

ORDINANCE NO. 178132

An ordinance amending Chapter IX Article I Section 91.106.4.1 and Chapter VI Article 4.4 Section 64.72 and adding Section 64.72.05 of the Los Angeles Municipal Code to collect fees to recover the Bureau of Sanitation's cost of providing Best Management Practices plan check to comply with the Standard Urban Stormwater Mitigation Plan or Site Specific Mitigation Plan; and amending Chapter IX Article I Section 91.106.4.1 of the Los Angeles Municipal Code by increasing the parcels over which the Department of Building and Safety may withhold grading permits from those with disturbed areas.

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

Section 1. Exception 13 of Section 91.106.4.1 of Chapter IX of Article I of the Los Angeles Municipal Code is amended to read:

13. The Department of Building and Safety shall have the authority to withhold grading permits for developments with disturbed areas of one acre or more unless the applicant is able to show that a Notice of Intent to comply with the State Construction Activity Storm Water Permit has been filed with the State Water Resources Control Board and a Storm Water Pollution Prevention Plan has been prepared. For the purpose of this section, "**disturbed area**" shall mean an area altered as a result of cleaning, grading and/or excavation of earth.

Sec 2. Exception 15 B of Section 91.106.4.1 of Chapter IX of Article I of the Los Angeles Municipal Code is amended to read:

B. The City receives a Covenant and Agreement, signed by the owner and recorded with the Los Angeles County Recorder, declaring that the best management practices necessary to control stormwater pollution shall be installed and/or constructed and maintained in proper working condition at all times; and

Sec 3. A new Paragraph C is added to Exception 15 of Section 91.106.4.1 of Chapter IX of Article I of the Los Angeles Municipal Code to read:

C. The applicant pays a Best Management Practices plan check fee to comply with the Standard Urban Stormwater Mitigation Plan or Site Specific Mitigation Plan as authorized by Section 64.72.05 of this Code.

Sec 4. Subsection (B) of Section 64.72 of Chapter VI of Article 4.4 of the Los Angeles Municipal Code is amended to read:

(B) **Scope.** This section provides for the requirements of stormwater pollution control measures in accordance with the "**Development Best**

Management Practices Handbook” adopted by the Board of Public Works. This section applies to development and redevelopment projects and authorizes the Board of Public Works to define and adopt stormwater pollution control measures, collect Best Management Practices compliance plan check fees, grant waivers from the requirements of the Standard Urban Stormwater Mitigation Plan, collect funds from projects that are granted waivers, conduct inspections, cite violators for infractions, and impose fines. Except as otherwise provided here, the Board of Public Works shall administer, implement and enforce the provisions of this section.

Sec. 5. A new Section 64.72.05 of Chapter VI of Article 4.4 of the Los Angeles Municipal Code is added to read:

SEC. 64.72.05. BEST MANAGEMENT PRACTICES PLAN CHECK FEES

A. Before formally accepting a set of plans and specifications for checking, the Bureau of Sanitation shall collect a Best Management Practices plan check fee.

B. The fee schedule for providing Best Management Practices plan check services for Standard Urban Stormwater Mitigation Plan (SUSMP) or Site Specific Mitigation Plan (SSMP) is as follows:

	Development Category	Fees
1	Single-family hillside residential developments less than 1 acre	\$ 200 / Project
2	Other Types of developments	\$ 600 / Project

C. At the discretion of the Bureau of Sanitation, a large scale project may be categorized as a Special Project and billed on actual cost incurred by the City.

D. Off-hour Plan Check Fee. Upon request by an applicant, the Bureau of Sanitation may, at its discretion, provide plan check at other than normal working hours upon application therefore by an applicant. In addition to the plan check fees listed in (B) of this Section, an additional 50 percent premium will be collected at the time of request.


E. All entities, including City Departments and other public agencies, are required to pay the Best Management Practices plan check fees.

F. All monies collected pursuant to Section 64.72.05 of this Code shall be placed and deposited into the Stormwater Pollution Abatement Fund established by Section 64.51.11 of the Los Angeles Municipal Code.


Sec. 6. 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 the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of NOV 29 2006.

FRANK T. MARTINEZ, City Clerk

By  Deputy

Approved DEC 14 2006

 Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By 
KEITH W. PRITSKER
Deputy City Attorney

Date 10/6/06

File No. 05-0600-584