

Council Meeting  
April 19, 2011

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

Members of the Council:

**SUBJECT: SECOND AND FINAL READING OF ORDINANCE 3745**

**RECOMMENDATION:**

Second and Final Reading of **ORDINANCE NO. 3745** adding a new Section 43.2.14 of the Torrance Municipal Code, creating a process for collection of delinquent solid waste collection fees.

**BACKGROUND:**

At the regular meeting of the City Council held on the 12th day of April 2011, this Ordinance was introduced and approved for its first reading by the following roll call vote:

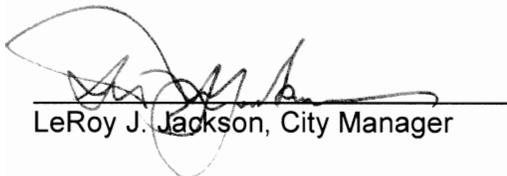
AYES:	COUNCILMEMBERS:	Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland, and Mayor Scotto.
NOES:	COUNCILMEMBERS:	None.
ABSTAIN:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	None.

Respectfully submitted,



Sue Herbers, CMC  
City Clerk

NOTED:

  
LeRoy J. Jackson, City Manager

Attachment A: Ordinance 3745  
 B: Ordinance summary



**ORDINANCE NO. 3745****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW SECTION 43.2.14 OF THE TORRANCE MUNICIPAL CODE, CREATING A PROCESS FOR COLLECTION OF DELINQUENT SOLID WASTE COLLECTION FEES**

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The City Council of the City of Torrance does ordain as follows:

**SECTION 1**

The City Council of the City of Torrance finds determines and declares as follows:

- A. The City averages 150 households that are seriously delinquent in paying their solid waste collection fees which amounts to approximately \$50,000.
- B. This ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) in that it has no potential to have a significant effect on the environment.

**SECTION 2**

That a new Section 43.2.14 is added to the Torrance Municipal Code, to read as follows:

**"SECTION 43.2.14 – RECOVERY OF DELINQUENT SOLID WASTE COLLECTION FEES**

- a) Failure to pay any and all solid waste collection fees established by resolution of the City Council that remain unpaid for a period of 60 or more days after the date upon which they were billed will result in collection of the delinquent fees pursuant to the authority contained in California Government Code Section 38790.1. The City will collect the delinquent fees in the manner described in California Government Code Section 25831. As prescribed in Section 25831, after notice and a public hearing, the unpaid delinquent solid waste collection fees will become liens on the property to which the solid waste collection services are provided and will be collected as a special assessment against the parcel, along with the property taxes."

**SECTION 3**

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance, to the extent of the inconsistencies and no further, are repealed.

**SECTION 4**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision will not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are 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 the 12th day of April, 2011.

ADOPTED AND PASSED this \_\_\_\_\_ day of April, 2011.

APPROVED AS TO FORM:  
JOHN L. FELLOWS III, City Attorney

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

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

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Sue Herbers, CMC  
City Clerk

**Ordinance Summary****TORRANCE CITY COUNCIL ORDINANCE NO. 3745**

On \_\_\_\_\_, 2011, the City Council of the City of Torrance adopted Ordinance No. 3745, creating a process for collection of delinquent waste collection fees.

Waste collection fees that remain unpaid 60 days after billing will be collected in the manner authorized by California Government Code Section 25831, which requires preparation of a report listing the delinquent fees, holding a public hearing after notice to affected property owners, and forwarding confirmed delinquencies to the county for inclusion as liens against the affected properties.

*\*\*City Clerk to add a paragraph stating that copies of the ordinance are available for viewing at the City Clerk's office and stating the names of the council members who voted in favor and those that voted against the ordinance.\*\**

