

(O-82-76)

ORDINANCE NUMBER O- 15603 (New Series)

Adopted on NOV 3 1981

AN ORDINANCE AMENDING PEOPLE'S ORDINANCE NO. 7691 AND CHAPTER VI, ARTICLE 6 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 66.0123 RELATING TO THE COLLECTION AND DISPOSAL OF CITY REFUSE.

BE IT ORDAINED, by the People of the City of San Diego, as follows:

Section 1. That People's Ordinance No. 7691 and Chapter VI, Article 6, Section 66.0123 of the San Diego Municipal Code be and the same are hereby amended to add a Section 14 to read as follows:

SEC. 66.0123 GARBAGE AND REFUSE COLLECTION

Section 14. Notwithstanding any of the provisions of this People's Ordinance to the contrary, the City Council may by ordinance, establish rules and regulations for the collection, transportation and disposal of City refuse in the City of San Diego in order to protect the health and safety of the residents of the City and to ensure the provision of efficient and effective waste management services. Such rules and regulations shall not include any fees for the collection, transportation or disposal of residential waste generated within the City of San Diego. The City Council may, by ordinance, establish fees for the disposal of commercial wastes and industrial wastes

generated in the City. Said fees shall be limited to the total disposal cost of such wastes to be determined by multiplying the total cost of disposing of all refuse, regardless of point of origin or method of disposal, by the percentage that said commercial waste and industrial waste bears to the total waste disposed, regardless of source. Said fees, if established, shall be in lieu of a portion of the tax required by Section 1.

Such rules and regulations shall include limitations on the quantities of commercial wastes and industrial wastes collected, with the City in no event collecting from any single commercial or industrial enterprise waste in an amount greater than one hundred fifty percent (150%) of the waste generated by an average City residential dwelling unit. Such rules and regulations may authorize the City Manager to designate waste service areas within the City and direct wastes collected in those areas to designated waste disposal facilities. The collection, transportation and disposal of City refuse by commercial operators is a lawful business enterprise subject to the rules and regulations adopted by the City Council pursuant to this section.

For the purposes of this Section, the following definitions shall apply:

(a) "Commercial wastes" include all types of solid and semisolid waste materials generated by stores,

offices, hotels, motels and other commercial activities required under the provisions of the Municipal Code to pay a license tax, with the exception of all nontransient residential dwellings.

(b) "Industrial wastes" include all types of solid and semisolid waste materials which result from industrial processes and manufacturing operations, excluding hazardous wastes.

(c) "Residential wastes" include all types of solid and semisolid waste materials generated by single family or multi-family dwelling units.

Section 2. This ordinance shall take effect and be in force on the day of its passage.

APPROVED: John W. Witt, City Attorney

By Stuart H. Swett
Stuart H. Swett
Chief Deputy City Attorney

SHS:rc:210(x930.46)
11/5/81
Or.Dept:Clerk

NOV 3 1981

Adopted by the qualified electors of The City of San Diego on

by the following vote:

For	107,200
Against	24,667
TOTAL	131,867

AUTHENTICATED BY:

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

JUNE A. BLACKNELL

By....., Deputy.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Ordinance No. O-15603, New Series, of the Ordinances of The City of San Diego, California, as adopted by the qualified electors of said The City of San Diego, at the Special Municipal Election held in said City on the 7th day of November, 1981; and

I FURTHER CERTIFY that the returns of said Election were duly returned and canvassed by the Registrar of Voters of the County of San Diego, and the results of said election were duly declared by the Council of The City of San Diego, California, by Resolution No. R-255404, adopted on November 23, 1981.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *June A. Blacknell*....., Deputy.

Office of the City Clerk, San Diego, California

CERTIFICATE OF PUBLICATION

SAN DIEGO, CITY OF
12th fl, 202 C St.
San Diego, CA 92101
BLACKNELL

RECEIVED
CITY CLERK'S OFFICE
1981 DEC 15 AM 9:17
SAN DIEGO, CALIF. E.S.

