

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



1-1

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried, IT WAS ORDERED, FOUND AND DETERMINED that the following ordinances were duly published:

<u>ORDINANCE</u>	<u>DATE</u>	<u>NEWSPAPER</u>
No. 779.17	June 1, 2016	The Press-Enterprise

Roll Call:

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: Benoit

I hereby certify that the foregoing is a full, true and correct copy of an order made and entered on December 6, 2016 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: December 6, 2016
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in and
for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.

1-1

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P.)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Ord No 779.17

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

06/01/2016

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Jun 01, 2016

At: Riverside, California

Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
P.O. BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0010168835-01

P.O. Number: Ord No 779.17

Ad Copy:

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

ORDINANCE NO. 779.17 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE 779 RELATING TO COUNTY SOLID WASTE FACILITIES AND ESTABLISHING FEES

The Board of Supervisors of the County of Riverside, State of California, ordains as follows:

SECTION 1:

This ordinance amends and replaces Ordinance No. 779.16 and any prior version of Ordinance No. 779 in their entirety with the following:

Section 1. DEFINITIONS.

The words used in this ordinance shall have the definitions provided in Public Resources Code 40100 et. Seq.

Section 2. ESTABLISHMENT OF SITES. Subject to control of the Board of Supervisors, the General Manager-Chief Engineer of the Department of Waste Resources may designate and operate or control by contract County owned, leased, or contracted sites for public transfer, processing or disposal of solid waste.

Section 3. REFUSE FROM OUTSIDE OF COUNTY. Unless so authorized in writing by the General Manager-Chief Engineer of the Department of Waste Resources or his designated representative, under general policies adopted by the Board, no person shall place, deposit, or dump, or cause to be placed, deposited, or dumped, in or upon any County owned, leased, or contracted transfer station or disposal site in the County, any solid waste originating outside of the County of Riverside, provided however, the General Manager-Chief Engineer of the Department of Waste Resources has discretion to accept incidental amounts of refuse from outside of Riverside County and near County borders for disposal at County landfills when payment is made according to Appendix A for such incidental refuse.

Section 4. REGULATIONS. All County owned leased, or contracted transfer stations and disposal sites in the County should be under the supervision of the General Manager-Chief Engineer of the Department of Waste Resources who shall have the power and the duty to prescribe reasonable regulations regulating the use by the public and the operation of such sites. Such rules shall include, but need not be limited to, the following subjects:

- Days and hours of use.
- Charges for use of sites at times other than regular hours, which shall be sufficient to reimburse the County for equipment, personnel and overhead costs.
- Maximum size of articles and objects dumped.
- Allocation of various types of waste to specific sites and the placement of waste within any site.
- Prohibition or conditional acceptance of harmful, dangerous or difficult to handle materials, if allowed under the state operating permit, including a reasonable charge for their acceptance, unique handling requirements or assured destruction.
- Prohibition of persons from entering the site for reasons including, but not limited to: unauthorized salvaging of waste and recyclables, attempting to dispose of hazardous waste, loitering, intoxication and other forms of conduct that reduce operational efficiencies and/or increase risk of injury to Department employees and the public.

Except for short-term emergencies, any regulation fixing days or hours of operation shall be submitted to the Board of Supervisors for approval before taking effect. All regulations prescribed by the General Manager-Chief Engineer of the Department of Waste Resources shall be filed in his or her office and shall be available for public inspection.

Section 5. HAZARDOUS WASTE LOAD CHECKING PROGRAM. All landfills and transfer stations in the County shall implement and maintain a hazardous waste load checking program at each of their solid waste facilities as required by California law (pursuant to Titles 14 and 27, California Code of Regulations); and which program shall also meet the minimum requirements outlined in this ordinance.

- Each solid waste facility operator shall perform random load checks across all load types including self-haul residential, business and industrial waste loads, franchise hauler waste loads (including residential, commercial and industrial) to detect hazardous waste before such incoming waste is transferred to, and/or disposed at, the landfill. Such program shall have the objectives of: (1) preventing hazardous waste from being placed in a landfill not permitted to receive such waste and (2) educating and discouraging both facility self-haul customers and franchise waste hauler customers from bringing or sending in such material. The minimum number of load checks performed at each solid waste facility shall comply with the following schedule:

Landfill/Transfer Station Random Load Check Schedule

Average Daily Tonnage	Random Samples per Day
0 to 100 tons/day	**
101 to 600 tons/day	6*
601 to 1,000+ tons/day	10*

* The initial schedule is for a minimum number of "Random Samples per Day" for a minimum of three rotating days per week so arriving customers will not know when there will be an inspection. If a problem persists with large quantities of hazardous waste being found at the landfill or transfer station, the Enforcement Agency or the General Manager-Chief Engineer of the Department of Waste Resources may require the number of "Random Samples per Day" to be applied every day the solid waste facility is open until the problem is deemed corrected.

