

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Supervisor Marion Ashley

SUBMITTAL DATE: March 8, 2006

SUBJECT: Adoption of Resolution 2006-063 Establishing Comprehensive Collection of Solid Waste for all Residential Units in portions of the Fifth District

RECOMMENDED MOTION:

1. Introduce and set for Public Hearing (Clerk to advertise) Resolution 2006-063 establishing comprehensive solid waste collection in portions of the Fifth District;
2. At the close of the public hearing, the Board of Supervisors adopt Resolution 2006-063

BACKGROUND:

Under County Ordinance No. 745, the Board of Supervisors following a public hearing may establish an area for the comprehensive collection of solid waste. In such an area, all residents located in the area would be required to sign up for waste collection services or use other approved alternatives.

The Fifth District requests the Department of Environmental Health to initiate a phased approach to establish a Tax Lien Guaranteed Comprehensive Collection area for the residential properties located within portions of the District.

(Continued)

Marion Ashley
Marion Ashley Supervisor, Fifth District

FINANCIAL DATA:

CURRENT YEAR COST: \$ 0.0
NET COUNTY COST: \$ 0.0

ANNUAL COST: \$ 0.0
IN CURRENT YEAR BUDGET: \$ 0.0
BUDGET ADJUSTMENT FY: 05/06 \$ 0.0

SOURCE OF FUNDS:

Department Recommendation: Policy Policy
Per Executive Office: Consent Consent

Prev. Agn. ref.

Dist. All

AGENDA NO.

3.2

COMPREHENSIVE COLLECTION

Many of the unincorporated portions of Riverside County are plagued with illegal dumping along County roads and upon private property. Within the waste collection franchises executed in the last several years, most included provisions for the removal of roadside waste as a means of addressing some of the effects of such illegal disposal. The lack of comprehensive collection is frequently noted as a contributing factor to this ongoing problem. The establishment of comprehensive collection in this area would also reduce certain portions of the regular rate for service. During the franchising process there was frequent discussion at the Board regarding the desirability of establishing mandatory collection areas in numerous areas throughout the County.

Resolution 2006-063 submitted as Exhibit A would establish Comprehensive (mandatory) collection for all residential units within certain portions of the Fifth District as per the conditions established in Ordinance 745 and under the terms of the Waste Franchise Agreement.

The Franchisee will notify each household by mail of this new requirement, using forms approved by the Department of Environmental Health.

FINANCIAL

There will be no net costs to the County from the provision of these services. The County may realize a minimal increase in franchise fees paid by the Franchisee due to a slightly increased customer base.

RESOLUTION NO. 06-063

**A RESOLUTION OF THE COUNTY OF RIVERSIDE ESTABLISHING
COMPREHENSIVE COLLECTION AND DISPOSAL OF SOLID WASTE FOR
RESIDENTIAL UNITS IN PORTIONS OF THE FIFTH DISTRICT**

The Board of Supervisors of the County of Riverside, State of California, Ordains as Follows:

SECTION 1. The Board of Supervisors of the County of Riverside hereby makes the following findings:

A. The Fifth District has requested the Department of Environmental Health to initiate steps to establish a Tax Lien Guaranteed Comprehensive Collection area for the residential properties located within portions of the District;

B. A considerable volume and variety of solid wastes will continue to be generated by households in this area;

C. Many of the properties within this area have multiple occupied dwellings and structures, which adds to the volume of waste generated within the community;

D. Such wastes will create conditions which threaten the public health, safety, and well-being by potentially contributing to air, water, land pollution, and the general deterioration of the environment;

E. It is becoming increasingly necessary for the protection of the health, safety and welfare of the residents in the unincorporated areas of Riverside County that solid waste generated in such areas be promptly and safely collected and disposed of in an orderly and efficient manner;

F. Ordinance No. 745, adopted on November 29, 1994, established the authority of the Board of Supervisors to designate areas of the county as comprehensive collection areas in which waste collection services are compulsory;

G. Ordinance No. 745, as amended on March 30, 2004, allows such comprehensive collection areas to be implemented and any unpaid and delinquent charges for waste

1 collection services to appear the property owner's property tax bill following normal lien
2 practices established in the County.

3 In light of the findings made above, it is the intent and desire of the Board of Supervisors of this
4 County to establish a Program of Comprehensive Collection for residential land uses within
5 certain portions of the Fifth District.

6 **SECTION 2. PHASED IMPLEMENTATION.** Comprehensive residential collection will
7 be phased in the communities according to a schedule developed by the Fifth District staff,
8 Department of Environmental Health, and the Franchise Waste Hauler.

9 **SECTION 3. DEFINITIONS.** Unless the context otherwise specifies or requires, the terms
10 used in this resolution shall be as defined in Ordinances No. 657 and 745 unless otherwise
11 defined in this section to have the meanings herein specified. The definitions shall be equally
12 applicable to both the singular and plural forms of any of the terms herein defined:

13 A. **Residential Unit.** Shall mean an occupied dwelling within the unincorporated area of
14 the County occupied by a Person or group of Persons. A Residential Unit shall be
15 deemed occupied when either water or domestic light and power services are being
16 supplied thereto. With the exception of a County approved "Granny Flat", Each
17 occupied structure on the property, or portions of that structure or garage if converted to
18 independent dwelling units, shall be considered a separate residence for the purposes of
19 this Resolution.

20 **SECTION 4. INCORPORATION OF CONDITIONS AS ESTABLISHED THROUGH**
21 **ORDINANCE NO. 745.**

22 All applicable sections and requirements of Ordinance No. 745 as amended are hereby
23 incorporated for use within this Tax Lien Guaranteed Comprehensive Collection Area.

24 **SECTION 5. REQUIRED SERVICE LEVELS**

25 All Residential units shall secure waste removal services from the duly franchised waste hauler
26 to remove all waste generated not less often than once per week, or utilize one of the following
27 alternatives:
28

- 1 1. Receive an exemption as a small residential generator as approved by the Fifth District
2 and the Department of Environmental Health.
- 3 2. Receive approval to haul the waste following the County established procedures for
4 documented weekly removal.

5 **SECTION 6. REQUIREMENT FOR COMPLIANCE**

6 Non-compliance with this Resolution shall be deemed a violation of Ordinance 745.

7 **SECTION 7. APPLICABILITY**

8 The obligation to sign up for mandatory collection as imposed herein shall apply to all
9 residential units.

10 **SECTION 8. TAX LIEN ESTABLISHMENT**

11 In accordance with Riverside County Ordinance 745.2, this Comprehensive Collection
12 area is established as a Tax Lien Guaranteed Comprehensive Collection Area. As such,
13 unpaid trash collection fees shall result in the placement of a special assessment on the
14 property by the County.

15 **EFFECTIVE DATE**

16 This Resolution shall take effect on May 1, 2006.

17
18 BOARD OF SUPERVISORS OF THE COUNTY
19 OF RIVERSIDE, STATE OF CALIFORNIA

20
21 BY _____
22 Chairman

23 ATTEST:

24 Nancy Romero

25 Clerk of the Board

26 By _____

27
28 Deputy