

ARTICLE III. COLLECTIONS.

Sec. 23-30. Mandatory service and congested area collection disposal

All persons residing in, a congested area and all commercial or industrial establishments shall be required to obtain mandatory services of a Contractor who has obtained a solid waste, recyclables and green waste collection permit for that Service Area from the Department of Resource Management, Environmental Health Services Division.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526, §1; Ord. No. 1654, §1)

Sec. 23-31. Solid Waste, recyclables green waste collection areas

The board of supervisors has determined that, in order to facilitate the collection of commercial and residential solid waste, recyclables and green waste within the county, the unincorporated territory of the county shall be divided into the following described areas: A, B, C, D, and E as denoted on the map attached to the ordinance codified herein as Exhibit "A" (located at the end of this chapter) and incorporated as part of this chapter. Service area boundaries may be changed by resolution of the board of supervisors.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526, §1; Ord. No. 1654, §1.)

Sec. 23-31.1. Service agreement--authorized

For the collection and disposal of solid waste, recyclable material and green waste within the unincorporated area designated Service Areas A-E, a service agreement contract must be entered into by the County in accordance with and subject to the terms and conditions of this chapter.

(Ord. No. 1526, §1; Ord. No. 1654, §1)

Sec. 23-31.2. Exclusive service agreement

(a) At such time as there is in force an exclusive service agreement entered into by the County with any person, firm or corporation for the collection and transport of municipal solid waste, recyclable and green waste in the unincorporated area identified by map as Service Areas A-E, it is unlawful for any person other than the persons in the employ of the contractor having such contract to collect or transport any solid waste, recyclables and green waste within Service Areas A-E.

(b) Nothing contained in this chapter shall be construed to prevent or prohibit any resident in Service Areas A-E from taking, hauling, transporting and disposing of any bulky waste or solid waste, recyclable and green waste material created by occupants or visitors of the household or business provided disposal is in accordance with state and local law.

(Ord. No. 1526, §1; Ord. No. 1654, §1)

Sec. 23-31.3. Audit of contractor=s records

The contractor shall maintain complete records of all services performed in the collection operations within the unincorporated Service Areas A-E and of all monies owing and all monies collected. Such records shall be maintained at the contractor's office and the Department of General Services shall have the right to inspect and audit said records from time-to-time at all reasonable times.

(Ord. No. 1526, §1; Ord. No. 1654, §1.)

Sec. 23-32. Solid waste, recyclables and green waste collection permit required

Except as otherwise provided in this chapter, it is unlawful for any collector, person, firm, corporation, municipality, public agency, or institution to collect or to transport, or cause to be transported for commercial purposes, any solid waste, recyclables and green waste within the unincorporated area of the county without first obtaining a permit to do so as provided for in this chapter.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526, §1; Ord. No. 1654, §1)

Sec. 23-33. Solid waste, recyclables and green waste collection permits--authority to issue--bond required

In order to protect the public health and safety, the Department of Resource Management, Environmental Health Services Division shall issue permits for the collection of residential and commercial solid waste, recyclables and green waste in the unincorporated designated area in the county. A permit shall be issued only to established collectors who are capable of transporting and disposing of solid waste, recyclables, and green waste. Such permits may be limited in number by the Department of Resource Management Environmental Health Services Division and shall be subject to special conditions, which shall be specified by the Department of Resource Management, Environmental Health Services Division as being necessary for the purposes of assuring compliance with this chapter, or any other law, or to protect the public health and safety, and to provide for continuous and effective solid waste, recyclables and green waste collection services. Additional permits may be issued if a need is shown. The issuance of a permit pursuant to this chapter shall confer no property rights or vested interests on the permittee, and the permit shall be nontransferable. Prior to the issuance of any permit required herein, the applicant shall be required to post a corporate surety bond, a letter of credit, cash or any other security deemed acceptable by the Department of Resources Management, Environmental Health Services Division, in the minimum amount of fifty thousand dollars (\$50,000). Said security shall be to insure faithful and continued service under the terms and conditions of the permit to be issued.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526, §1; Ord. No. 1654, §1)

Sec. 23-34. Territory described in the permit

The Department of Resource Management, Environmental Health Services Division shall specify, in all permits or renewals, the territory as described in section 23-31 within which the permittee may collect within the county. A permittee shall provide solid waste, recyclables and green waste collection service to all residences and commercial or industrial establishments within the service area designated by the collector's permit. All collected solid waste, recyclables and green waste shall be disposed of in disposal areas approved by the Department of Resource Management, Environmental Health Service Division, or the California Integrated Waste Management Board. A permittee shall not collect outside the territorial limits fixed in the permit issued to the permittee.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526 §1; Ord. No. 1654, §1)

