

(O-89-215)

ORDINANCE NUMBER O- 17304 (NEW SERIES)

ADOPTED ON MAY 22 1989

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 6, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 66.0112, 66.0124, 66.0125 AND 66.0126 RELATING TO REFUSE DISPOSAL.

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

Section 1. That Chapter VI, Article 6, Division 1, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 66.0112, 66.0124, 66.0125 and 66.0126, to read as follows:

SEC. 66.0112 LICENSES FOR COLLECTION, TRANSPORTATION AND DISPOSAL OF REFUSE

All licenses shall be issued to expire at the end of the fiscal year of the City. The annual fee for a license shall be \$150.00 per vehicle used to collect, transport or dispose of refuse in the City. This licensing fee shall be in addition to the business taxes required by Chapter III, Article 1, of the San Diego Municipal Code. Fees for licenses shall be paid at the time of application for the license.

The fee during a licensee's first year of operation shall be prorated on a quarterly basis. No fees shall be refunded. However, if a license application is denied, a full refund of the license fee shall be made by the Manager to the applicant.

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CITY CLERK'S OFFICE

91 MAY 22 PM 2:58

SAN DIEGO, CALIF.

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AND WHEREAS BY NAME OF
REG. OFFICIAL [illegible] SAN DIEGO, CALIF. AS [illegible]

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MAY 22 1991
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SEC. 66.0124 REFUSE DISPOSAL FACILITIES - REGULATIONS

The following rules and regulations for the use of refuse disposal facilities operated or maintained by The City of San Diego are hereby established, and any person violating any of said rules and regulations shall be guilty of a misdemeanor:

(a) through (i) No Change.

(j) No materials shall be deposited at any refuse disposal facility except during the regular operating days and hours of such facility.

(k) No person shall start or cause to be started any fire at any refuse disposal facility except as authorized by the Manager.

(l) Any person hauling any refuse materials containing non-infectious medical waste for disposal at a refuse disposal facility, shall so notify the Disposal Site Entry Representative and shall deposit the materials only in the manner and location designated.

(m) No person shall dispose of any chargeable refuse material at a refuse disposal facility without payment of the proper fee.

(n) Any person using obscene, offensive or threatening language or behavior toward refuse disposal site personnel in the performance of the duties required by this section may be denied entrance to and use of

City refuse disposal facilities on the date of the occurrence.

SEC. 66.0125 FEE FOR USE OF REFUSE DISPOSAL FACILITIES

a. No Change

b. Use of Disposal Facilities. The Manager may direct any City generated refuse or waste material to specific waste management facilities or forbid the use of any City waste management facility as needed in order to implement the intent of this section.

c. Assessment of Fees. Disposal fees shall be required at City refuse disposal facilities from all persons seeking to dispose of garbage, rubbish or other refuse or waste materials except as provided in this section and Section 66.0127. Said fees shall be developed with the intent of recovering the full and complete costs associated with providing and operating such facilities, including any and all surcharges imposed by other governmental agencies on the receipt and/or disposal of refuse or other waste materials.

All revenues collected pursuant to this section shall be used exclusively for the acquisition, development, construction, operation, closure or administration of City waste management facilities, recycling programs, or resource recovery systems.

d. Fee Schedule. The Manager shall periodically establish a schedule of refuse disposal fees for the types of vehicles using City waste management facilities

which shall be ratified by resolution of the City Council. Such fees shall be assessed and collected based on the weight of the waste materials delivered for disposal. The Manager reserves the right to weigh vehicles and charge fees based on actual tonnages; or when appropriate, to establish flat rate fees for various classes of vehicles based upon average measured tonnages delivered in such classes of vehicles. All refuse disposal fees collected at City waste management facilities shall be rounded to the nearest whole dollar to avoid problems associated with handling coins.

In addition to the standard fee, the Manager is authorized to establish and collect other fees as follows:

1. The Manager may charge additional fees for waste materials which, because of bulk or other characteristics, present a problem during disposal or which require special care or handling during the disposal process. These wastes shall include, but not be limited to, construction and demolition materials, bulk loads of tires, mattresses or car seats, portions of boats, automobile or truck bodies, certified non-infectious medical wastes, etc. Supplementary or additional fees for such materials shall be described in the approved schedule of refuse disposal fees.

