



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 22 - 0378
OCT 28 2022

REPORT RE:

DRAFT ORDINANCE TO IMPLEMENT THE STATE-MANDATED ORGANICS PROGRAM BY AMENDING SECTIONS 66.00, 66.00.1, 66.03, 66.32.1, AND 66.33.6 OF ARTICLE 6, CHAPTER VI OF THE LOS ANGELES MUNICIPAL CODE (LAMC); ADDING SECTIONS 66.04, 66.05, 66.06, AND 66.07 TO ARTICLE 6, CHAPTER VI OF THE LAMC; AMENDING SECTION 66.48 OF ARTICLE 6.1, CHAPTER VI OF THE LAMC; AND AMENDING SECTIONS 10.32.1, 10.32.2, 10.32.5, AND 10.32.9 OF ARTICLE 6, CHAPTER 1, DIVISION 10 OF THE LOS ANGELES ADMINISTRATIVE CODE

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. 21-1208

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. The draft ordinance effectuates state organics recycling requirements and related requirements to bring the City into full compliance with Senate Bill (SB) 1383 and its implementing regulations. SB 1383 is landmark legislation that will help reduce California greenhouse gas emissions by requiring a statewide reduction of organic waste deposited into landfills.

As the Department of Public Works, Bureau of Sanitation (LASAN) has explained, the Mayor and the City Council have set similar ambitious goals to divert 90% of material from landfills by 2025, 95% by 2035, and 100% by 2050. Additionally,

the Mayor's Green New Deal set goals to provide food scrap collection from residents and City-serviced facilities with the intent to cease organic waste from going to landfills by 2028.

This draft ordinance meets the requirements of SB 1383 and its implementing regulations by amending the Los Angeles Municipal Code (LAMC) (Sections 66.00, 66.00.1, 66.03, 66.48, 66.33.1, and 66.33.6), adding provisions to the LAMC (Sections 66.04, 66.05, 66.06, and 66.07), and amending the Los Angeles Administrative Code (Sections 10.32.1, 10.32.2, 10.32.5, and 10.32.9).

California Environmental Quality Act (CEQA)

At the time of transmitting this report, environmental review is still pending with LASAN. Prior to or concurrent with adoption of the draft ordinance, the City Council must comply with CEQA by considering the CEQA clearance prepared and submitted by LASAN. As such, you must make a CEQA determination and adopt findings, as applicable.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to LASAN 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 Deputy City Attorney Adena M. Hopenstand at (213) 978-8130. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

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Transmittal