

ORDINANCE NO. 3083

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING SECTION 8.12.030 OF THE WHITTIER MUNICIPAL CODE TO PROHIBIT DISPOSAL OF MATTRESSES AND BOX SPRINGS AT SAVAGE CANYON LANDFILL AND FINDING THAT THE REGULATION IS CATEGORICALLY EXEMPT PURSUANT TO SECTION 15061(B)(3) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the California Used Mattress Recovery and Recycling Act (Chapter 388, Statutes of 2013, [Hancock, SB 254]) was adopted to reduce illegal dumping, increase recycling, and substantially reduce public agency costs for the end-of-use management of used mattresses;

WHEREAS, the legislation established an industry-run, statewide program to increase the recovery and recycling of mattresses called the Bye Bye Mattress program;

WHEREAS, the program is operated by a nonprofit, Mattress Recycling Council, and is funded by a fee charged on every mattress and box spring sold in the State since December 30, 2015;

WHEREAS, the number of local mattress recycling facilities has increased making recycling of mattresses for both residents and solid waste haulers feasible; and

WHEREAS, the Municipal Code requires amending to reflect the prohibition of disposal of mattresses and box springs at Savage Canyon Landfill.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. That the City Council hereby finds this ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) because no possibility exists that the proposed ordinance related to amending the Landfill Section of the Whittier Municipal Code to prohibit the disposal of mattresses and box springs at Savage Canyon Landfill will have a significant effect on the environment.

SECTION 2. Chapter 8.12 (Solid Waste) of Title 8 (Health and Safety) of the Whittier Municipal Code is hereby amended to read as follows:

## Chapter 8.12 Solid Waste

## 8.12.030 Landfill

Savage Canyon landfill, owned and operated by the city, does not accept illegal materials, hazardous waste, biohazardous waste, universal waste, exempt waste, white goods, electronic waste, whole or shredded tires, contaminated soil, mattresses, box springs or green waste. Uncontaminated soil acceptance must be preapproved.

SECTION 3. Any provision of the Whittier Municipal Code or appendices thereto inconsistent with the provisions of the Ordinance, to the extent of such inconsistencies and no further, are repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Whittier hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. The Ordinance shall become effective 30 days from its adoption.

APPROVED AND ADOPTED this 23<sup>rd</sup> day of January 2018.

  
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JOSEPH A. VINATIERI, Mayor

ATTEST:

  
\_\_\_\_\_  
LISA POPE, City Clerk

CITY OF WHITTIER       )  
                                      ) SS  
STATE OF CALIFORNIA    )

I, Lisa Pope, City Clerk in and for the City of Whittier, California, hereby certify that the foregoing ordinance was duly introduced at a regular meeting of the City Council of said City on the 9<sup>th</sup> day of January 2018, and adopted at a regular meeting of the City Council of said City on the 23<sup>rd</sup> day of January 2018 by the following roll call vote:

AYES:       F. Dutra                   J. Alvarado               R.L. Henderson  
              C. Warner               J.A. Vinatieri

NOES:       None

ABSENT:     None

WITNESS my hand and the official seal of the City of Whittier, California, this 25<sup>th</sup> day of January 2018.

  
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LISA POPE, City Clerk

Published as required by law: February 6, 2018.

