

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

December 19, 2011

Transmittal 1

DEPARTMENT OF
PUBLIC WORKS

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Attention: Legal Notice Affecting Private Waste Haulers under PRC Section 49520

Dear Permitted Private Waste Hauler:

Pursuant to California Public Resources Code Section 49520, a copy of which is enclosed herewith, you are hereby notified that exclusive solid waste handling services for Commercial Premises are to be provided or authorized by the City of Los Angeles. This notice does not concern, address, or apply to solid waste handling services involving construction and demolition debris, as defined in the Los Angeles Municipal Code Sections 66.32, *et seq.* As defined in California PRC Section 49501, an exclusive franchise includes one or more solid waste enterprises that have the exclusive right to provide solid waste handling services. By way of this definition, exclusive franchise can include a limited number of waste haulers (can be multiple waste haulers) collecting waste within all or any part of the City.

For purposes of this notification, "Commercial Premises," as used herein, includes all premises subject to the permit process described above, **except:** (1) multi-family residential premises of five (5) units or more, now being served by private haulers (Multi-Family Premises); and (2) single family and multi-family residential premises now served directly by the Bureau (Bureau Served Premises). "Commercial Premises" includes, but is not limited to, property in the City (other than Multi-Family Premises and Bureau Served Premises), upon which for-profit or not for-profit activity is conducted, including but not limited to manufacturing, transportation, retail sales, wholesale operations, services, hotel or motel operations, education, or other business or institutional activity.

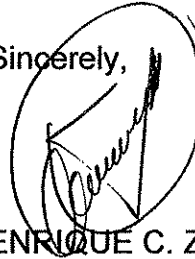
The City of Los Angeles reserve its rights to implement a franchise for the handling of commercial solid waste, the goal of which is to allow for more effective solid waste handling to the business community as well as to address multiple concerns that affect the welfare of all of the residents of the City of Los Angeles. The Los Angeles City Council and the Mayor have directed the Bureau of Sanitation to submit this five-year notification to the commercial solid waste hauling community as provided by law. This notice does not, in and of itself, require the City of Los Angeles to take any specific action with respect to the franchising of commercial solid waste handling services.



Legal Notice to Private Waste Haulers
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Additional information will be available in the future regarding the implementation of a franchise system in the City of Los Angeles. Should you have any questions regarding this matter, please contact Karen Coca at 213-485-3905 or via email at: karen.coca@lacity.org or Daniel Meyers at (213) 485-3774 or via email at: daniel.meyers@lacity.org

Sincerely,

A handwritten signature in black ink, enclosed within a hand-drawn oval. The signature is stylized and appears to read "Enrique C. Zaldivar".

ENRIQUE C. ZALDIVAR, Director
Bureau of Sanitation

Attachment

**Excerpts
California Public Resource Code**

The follow excerpts from the California Public Resource Code are for reference only. Refer to the California Public Resource Code for complete text.

Section 49501. "Exclusive solid waste handling services" means any action by a local agency, whether by franchise, contract, license, permit, or otherwise, whereby the agency itself or one or more other local agencies or solid waste enterprises has the exclusive right to provide solid waste handling services of any class or type within all or any part of the territory of the local agency.

Section 49520. If a local agency has authorized, by franchise, contract, license, or permit, a solid waste enterprise to provide solid waste handling services and those services have been lawfully provided for more than three previous years, the solid waste enterprise may continue to provide those services up to five years after mailed notification to the solid waste enterprise by the local agency having jurisdiction that exclusive solid waste handling services are to be provided or authorized, unless the solid waste enterprise has an exclusive franchise or contract.

If the solid waste enterprise has an exclusive franchise or contract, the solid waste enterprise shall continue to provide those services and shall be limited to the unexpired term of the contract or franchise or five years, whichever is less.

