

ARTICLE XIII. SOLID WASTE DISPOSAL MITIGATION FEE

Sec. 11-200. Findings

(a) Solid waste hauling and disposal is an issue that local governmental entities are being required to address more frequently, due to (1) the increasing difficulty in siting new solid waste landfills; (2) the increasing restrictions being placed on the types and quantities of materials that may be disposed of at licensed landfills by the State; (3) court decisions that have made it more difficult to restrict the importation of solid waste from outside the County; and (4) additional requirements for monitoring the closure of the licensed sites, once closure commences.

(b) The State has imposed new statutory monitoring requirements on local enforcement agencies, under the provisions of Public Resources Code section 40000, et seq., as amended, which require additional staff to properly enforce the provisions.

(c) There is increased demand to prepare amendments to, and update existing siting elements of the local agencies General Plan.

(d) There are more stringent requirements imposed in the environmental review process for Environmental Impact Reports (EIRs) for all new siting activities.

(e) The transportation and disposal of solid waste within the County of Solano has and continues to impose litter problems on the roads and in the areas around the landfill sites in the unincorporated areas of the County.

(f) These additional obligations imposed on the County have created a demand for services directly related to the acts of the hauling and disposal of solid waste, by both residents and non-residents of Solano County.

(Ord. No. 1469, §1; Ord. No. 1495, §1; Ord. No. 1680, §2.)

Sec. 11-201. Mitigation fee imposed

Pursuant to the authority granted by Public Resources Code section 41900 et seq., as amended, and based upon the findings set forth in Section 11-200 of this code there is established and imposed, a solid waste disposal mitigation fee which shall be payable in those specific amounts designated by the board of supervisors, and amended from time to time by board resolution per ton of waste deposited at any permitted solid waste landfill.

(Ord. No. 1469, §1; Ord. No. 1495, §1; Ord. No. 1680, §2; Ord. No. 1705, §1)

Sec. 11-202. Purpose of fee

This fee is enacted to mitigate the costs of providing identified services which are required as a direct result of the hauling and disposal of solid waste within the unincorporated portions of Solano County. All of the funds derived from this fee shall be used to reimburse the direct costs of the affected departments of the county in

(1) enforcing compliance with Public Resources Code section 40000 et seq., as amended;

(2) the preparation of the siting element, or the EIR for the siting element of the county general plan, including necessary consultant services; and

(3) litter control and roadside litter pick-up.

(Ord. No. 1469, §1; Ord. No. 1495, §1; Ord. No. 1680, §2.)

Sec. 11-203. Definitions

(a) **Licensed solid waste disposal facility** shall be defined as set forth in Section 11-163 (d) of this chapter.

(b) **Siting element** means the solid waste siting element of the Solano County Integrated Waste Management Plan, as required pursuant to the provisions of the Public Resources Code sections 41700, et seq., as amended.

(c) **Solid Waste** shall be defined as set forth in Sections 11-163(f)(1)-(5) of this code.

(d) **Tonnage** shall be defined as set forth in Section 11-163(g) of this code.

(Ord. No. 1469, §1; Ord. No. 1495, §1; Ord. No. 1680, §2.)

Sec. 11-204. Reporting of tonnage

For purposes of determining the net tonnage deposited for computation of this fee, each licensed solid waste disposal facility shall make monthly reports of net tonnage to the Solano County Department of Resource Management by the tenth day of the following month. The Department of Resource Management shall verify the reports. This report can be the same report required under provisions of Section 11-164 of this code.

(Ord. No. 1469, §1; Ord. No. 1495, §1; Ord. No. 1680, §2.)

Sec. 11-205. Payment of fee

The Department of Resource Management shall issue a quarterly statement to each licensed solid waste facility, which shall delineate the amount of the mitigation fee due to the Department of Resource Management, and the fee is due and payable upon receipt of the statement, and shall be delinquent at the end of ninety (90) days after issuance of the statement.

(Ord. No. 1469, §1; Ord. No. 1495, §1; Ord. No. 1680, §2.)

Sec. 11-206. Penalty for delinquency

A penalty of ten (10%) percent shall be assessed on any fee not paid by the delinquent date.

(Ord. No. 1469, §1; Ord. No. 1495, §1; Ord. No. 1680, §2)

Sec. 11-207. deleted

(Ord. No. 1469, §1; Ord. No. 1705, §2)