

**Chapter 6.76 - SOLID WASTE MANAGEMENT****Sections:****6.76.010 - Declaration of findings.**

The board of supervisors of the county does hereby find and declare as follows:

- A. That the expenses incurred by the county department of environmental health in the enforcement of the California Integrated Waste Management Act of 1989 (Public Resources Code Section 40000 et seq.) and the regulations of the California Integrated Waste Management Board are not met by any fees prescribed by the state;
- B. That the expenses incurred by the county department of environmental health in such enforcement and providing certain other related services are reasonable and necessary;
- C. That the schedule of fees prescribed in this chapter reasonably reflects the expenses of the county department of environmental health for such enforcement and services.

(Prior gen. code § 3-180.0)

(Ord. No. 2001-4, § 5, 8-1-00)

**6.76.020 - Scope and application.**

The fees prescribed by Section 6.76.040 of this chapter are applicable to any business activity within a geographic area in which the county department of environmental health enforces the California Integrated Waste Management Act of 1989 and the regulations of the California Integrated Waste Management Board. Any person conducting or engaging in a business, occupation, act or other activity defined in Section 6.76.030 of this chapter within a geographic area under the jurisdiction of the county department of environmental health shall be liable for the solid waste management fees specified in Section 6.76.040 of this chapter for such business, occupation, act or activity. Such fees shall be payable quarterly in advance and shall cover a calendar quarter, unless otherwise specified. These fees shall be applicable notwithstanding the provisions of Section 1.04.220.

(Prior gen. code § 3-180.1)

(Ord. No. 2001-4, § 5, 8-1-00)

**6.76.030 - Definitions of business activities subject to solid waste management fees.**

"Collection vehicle or equipment" shall be as defined in California Code of Regulations, Title 14.

"Disposal facility" or "facility" shall be as defined in Public Resources Code Section 40121.

"Disposal site" or "site" shall be as defined in Public Resources Code Section 40122.

"Person" shall be as defined in Public Resources Code Section 40170.

"Small volume transfer station" shall be as defined in California Code of Regulations, Title 14.

"Solid waste facility" shall be as defined as in Public Resources Code Section 40194.

"Transfer or processing station" or "station" shall be as defined in Public Resources Code Section 40200.

(Prior gen. code § 3-180.2)

(Ord. No. 2001-4, § 5, 8-1-00)

6.76.040 - Fees.

The fees charged the facilities enumerated in Section 6.76.030 shall be established from time to time by resolution of the board of supervisors. Pursuant to Public Resources Code, Division 30, Part 4, Chapter 2, this fee shall be based on weight, volume or type of solid waste.

(Prior gen. code § 3-180.3)

(Ord. No. 2001-4, § 5, 8-1-00; Ord. No. 2010-38, 7-13-10)

6.76.050 - Separate activities.

If a person engages in, conducts, manages, or carries on at the same time, more than one of the activities for which a fee is required by this chapter, he shall be deemed to be engaging in, conducting, managing, and carrying on each activity separately and apart from the other such activity, and a separate fee shall be paid for each activity, except in those cases specifically mentioned in this chapter.

(Prior gen. code § 3-180.4)

6.76.060 - Penalties for delinquent fees.

If the solid waste management fee required by this chapter is not paid in full within thirty (30) days of the invoice date, a penalty equal to twenty-five (25) percent of the unpaid fee shall be imposed. An additional penalty equal to twenty-five (25) percent of the unpaid fee shall be imposed at the end of the subsequent thirty (30) day period. The total penalty shall not exceed fifty (50) percent of the solid waste management fee.

The penalties imposed hereunder shall be computed on the applicable unpaid balance of the fees only, and shall not be applied to prior penalties assessed. The director may waive penalties, in whole or in part, where it is determined that the delay was occasioned by excusable neglect on the part of the person billed.

(Prior gen. code § 3-180.5)

(Ord. No. 2001-4, § 6, 8-1-00)

6.76.061 - Payment due date.

Payment shall be due on the date the invoice/statement is sent. Accounts shall be considered delinquent thirty (30) days after the due date at which time penalties will be assessed.

(Ord. No. 2001-4, § 7, 8-1-00)

6.76.070 - Filing of application for solid waste facility permit.

Every person conducting or engaging in a business, occupation or activity for which a solid waste facility permit is prescribed by Public Resources Code Section 44001 shall file an application for a solid waste facility permit with the county department of environmental health and at such time pay the required fee, as specified from time to time by resolution of the board of supervisors. This fee shall be applicable notwithstanding the provisions of Section 1.04.220.

(Prior gen. code § 3-180.6)

(Ord. No. 2001-4, § 5, 8-1-00)

6.76.080 - Posting of solid waste facility permit.

Every person having a solid waste facility permit issued under the provisions of this chapter shall keep such

permit readily available for inspection

(Prior gen. code § 3-180.7)

**6.76.090 - Solid waste facility permit transfers.**

Solid waste facility permits are not transferable.

(Prior gen. code § 3-180.8)

**6.76.100 - Decals or insignias for vehicles.**

Any decals or insignias issued by the county department of environmental health for solid waste collection vehicles or equipment shall be conspicuously attached to such vehicles in a location designated by the county department of environmental health.

(Prior gen. code § 3-180.9)

(Ord. No. 2001-4, § 5, 8-1-00)

**6.76.110 - Appeal.**

Any person required to pay any fee as set forth herein who is aggrieved by the decision of the county department of environmental health director "director" may appeal the decision to the board of supervisors within ten days following the effective date of the decision by writing to the clerk of the board of supervisors. Upon receipt of such request, the clerk shall request a report and recommendation from the director and shall set the matter for hearing at the earliest practical date. At the hearing, the board may hear additional evidence, may reject, affirm, or modify the director's decision. The decision of the board shall be considered final. The time during which an appeal is pending shall not be included in determining the delinquency date as defined in Section 6.76.060 of this chapter.

(Prior gen. code § 3-181.1)

(Ord. No. 2001-4, § 5, 8-1-00)