**Minimum of 6 samples per week - may all be performed on the same day

- An inspection form (which shall be certified for completeness and accuracy by the load check inspector on duty) shall be filled out in its entirety at the time of each load check performed at the solid waste facility. The inspection form shall include the following information, to be filled out at the time of inspection:
 - Date and time of inspection
 - Load check inspector name, (certification)
 - Load type (residential, commercial, industrial)
 - Hauler/company name/customer name
 - Driver name
 - Vehicle type (e.g. Hand Unload, Dump Truck, Side Loader, Front End Loader, or Roll Off)
 - License plate number
 - Whether or not the load contained prohibited waste
- When prohibited waste is found, forms shall include the following:
 - Load origin (jurisdiction or route number for side loaders and front end loader vehicles, customer/store name and address where picked up for all other vehicle types)
 - Hazardous waste found (type/name, class, container size/quantity, volume/weight, unit of gallons or pounds)
 - Disposition of material (e.g. picked up by responsible party, returned with customer at time of inspection, solid waste facility assumed responsibility of the material, etc.)
- Management shall review completed forms at a frequency sufficient to ensure forms are filled out completely and correctly.
- The General Manager-Chief Engineer of the Department of Waste Resources or his designated representative and/or a representative of the Enforcement Agency shall have the right to enter the solid waste facilities at any time to audit their load check program's compliance with these standards. These audits shall be limited to four times in any 12 month period and may include three days in which Department of Waste Resources personnel perform load checks at the facility and one day in which Department of Waste Resources staff review the facility's written load check program, hazardous waste and universal waste shipping records, facility personnel training records, hazardous waste storage areas, and load checking procedures in order to audit the solid waste facility load checking program and/or assist the operator in making its load checking program successful.

Section 6. SALVAGE OPERATIONS. Subject to the approval of the Board of Su-

supervisors, salvage operations of reusable waste materials at all County owned, leased, or contracted transfer stations and disposal sites in the County may be conducted only by such persons as are authorized to do so and upon such terms and conditions as are imposed by the General Manager-Chief Engineer of the Department of Waste Resources.

Section 7. FEES.

1. **Tipping Fees at Scaled Urban Sites:** Pursuant to the authority of Government Code Section 25823, fees for the disposal of solid waste and disposal of liquid waste at enumerated landfills shall be as established by the Board of Supervisors following a duly noticed public hearing. The fees so established shall be in an amount sufficient to cover all costs including but not limited to the following: closure/postclosure (including past unfunded costs), remediation, environmental mitigation, state mandated and other pass-through fees, and general operations. Such fees and the landfills to which they shall apply appear as Appendix A to this Ordinance. The Board of Supervisors may establish different rates through contractual agreements when the terms of said agreements help stabilize revenues and system rates over a long-term period.

2. **Fees for Disposal at Rural Sites:** Pursuant to the authority of Government Code Section 25823, fees for the disposal of solid waste at landfills and transfer stations, formerly in a land use assessment area, shall be as established by the Board of Supervisors following a duly noticed public hearing. The fees so established shall be calculated to recover a fair share of the estimated costs for these facilities. Cards permitting entrance into these landfills and transfer stations shall be offered for sale to residents and businesses (only in the local areas surrounding these sites as shown on maps in Exhibit 1) at rates set by the Board of Supervisors. No access to these facilities will be allowed without a card, except in cases where permitted waste haulers or other large commercial users have negotiated separate contracts with the County. Waste from outside these areas shall not be accepted at the rural sites providing, however, waste from unincorporated areas outside of, but near the borders of these service areas may be accepted under the same terms and conditions herein set forth, if it is determined by the General Manager-Chief Engineer of the Department of Waste Resources that this is the most practical way to provide disposal service to these customers. Such rates and the landfills and transfer stations to which they apply shall appear in Appendices B and C to this Ordinance.

3. **Miscellaneous Fees.** A schedule of miscellaneous fees is attached as Appendix D.

Section 8. PROHIBITIONS. No person shall violate any regulation prescribed by the General Manager-Chief Engineer of the Department of Waste Resources regulating the use of a County disposal site or transfer station, or fail to obey any sign giving notice of any regulation, maintained at any such site or facility by the General Manager-Chief Engineer of the Department of Waste Resources. Violation of any such regulation shall be a violation of this Ordinance.

Section 9. VIOLATIONS AND PENALTIES. The General Manager-Chief Engineer of the Department of Waste Resources reserves the right to deny entrance to an individual for an appropriate time span when said individual is deemed to pose a safety risk and/or is disruptive to the normal workflow of the landfill or transfer station operations. A letter of notification specifying the dates and location(s) of restriction will be mailed to the individual and be on hand at the gate fee booth(s).

