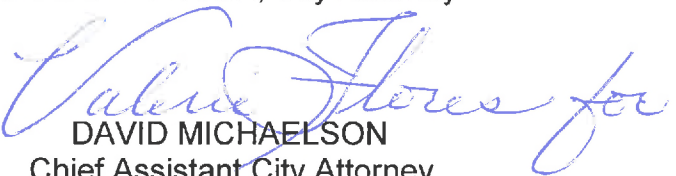
Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Bureau of Engineering and Bureau of Contract Administration in the Department of Public Works with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Assistant City Attorney Edward M. Jordan at (213) 978-8199. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM:EJ:ac
Transmittal