

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



FROM: Supervisor John Tavaglione

SUBMITTAL DATE: September 20, 2006

SUBJECT: Adoption of Resolution 2006-389 Establishing Comprehensive Collection of Solid Waste for all Residential Units in the Second District

RECOMMENDED MOTION:

1. Introduce and set for Public Hearing (Clerk to advertise) Resolution 2006-389 establishing comprehensive solid waste collection in the Second District;
2. At the close of the public hearing, the Board of Supervisors adopt Resolution 2006-389

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 Second 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 the District.

John Tavaglione Supervisor, Second District

(Continued)

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:

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Wilson and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, setting the matter for public hearing on Tuesday, October 17, 2006 at 1:30 p.m.

Ayes: Buster, Tavaglione, Stone, Wilson and Ashley
Nays: None
Absent: None
Date: September 26, 2006
xc: Supv. Tavaglione, COB(2)

Nancy Romero
Clerk of the Board
By: Deputy

Department Recommendation: Policy Policy
 Consent Consent
Per Executive Office:

Prev. Agn. ref.

Dist. All

AGENDA NO.

16.2

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 2006-389 submitted as Exhibit A would establish Comprehensive (mandatory) collection for all residential units within the Second 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.

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3 **RESOLUTION NO. 2006-389**

4 **A RESOLUTION OF THE COUNTY OF RIVERSIDE ESTABLISHING**
5 **COMPREHENSIVE COLLECTION AND DISPOSAL OF SOLID WASTE FOR**
6 **RESIDENTIAL UNITS IN THE SECOND DISTRICT**
7

8 WHEREAS the Second District has requested the Department of Environmental Health
9 to initiate steps to establish a Tax Lien Guaranteed Comprehensive Collection area for the
10 residential properties located within the District; and,

11 WHEREAS a considerable volume and variety of solid wastes will continue to be
12 generated by households in this area and many of the properties within this area have multiple
13 occupied dwellings and structures, which adds to the volume of waste generated within the
14 community; and,

15 WHEREAS such wastes will create conditions which threaten the public health, safety,
16 and well-being by potentially contributing to air, water, land pollution, and the general
17 deterioration of the environment; and,

18 WHEREAS it is becoming increasingly necessary for the protection of the health, safety
19 and welfare of the residents in the unincorporated areas of Riverside County that solid waste
20 generated in such areas be promptly and safely collected and disposed of in an orderly and
21 efficient manner; and,

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

25 WHEREAS Ordinance No. 745, as amended on March 30, 2004, allows such
26 comprehensive collection areas to be implemented and any unpaid and delinquent charges for
27 waste collection services to appear the property owner's property tax bill following normal lien
28 practices established in the County; and,

1 NOW THEREFORE, BE IT RESOLVED THAT comprehensive residential collection
2 will be phased in the communities according to a schedule developed by the Second District
3 staff, Department of Environmental Health, and the Franchise Waste Hauler.

4 BE IT FURTHER RESOLVED THAT unless the context otherwise specifies or requires,
5 the terms used in this resolution shall be as defined in Ordinances No. 657 and 745 unless
6 otherwise defined in this section to have the meanings herein specified. The definitions shall be
7 equally applicable to both the singular and plural forms of any of the terms herein defined:

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

15 BE IT FURTHER RESOLVED THAT all applicable sections and requirements of
16 Ordinance No. 745 as amended are hereby incorporated for use within this Tax Lien Guaranteed
17 Comprehensive Collection Area and all residential units shall secure waste removal services
18 from the duly franchised waste hauler to remove all waste generated not less often than once per
19 week, or utilize one of the following alternatives:

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

24 BE IT FURTHER RESOLVED THAT non-compliance with this Resolution shall be
25 deemed a violation of Ordinance 745 and the obligation to sign up for mandatory collection as
26 imposed herein shall apply to all residential units.

27 BE IT FURTHER RESOLVED THAT in accordance with Riverside County Ordinance
28 745.2, this Comprehensive Collection area is established as a Tax Lien Guaranteed

1 Comprehensive Collection Area. As such, unpaid trash collection fees shall result in the
2 placement of a special assessment on the property by the County.

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