It shall be unlawful for any person to violate any provision of this Ordinance. Any person violating any provision of this Ordinance may be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such persons shall be deemed guilty of a separate offense for each day, or portion thereof, during which any violation of any of the provisions of this Ordinance is committed or continued. Any person so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding One Hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding Two Hundred dollars (\$200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding Five Hundred dollars (\$500.00).

Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

Section 10. SEVERABILITY. If any provision, clause, sentence or paragraph of this Ordinance (including its appendices) or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or applications of the provisions of this Ordinance (and its appendices) which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance (and its appendices) are hereby declared to be severable.

SECTION 2:

This ordinance shall take effect July 1, 2016.

**APPENDIX A TO RIVERSIDE COUNTY
ORDINANCE NO. 779.17
"SCHEDULE OF WASTE DISPOSAL FEES FOR RIVERSIDE COUNTY
DEPARTMENT OF WASTE RESOURCES"
Effective July 1, 2016**

The following gate fees will be applicable at
El Sobrante, Badlands, Lamb Canyon, and Blythe Landfills

WASTE GROUP DESCRIPTIONS	RATE
1. Transfer Trucks/Contracted Vehicles	See Note #1
2. Direct Haul/Non-Contract vehicles (automobiles, vans, box trucks, pickup trucks or any other vehicle pulling a trailer):	
(a) Routine Refuse (loads more than .40 tons)	\$37.21 /ton*
(b) Routine Refuse Minimum Load Fee (loads .40 tons or less)	\$9.00 /load
(c) Loads hauling 50% or more green waste not exceeding .40 tons	\$12.00 /load
3. Any vehicles hauling loads of more than 9 tires (Tires cannot exceed 4 feet in diameter or weigh more than 200 pounds each).	\$104.86 /ton**
4. End dump vehicles or any other vehicle carrying loads carrying wastes requiring special handling or immediate burial over .25 tons (Hard to Handle)	\$49.62 /ton*
(a) Hard to Handle Minimum Load Fee (loads carrying waste requiring special handling or immediate burial not exceeding .25 ton)	\$12.00 /ton*
5. Added to the charges listed herein will be a surcharge of:	
(a) \$1.00 per tire up to 9 tires (passenger and light duty truck tires)	\$1.00 /tire
(b) \$5.20 per tire up to 9 tires (not to exceed 4" in diameter or weigh more than 200 pounds each).	\$5.20 /tire*
(c) \$10.00 per uncovered load of refuse which has exposed material which in the opinion of the General Manager-Chief Engineer or his/her designee may litter access routes to the landfill.	\$10.00 /load
(d) \$10.00 per ton for loads which are judged to be 50% or more wood waste/yard waste by volume.	\$10.00 /ton
(e) \$5.00 per ton for incidental out of county refuse	\$5.00 /ton***
6. Any vehicle hauling:	
(a) 2 or less large trash bags, or	
(b) up to 2 cathode ray tube (CRT) devices (e.g. TVs or computer monitors) per day, or	No Charge
(c) 3 holiday trees for recycling (residential customers only from 12/26/2016 through 1/8/2017), or	
(d) material pre-approved by the General Manager-Chief Engineer or designee as needed for beneficial re-use (food waste for pilot	

2016 JUN -6 PM 12:00

RECEIVED RIVERSIDE COUNTY
CLERK/BOARD OF SUPERVISORS

compost program, concrete/asphalt for wet weather, etc).
(e) 2 or less mattresses (may include box springs)

7. All vehicles not described in any other provision of this fee schedule	\$37.21 /ton*
8. Emergency towing services:	
(a) 10 minutes or less	\$20.00
(b) over 10 minutes	\$35.00
9. Late Staying Customer Fees	
(a) 16 to 30 minutes past closing	\$60.00
(b) 31 minutes or more past closing	\$120.00
10. Any vehicle hauling chipped & ground green waste approved by the General Manager-Chief Engineer or designee as needed for beneficial re-use and spread by County.	\$10.00 /ton

Notes:

- 1) Rate for Transfer Trucks to be determined by individual contracts.
- 2) Loads of dead sheep or small calves from the Blythe service area separated from other waste will be received at no charge at the Blythe Landfill (daily from 8am to 9am due to health and safety risk in the vast open canal system in the area.
- 3) Certified loads of illegally dumped nonhazardous municipal solid waste retrieved along open flowing irrigation canals, which are delivered by the agency responsible for maintaining the canals shall be received at no charge at the Blythe Landfill.
- 4) The General Manager-Chief Engineer is authorized to recoup costs associated with the segregation of unauthorized waste commingled with routine refuse.

* Cash customers prorated to the nearest \$.25

**Cash customers prorated to the nearest \$.25 with a minimum charge of \$20.00 per vehicle

*** Exception - El Sobrante Landfill. Incidental Out of County (OOC) rate established by WM Inc.

John J. Benoit, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on May 24, 2016 the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Washington, Benoit and Ashley

NAYS: None

ABSENT: None

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

6/1

RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2016 JUN - 6 PM 12: 00