2. Vehicles transporting any quantity of wastes generated outside the City shall be considered as

hauling all non-City originated refuse and be charged the higher of the City disposal fee or the disposal fee charged by the jurisdiction where the refuse originated.

e. Discounts and Exemptions.

1. The Manager shall establish such discounts and/or exemptions from the standard disposal fee as may be necessary to operate the landfill in an efficient manner, and to encourage the precompaction, recycling and/or diversion of waste materials. All discounts and/or exemptions shall be established or disestablished by Council resolution in the approved schedule of refuse disposal fees.

2. The Manager may exempt payment of refuse disposal fees for refuse generated in the City by:

(a) Nonprofit charitable organizations or citizen groups as part of an organized antilitter or community cleanup campaign;

(b) Profit or nonprofit firms engaged in recycling or resource recovery operations which significantly reduce the quantity of waste materials disposed of at City waste disposal facilities;

(c) Individuals or firms seeking to dispose of clean earthen material suitable for use as landfill cover material, subject to reasonable disposal conditions; or

(d) Any individual, firm or agency when the Manager determines that an emergency condition

exists and that such an exemption from disposal fees would be in the best interests of the City.

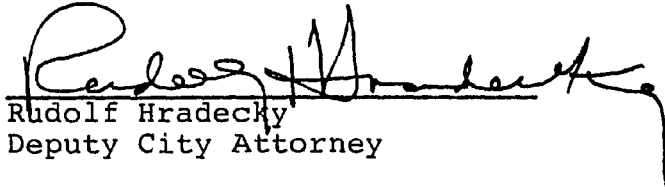
(e) Acceptable inert demolition materials disposed of at the Montgomery Field Landfill shall be charged a discounted disposal fee, as established in the approved schedule of refuse disposal fees, to encourage the use of that site.

**SEC. 66.0126 FEES APPLICABLE TO GOVERNMENTAL ENTITIES
FOR USE OF SANITARY LANDFILL REFUSE
DISPOSAL AREAS**

Fees required by Section 66.0125 shall apply to all governmental entities. The Manager may negotiate for use of the refuse disposal facilities by other governmental entities without payment of a fee if no fees are required for the use, if any, by the City of refuse disposal facilities owned or operated by such other governmental entities.

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

APPROVED: JOHN W. WITT, City Attorney

By 
Rudolf Hradecky
Deputy City Attorney

RH:mb
04/18/89
Or.Dept:W.Mgmt.
O-890215
Form=o.none

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Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Blonda R. Barnes*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAY 08 1989

MAY 22 1989

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Blonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 017304

Adopted MAY 22 1989

Passed and adopted by the Council of The City of San Diego on **MAY 22 1989**,
 by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By *Blonda R. Barnes* Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAY 08 1989, and on **MAY 22 1989**.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By *Blonda R. Barnes* Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number 017304	Adopted MAY 22 1989

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C STREET, SECOND FLOOR
SAN DIEGO, CA 92101
ATTN: MAYDELL L. PONTECORVO

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 6, DIVISION 1,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS
66.0112, 66.0124, 66.0125 AND 66.0126 RELATING TO
REFUSE DISPOSAL.

THOMAS D. KELLEHER

I, _____, 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 NUMBER 0-17304 (NEW SERIES)

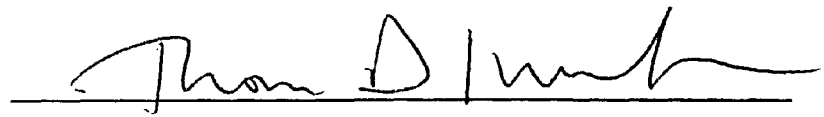
ORDINANCE NUMBER 0-17304 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 6, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 66.0112, 66.0124, 66.0125 AND 66.0126 RELATING TO REFUSE DISPOSAL.
This ordinance changes the collection procedures for disposing of refuse, establishes new fees, discounts and exemptions for same, and deletes special provisions for demolition and construction refuse disposal.
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.
INTRODUCED ON MAY 8, 1989
Passed and Adopted by the Council of The City of San Diego on MAY 22, 1989
AUTHENTICATED BY: MAUREEN O'CONNOR
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
(SEAL)
By MAYDELL L. PONTECORVO, Deputy
Pub. June 5

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:

JUNE 5

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

Dated at San Diego, California this 5 day of JUNE, 19 89.



(Signature)

2 1/8" x 2 = \$49.44