



AGENDA SUBMITTAL TO SOLANO COUNTY BOARD OF SUPERVISORS

ITEM TITLE Adopt an ordinance amending Chapter 23 of the Solano County Code to revise section 23-38(d) of the mandatory garbage service exemption program		BOARD MEETING DATE November 23, 2010	AGENDA NUMBER 11
Dept: Contact:	Dept. of Resource Management Terry Schmidtbauer, Environmental Health Manager	Supervisorial District Number ALL	
Extension:	x-3308		
Published Notice Required?		Yes _____	No <u>X</u> _____
Public Hearing Required?		Yes _____	No <u>X</u> _____

DEPARTMENTAL RECOMMENDATION:

It is recommended that the Board of Supervisors adopt an ordinance amending Chapter 23 of the Solano County Code to revise section 23-38(d) of the mandatory garbage service exemption program.

SUMMARY/DISCUSSION

A proposed ordinance amending Solano County Code, Chapter 23 to revise section 23-38(d) relating to the mandatory garbage service exemption program was introduced at the Solano County Board of Supervisors regular meeting on November 9, 2010. Solano County Code, Section 23-38 is being amended to: 1) eliminate the one year term of the exemption and the requirement to reapply annually for renewal; 2) modify the time period required for demonstration that the terms and conditions of the exemption are being met from once every year to once every one to three years based upon procedures established by the Department of Resource Management; and 3) provide flexibility regarding the requirement of a fee at renewal by eliminating language mandating a fee at renewal. Attachment A is a proposed ordinance amending Solano County Code, Chapter 23. Attachment B shows Solano County Code, section 23-38 with the proposed changes. Attachment C is a table comparing current code requirements to the recommended changes.

If adopted, the ordinance will take effect 30 days after adoption.

FINANCING:

Per Board direction during adoption of the mandatory garbage service requirement in 2004, there is no fee charged for application for exemptions. The cost of implementing the exemption program is recovered from the fees charged for each ton of solid waste generated in the county that is disposed at landfills, which supports the department's overall solid waste program implementation. In FY2009/10 the cost to implement the exemption program in the unincorporated area was \$19,608. Staff is not recommending any additional fees for the garbage service exemption program.

ALTERNATIVES:

The Board can choose not to amend Solano County Code, section 23-38. This is not recommended as these changes are necessary to address Board concerns regarding the exemption program and to align with current implementation practices by the Department of Resource Management.

OTHER AGENCY INVOLVEMENT:

General Services currently oversees the contracts for the exclusive franchise agreement for the garbage service providers in the unincorporated mandatory garbage service areas. County Counsel and the CAO have reviewed this report and proposed ordinance amendment.

CAO RECOMMENDATION:

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DEPARTMENT HEAD SIGNATURE:



Bill Emlen
Director

Attachments (3)

- A: Proposed ordinance amending Solano County Code, section 23-38
- B: Solano County Code, section 23-38 amended version
- C: Comparison of current Solano County Code, section 23-38 to recommended amendment