



Office of the Los Angeles City Attorney  
Hydee Feldstein Soto

REPORT NO. R25-0461  
SEP 22 2025

**REPORT RE:**

**DRAFT ORDINANCE AMENDING SUBSECTIONS B AND E OF SECTION 66.48 OF ARTICLE 6.1, CHAPTER VI OF THE LOS ANGELES MUNICIPAL CODE TO ADJUST THE EXTRA CAPACITY REFUSE COLLECTION FEE**

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. 23-0600-S9

Honorable Members:

On April 11, 2025, the City Council requested that this Office draft an ordinance amending Article 6.1, Chapter VI of the Los Angeles Municipal Code (LAMC), Article 7, Chapter 6, Division 5 of the Los Angeles Administrative Code (LAAC), and any associated LAMC and LAAC sections, to adjust the rates and the low income customer assistance programs for the Solid Waste Collection, Transfer, Recycling, Recovery of Waste Resources and Disposal Fee (Solid Resources Fee), the Multi-Family Bulky Item Fee, and the Extra Capacity Refuse Collection Fee, and to designate the Bureau of Sanitation as the fund administrator for the special revenue funds for the Solid Resources Fee and the Multi-Family Bulky Item Fee.

This Office has prepared separate ordinances for the amendments relating to the Solid Resources Fee, Multi-Family Bulky Item Fee, and Extra Capacity Refuse Collection Fee, and now transmits for your consideration the enclosed draft ordinance amending LAMC 66.48 to adjust the Extra Capacity Refuse Collection Fee, approved as



to form and legality. The draft ordinances associated with the Solid Resources Fee and the Multi-Family Bulky Item Fee are being transmitted under separate reports.

State law, including the California Constitution (Article XIII C), Government Code (Section 53750 *et seq.*), and Health and Safety Code (Section 5470 *et seq.*), authorizes the City to set or adjust fees and charges for services and facilities furnished in connection with its "sanitation or sewerage systems, including garbage and refuse collection." *See, e.g.,* Cal. Health & Safety Code §5470(f). Pursuant to the City Charter and Council Rules, this ordinance may be adopted by a unanimous vote of all the members of Council or, if the ordinance requires a second reading, then by a majority vote. However, Health and Safety Code Section 5472 provides that if the legislative body approves the ordinance by a two-thirds vote of its members, then refund claims (if any) are subject to the procedure dictated by Health and Safety Code Section 5472 and class claims would be prohibited.

#### California Environmental Quality Act (CEQA) Findings

CEQA does not apply to the creation of government funding mechanisms or other government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. State CEQA Guidelines Section 15378(b)(4). The draft ordinance is, therefore, not subject to CEQA because it does "not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment." Any CEQA-defined projects constructed from the funds received from the enactment of this ordinance will be subject to a project-specific CEQA process before construction.

#### Fee Notice Requirement

Because this ordinance would effectuate increases in existing fees, notice of its proposed adoption should be given in accordance with the provisions of California Government Code Sections 66018 and 6062a. Those sections of State law require that prior to the adoption of a new or increased fee, a public hearing be held and notice of that hearing be published in a newspaper with two publications at least five days apart over a ten-day period. The notice period begins the first day of publication, and there must be at least five days intervening between the first and the second publications, not counting the dates of publication.

#### Council Rule 38 Referral

Pursuant to Council Rule 38, a copy of the draft ordinance was sent to the Department of Public Works - Bureau of Sanitation, the City Administrative Officer, the Department of Water and Power, and the Housing Department, with a request that any comments be transmitted directly to the City Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Thomas F. Costello-Vega at (213) 978-8130. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By



MICHAEL J. DUNDAS  
Chief Assistant City Attorney

MJD:TCV:ev  
Transmittal