

Council Meeting  
December 14, 2010

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

Members of the Council:

**SUBJECT: SECOND AND FINAL READING OF ORDINANCE 3737**

**RECOMMENDATION:**

Second and Final Reading of **ORDINANCE NO. 3737** amending sections of the Torrance Municipal Code, Division 4, Chapter 3, Article 8, regarding waste reduction and recycling requirements for construction and demolition projects

**BACKGROUND:**

At the regular meeting of the City Council held on the 7th day of December 2010, this Ordinance was introduced and approved for its first reading by the following roll call vote:

AYES:	COUNCILMEMBERS:	Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland, and Mayor Scotto.
NOES:	COUNCILMEMBERS:	None.
ABSTAIN:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	None.

Respectfully submitted,

  
 \_\_\_\_\_  
 Sue Herbers, City Clerk

NOTED:

  
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 LeRoy J. Jackson, City Manager

Attachment A: Ordinance 3737  
 B: Ordinance summary



**ORDINANCE NO. 3737****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS OF THE TORRANCE MUNICIPAL CODE, DIVISION 4, CHAPTER 3, ARTICLE 8, REGARDING WASTE REDUCTION AND RECYCLING REQUIRMENTS FOR CONSTRUCTION AND DEMOLITION PROJECTS**

The City Council of the City of Torrance ordains as follows:

**SECTION 1**

That Section 43.8.1, "Definitions" of the Torrance Municipal Code be amended to read as follows:

"...c) "Certified facility program" means a program wherein a recycling/reuse facility has been pre-approved by the City or other applicable agency to provide a minimum diversion percentage for all processed loads.

"...k) "Diversion requirement" means redirection from the waste stream of at least 50 percent of the total C&D debris generated by a project via reuse or recycling, and 100 percent reuse or recycling of excavated soil and land-clearing materials, such as trees, stumps or other vegetation.

That Section 43.8.3 (5) "Submittal of a Waste Management Plan" which reads "Total square footage of the project" be repealed.

That Section 43.8.4 (a) "Review of a Waste Management Plan" be amended to read as follows:

"...2) The WMP indicates that at least 50 percent of all C&D Debris and 100 percent of all excavated soil and land-clearing materials generated by the project will be diverted through recycling, deconstruction or reuse.

That Section 43.8.6 (c) (2) "Infeasibility Exemption" which reads "For a specific project, compliance with the requirements of the ordinance codified in this Article would result in minimal or no increase in recycled materials or reduction in the waste stream" be repealed and the remaining parts of the Section be renumbered appropriately.

**SECTION 2**

Any inconsistent provisions of the Torrance Municipal Code, or any other inconsistent ordinances of the City, are repealed, to the extent of the inconsistencies.

**SECTION 3**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portion of this ordinance. The City Council of the City of Torrance hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or potion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or other portions might subsequently be declared invalid or unconstitutional.

**SECTION 5**

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the city of Torrance.

INTRODUCED and APPROVED this 7th day of December, 2010.

ADOPTED and PASSED this \_\_\_\_ day of December, 2010.

APPROVED AS TO FORM:  
JOHN FELLOWS III, City Attorney

\_\_\_\_\_  
Mayor Frank Scotto  
ATTEST:

by \_\_\_\_\_  
Patrick Q. Sullivan, Assistant City Attorney

\_\_\_\_\_  
Sue Herbers, City Clerk

**Ordinance Summary****TORRANCE CITY COUNCIL ORDINANCE NO. 3737**

On \_\_\_\_\_, 2010, the City Council of the City of Torrance adopted Ordinance No. 3737, which complies with the new state green building code. This ordinance enacts several changes to Division 4, Chapter 3, Article 8 of the Torrance Municipal Code, regarding recycling requirements for construction and demolition projects. Projects will now be required to recycle 100% of any excavated soil and land-clearing materials.

*Copies of the complete ordinance are available at the City Clerk's office, 3031 Torrance Bl., Torrance, CA 90503.*