IN THE MATTER OF

NO.

ORDINANCE No. 0-15603 (New Series)

**ORDINANCE No. 0-15603
(New Series)**

AN ORDINANCE AMENDING PEOPLE'S ORDINANCE NO. 7891 AND CHAPTER VI, ARTICLE 6 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 68.0123 RELATING TO THE COLLECTION AND DISPOSAL OF CITY REFUSE.

BE IT ORDAINED, by the People of the City of San Diego, as follows:

Section 1. That People's Ordinance No. 7891 and Chapter VI, Article 6, Section 68.0123 of the San Diego Municipal Code be and the same are hereby amended to add a Section 14 to read as follows:

SEC. 68.0123 GARBAGE AND REFUSE COLLECTION

Section 14. Notwithstanding any of the provisions of this People's Ordinance to the contrary, the City Council may by ordinance, establish rules and regulations for the collection, transportation and disposal of City refuse in the City of San Diego in order to protect the health and safety of the residents of the City and to ensure the provision of efficient and effective waste management services. Such rules and regulations shall not include any fees for the collection, transportation or disposal of residential waste generated within the City of San Diego. The City Council may, by ordinance, establish fees for the disposal of commercial wastes and industrial wastes generated in the City. Said fees shall be limited to the total disposal cost of such wastes to be determined by multiplying the total cost of disposing of all refuse, regardless of point of origin or method of disposal, by the percentage that said commercial waste and industrial waste bears to the total waste disposed, regardless of source. Said fees, if established, shall be in lieu of a portion of the tax required by Section 1.

Such rules and regulations shall include limitations on the quantities of commercial wastes and industrial wastes collected, with the City in no event collecting from any single commercial or industrial enterprise waste in an amount greater than one hundred fifty percent (150%) of the waste generated by an average City residential dwelling unit. Such rules and regulations may authorize the City Manager to designate waste service areas within the City and direct wastes collected in those areas to designated waste disposal facilities. The collection, transportation and disposal of City refuse by commercial operators is a lawful business enterprise subject to the rules and regulations adopted by the City Council pursuant to this section.

For the purposes of this Section, the following definitions shall apply:

(a) "Commercial wastes" include all types of solid and semisolid waste materials generated by stores, offices, hotels, motels and other commercial activities required under the provisions of the Municipal Code to pay a license tax, with the exception of all nontransient residential dwellings.

(b) "Industrial wastes" include all types of solid and semisolid waste materials which result from industrial processes and manufacturing operations, excluding hazardous wastes.

(c) "Residential wastes" include all types of solid and semisolid waste materials generated by single family or multi-family dwelling units.

Section 2. This ordinance shall take effect and be in force on the day of its passage.

I, Charlene Lance, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE No. 0-15603 (New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

December 7, 1981

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 7th day of Dec., 1981.

Charlene Lance
(Signature)

APPROVED: John W. Witt, City Attorney
 by Stuart H. Swatt, Chief Deputy City Attorney
 Adopted by the qualified electors of The City of San Diego
 on November 3, 1981 by the following vote:

For	107,900
Against	24,827
TOTAL	132,727

AUTHENTICATED BY:
 CHARLES G. ABDELNOUR,
 City Clerk of The City of
 San Diego, California,
 by JUNE A. BLACKNELL, Deputy.

I HEREBY CERTIFY that the above and foregoing is a full
 and correct copy of Ordinance No. 0-15603, New Series,
 Ordinances of The City of San Diego, California, as adopted
 by the qualified electors of said The City of San Diego, at the
 Special Municipal Election held in said City on the 7th day
 of November, 1981; and

I FURTHER CERTIFY that the returns of said Election were
 returned and canvassed by the Registrar of Voters of the
 City of San Diego, and the results of said election were
 certified by the Council of The City of San Diego, California, by
 Resolution No. R-235404, adopted on November 23, 1981
 and on December 7, 1981.