REPORT RE:

DRAFT ORDINANCE AMENDING SUBSECTIONS 91.108.12 AND 91.108.12.1 AND ADDING SUBSECTION 91.108.12.1.1 TO SECTION 91.108 OF DIVISION 1, ARTICLE 1, CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE TO EXPAND THE WORK THAT MAY BE INSTALLED, INSPECTED AND CERTIFIED BY CERTIFIED LICENSED CONTRACTORS

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. 19-1324

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends Subsections 91.108.12 and 91.108.12.1 and adds Subsection 91.108.12.1.1 to Section 91.108 of Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code (LAMC) to expand the work that may be installed, inspected, and certified by certified licensed contractors to include the replacement of Seismic Gas Shut-Off Valves (SGSOV) for low pressure systems in single-family dwellings and the replacement of water closets, dishwashers, garbage disposals, and SGSOVs for low-pressure systems in multi-family dwellings.
Legislative Background

LAMC Subsections 91.108.12 and 91.108.12.1 provide that certified licensed contractors may perform, install, inspect, and certify specific categories of work in single-family dwellings without having to comply with the requirement that an inspection be conducted by the Los Angeles Department of Building and Safety (DBS).

On October 29, 2019, a motion (Harris-Dawson - Cedillo) was introduced directing DBS, with the assistance of the City Attorney, to prepare a draft ordinance to expand the categories of work that may be installed, inspected, and certified by certified licensed contractors.

On November 5, 2019, the Planning and Land Use Management (PLUM) Committee recommended adoption of the motion. On November 27, 2019, the City Council adopted the PLUM Committee's recommendation.

Summary of Ordinance Provisions

The draft ordinance amends LAMC Subsection 91.108.12 to expand the types of structures for which certified licensed contractors may install, inspect, and certify certain categories of work to include multi-family dwellings, as well as single-family dwellings.

The draft ordinance also amends LAMC Subsection 91.108.12.1 to expand the types of installations and inspections that may be done by certified licensed contractors in single-family dwellings to include SGSOVs for low-pressure systems.

The draft ordinance adds LAMC Subsection 91.108.12.1.1 to allow certified licensed contractors to conduct certain installations, inspections, and certifications in multi-family dwellings and specifically limits this work to the replacement of water closets, dishwashers, and garbage disposals, and the installation or replacement of SGSOVs for low-pressure systems.

Charter Findings Not Required

The draft ordinance relates to regulations and activities within the authority of DBS, and is not a land use ordinance. For these reasons, the draft ordinance is not subject to approval by the City Planning Commission pursuant to Charter Section 558.

California Environmental Quality Act (CEQA)

The City Council may determine, based on the whole of the administrative record, that this proposed ordinance is not a "project" as defined by CEQA Guidelines Section 15378, and pursuant to CEQA Guidelines Section 15061(b)(3), and that the project is not subject to CEQA because it can be seen with certainty that there is no
possibility that the project may have a significant effect on the environment. CEQA does not apply to continuing administrative activities such as procedure-making, or to organizational or administrative activities of government that will not result in specific direct or indirect physical changes in the environment. Public Resources Code Section 21065 and State CEQA Guideline Sections 15378(b)(2) and (b)(5). On this basis, the proposed ordinance is not subject to CEQA.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to DBS with a request to provide comments, if any, directly to the City Council or its Committee when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Charles D. Sewell at (213) 978-8083. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By

DAVID MICHAELSON
Chief Assistant City Attorney