Sec. 23-35. Application contents

The application for any solid waste, recyclables and green waste collection permit shall be made in writing to the Department of Resource Management, Environmental Health Service Division. Every application for a permit shall specify as a minimum the following:

- (a) A statement to the effect that the applicant has arranged for the disposal of all solid waste, recyclables and green waste collected or transported by the applicant at a disposal site which is approved by the California Integrated Waste Management Board;
- (b) The location of the disposal site;
- (c) Data showing that the applicant is qualified to render efficient solid waste, recyclables and green waste collection service;
- (d) A statement to the effect that the applicant owns, or has under the applicant's control, sufficient vehicles and equipment in good mechanical condition in order to adequately conduct the business of solid waste, recyclables and green waste collection; provided, the applicant is granted a permit. The number and types of trucks, or other vehicles to be used in providing the collection service, shall be specified;
- (e) A statement to the effect that the vehicles and equipment conform to all applicable provisions of this chapter and to the regulations of the Department of Resource Management, Environmental Health Services Division;
- (f) A statement that there is a need and necessity for the proposed service within the service area which is sought to be served;
- (g) Evidence sufficient in the judgment of the Department of Resource Management, Environmental Health Services Division that the applicant has workers compensation as required by law, and general liability and vehicular insurance in the form and amounts prescribed by the county risk manager;

(h) Evidence sufficient in the judgment of the Department of Resource Management, Environmental Health Services Division that the applicant maintains an office and telephone service during normal working hours;

(i) In addition to any of the requirements enumerated in subsections (a) through (h) above, the Department of Resource Management, Environmental Health Services Division may require any reasonable additional information or documentation which it deems necessary to process the application.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526, §1; Ord. No. 1654, §1)

Sec. 23-36. Collection of animal waste

Any person who collects dead animals, bones or meat scraps for tallow plants to be used as raw material in manufacturing, to be disposed of at any location other than a disposal site operating under a permit required by this chapter, shall comply with all sanitary requirements for the collection and transportation of solid waste. The collector shall submit to the Department of Resource Management monthly reports, specifying the tonnage or yardage of solid waste, the location and method of disposal of any animal waste. The Department of Resource Management, Environmental Health Services Division may require the submission of monthly reports from such person, specifying the tonnage or yardage of solid waste, the location and method of disposal of any animal waste. A permit for this collection shall be required by the Department of Resource Management, Environmental Health Services Division.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526 §1; Ord. No. 1654, §1)

Sec. 23-37. Solid waste, recyclables and green waste collection vehicles

(a) Commercial vehicles used in the business of transportation of solid waste, recyclables and green waste shall have painted on the outside of each side wall of the hauling body, in letters visible from 50 feet of distance, in a color contrasting to the body color:

(1) The name of the collector, transporter or company;

(2) The number of the vehicle, if more than one is operated by the collector, transporter or company (Ord. No. 405, Art. 6, Para. 7).

(b) A means of covering and containing solid waste, recyclables and green waste securely within the hauling body of every vehicle shall be provided. No such materials shall be permitted to escape from the vehicle.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526, §1; Ord. No. 1654, §1)

Sec. 23-38. Exemption from residential collection service

(a) Any owner of a dwelling in a mandatory service area may apply to the Department of Resource Management, Environmental Health Services Division to be

exempt from the collection service on a form supplied by the Department. The application shall be accompanied by the required, non-refundable application fee. The exemption may be granted provided the owner can demonstrate one of the following:

(1) The method of storage, transportation and disposal or recycling, as applicable, of all solid waste, recyclables and green waste will be conducted in a manner consistent with the intent of this code and procedures approved by the Department of Resource Management and in such a manner that will not create unsanitary conditions, potential public health threat, environmental contamination or nuisance; or

(2) Every residential unit on the property is vacant for a period in excess of two months such that no solid waste or recyclables will be produced and a plan for proper removal and recycling or disposal of green waste is provided.

(3) The Department of Resource Management, Environmental Health Services Division may for good cause permit additional exemptions provided that such an exemption will not create an unsanitary condition, potential public health threat, environmental contamination or nuisance.

(b) Any owner issued an exemption where disposal or recycling of solid waste, recyclables or green waste is required shall provide proof to the Department of Resource Management of the property disposal or recycling of such solid waste, recyclables or green waste at an approved facility. The Department of Resource Management shall specify the intervals at which such documentation is required to be submitted.

(c) An exemption may be revoked by the Department of Resource Management, Environmental Health Services Division upon a finding that there is an unsanitary condition, potential public health threat, environmental contamination or nuisance condition being created

(d) Any exemption issued is non-transferable and shall remain valid upon submission of any required exemption fee, and demonstration that the terms and condition of the exemption(s) still exists at a frequency of not more than once per year or less than once every three years as established in procedures approved by the Department of Resource Management.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526, §1; Ord. No. 1654, §1; Ord. No. 1714, §1)