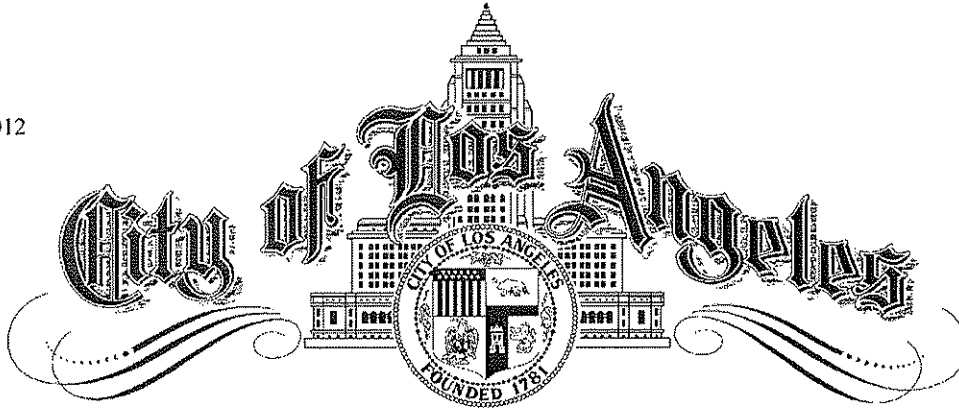


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**CARMEN A. TRUTANICH**  
City Attorney

**REPORT NO.** R 1 3 - 0 1 2 2

MAY 0 7 2013

**REPORT RE:**

**DRAFT ORDINANCE AMENDING SUBSECTION F OF SECTION 12.21 OF THE  
LOS ANGELES MUNICIPAL CODE TO TRANSFER RESPONSIBILITY AND  
AUTHORITY FOR IMPLEMENTATION AND ENFORCEMENT OF THE  
ON-SITE SHOPPING CART REQUIREMENTS FROM THE BUREAU OF  
STREET SERVICES TO THE BUREAU OF SANITATION**

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. 11-1141-S1

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. Your Honorable Body requested that this Office draft an ordinance transferring responsibility and authority for the implementation and enforcement of the on-site shopping cart requirements from the Bureau of Street Services to the Bureau of Sanitation.

Summary of Ordinance Modifications

This ordinance amends Subsection F of Section 12.21 of the Los Angeles Municipal Code (LAMC) to transfer responsibility and authority for the implementation and enforcement of the on-site shopping cart requirements from the Bureau of Street Services to the Bureau of Sanitation.

CEQA Findings

The approval of this ordinance is not subject to CEQA because it is not a project as defined by State CEQA Guidelines 15378(b)(2) and (b)(5), which state that CEQA projects do not include continuing administrative activities and general policy and procedure making where there is no direct physical change or a reasonably foreseeable indirect physical change in the environment. The ordinance also is exempt from CEQA environmental review under the common sense exemption because there is no possibility it will have a significant effect on the environment. State CEQA Guidelines 15061(3); City CEQA Guidelines, Article II, (1). Rather, the ordinance simply transfers authority for the implementation and enforcement of the shopping cart containment requirements between bureaus of the Department of Public Works.

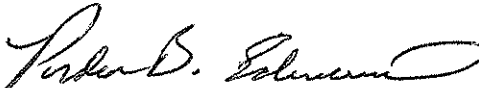
Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Bureau of Sanitation and Bureau of Street Services asking that they make any comments that they may have directly to the City Council when you consider this matter.

If you have any questions regarding this matter, please contact Deputy City Attorney John A. Carvalho at (213) 978-8184. He 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:JAC:fa  
Transmittal

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Subsection F of Section 12.21 of the Los Angeles Municipal Code to transfer responsibility and authority for the implementation and enforcement of the on-site shopping cart requirements from the Bureau of Street Services to the Bureau of Sanitation.

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

Section 1. Subparagraph (c) of Paragraph 2 of Subsection F of Section 12.21 of the Los Angeles Municipal Code is amended to read as follows:

(c) **Bureau of Sanitation.** The Bureau of Sanitation of the Department of Public Works or successor agency.

Sec. 2. Paragraphs 4 and 5 of Subsection F of Section 12.21 of the Los Angeles Municipal Code are renumbered as Paragraphs 3 and 4, respectively.

Sec. 3. Paragraph 6 of Subsection F of Section 12.21 of the Los Angeles Municipal Code is renumbered as Paragraph 5 and amended to read in its entirety as follows:

**5. Enforcement.** Notwithstanding the provisions of Section 12.26 of this Code, the Bureau of Sanitation shall have the authority and responsibility to enforce this subsection.

Sec. 4. 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  \_\_\_\_\_  
JOHN A. CARVALHO  
Deputy City Attorney

Date 5/6/13

File No. CF11-1141-S1