

ORDINANCE NO. 2007-04

AN ORDINANCE OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT, AMENDING CHAPTER 31 OF THE DISTRICT CODE RELATING TO SOLID WASTE COLLECTION AND DISPOSAL

BE IT ORDAINED by the Board of Directors of the Rancho Murieta Community Services District, Rancho Murieta, Sacramento County, California, as follows:

SECTION 1

Chapter 31 of the District Code relating to solid waste collection and disposal is amended, in part, as follows:

Whenever in Chapter 31 of this code the following words or phrases are used, they shall have the meanings respectively ascribed to them in this section:

- (a) Bulky Waste or Large Items shall mean materials including furniture, carpets, mattresses, clothing, tires, large green waste, or some combination of such items in a container the dimensions and weight of which container does not exceed four feet by four feet by two feet (4'x4'x2') and sixty (60) pounds, which are attributed to the normal activities of a residential dwelling. Bulky Waste or Large Items must be generated by and at the physical location wherein the large items are collected. Bulky Waste shall not include Exempt Waste.
- (b) Board shall mean the Board of Directors of the Rancho Murieta Community Services District.
- (c) Collection shall mean the operation of gathering together and transporting to the point of disposal of Solid Waste, and other waste material.
- (d) Cart or Container shall mean a receptacle constructed of metal, rubber, plastic or a combination thereof.
- (e) Contractor shall mean the person entering into a contract with the District for the collection and disposal of Solid Waste.
- (f) County shall mean the County of Sacramento.
- (g) Department shall mean the Sacramento County Department of Public Works acting by, through and under the authority of the Director of Public Works, unless the context indicates otherwise.
- (h) Disposal shall mean the complete operation of treating and disposing of the accumulations of Solid Waste and the product or residue arising from such treatment.
- (i) District shall mean the Rancho Murieta Community Services District.
- (j) Exempt Waste shall mean biohazardous or biomedical waste; hazardous waste/sludge; manure or stable matter; organic waste more than five (5) feet in length or with a diameter more than six (6) inches or a weight more than fifty (50)

pounds; electronic equipment such as stereos televisions,, computers, monitors, VCR's and similar items; and refrigerators, ranges, water heaters, freezers and similar household appliances; automobiles; automobile parts; boats and boat trailers' internal combustion engines; lead-acid batteries; and those wastes under the control of the Nuclear Regulatory Commission.

- (k) Garbage shall mean all putrescible waste which generally includes but is not limited to kitchen and table food waste, animal, vegetative, food or any organic waste that is attendant with, or results from the storage, preparation, cooking or handling of food materials. Garbage must be generated by and at the physical location wherein the Garbage is collected.
- (k) Green Waste shall mean any vegetative matter resulting from normal yard and landscaping maintenance. Green Waste includes plant debris, such as grass clippings, leaves, pruning, weeds, branches, brush, Christmas trees, and other forms of organic waste not more than five (5) feet in its longest dimension or with a diameter not more than six (6) inches or weights more than fifty (50) pounds and must be generated by and at the physical location wherein the Green Waste are collected.
- (l) Manure or stable matter shall mean any waste matter normally accumulated in stables or in livestock or poultry enclosures.
- (m) Recyclable Materials shall mean those materials that are capable of being recycled and which would otherwise be processed or dispose of as garbage or rubbish. Recyclable Materials include: newsprint (including inserts); mixed paper (including magazines, catalogs, envelopes, junk mail, corrugated cardboard, Kraft brown bags and paper, paperboard, paper egg cartons, office ledger paper, and telephone books); glass containers; aluminum beverage containers; small scrap and cast aluminum (not exceeding forty (40) pounds in weight nor two (2) feet in any dimension for any single item); steel, including "tin" cans and small scrap (not exceeding forty (40) pounds in weight nor two (2) feet in any dimension for any single item); bimetal containers; mixed plastics such as plastic bags, plastic film, plastic containers (1-7), and bottles including containers made of HDPE, LDPE, PET, or PVC; textiles; aseptic containers; and polystyrene.
- (n) Rubbish shall mean accumulation of refuse, paper, excelsior, rags, wooden boxes and containers, sweep-ups and all other accumulations of a nature other than Garbage, Green Waste or Recyclable Materials. Rubbish must be generated by and at the physical location wherein the Rubbish is collected.
- (o) Solid waste shall mean Garbage, Green Waste, Large Items, Recyclable Materials, or Rubbish that is generated or accumulates in homes, hotels, restaurants, businesses, offices or government buildings. Solid Waste must be generated by and at the physical location wherein the Solid Waste is collected. Solid Waste shall not include Exempt Waste.

4.01 Collection by District—Applicable Provisions

- (a) The District may provide for the collection and disposal Solid Waste from all premises in the District. When the District so acts, the following provisions shall be

applicable. Such collection and disposal shall be accomplished at least once each calendar week. Such provisions may be made either by letting a contract for such collection and removal, or otherwise. The District shall have charge and supervision of such collection and removal and shall prescribe and establish routes and days for the collection and removal of Solid Waste from the various parts of the District so as to conform to the provisions of this Chapter 31 of this code, and may change the same from time to time. When such routes or days of collection are established or changed he shall give notice thereof in such manner as he deems best. Every person desiring to have the District collect and remove Solid Waste from any premises in the District shall place and keep the same in such containers as are required by this Chapter.

(b) When the collection of Solid Waste is desired, the containers shall be placed along the street curb in front of the premises from which the Solid Waste is to be removed or in such other location designated by the District. No person shall place any cart for or containing Solid Waste in any street or public highway of the District before 5:00 p.m. prior to the day of collection or allow any cart for Solid Waste placed by him or her in any such street or other collection location after 7:00 a.m. on the following collection.

(c) When the collection of Bulky Waste is desired, residents may place Bulky Waste along the street curb in front of the premises from which the Bulky Waste is to be removed no earlier than 5:00 p.m. prior to the scheduled day of Bulky Waste collection.

4.05 Carts, Containers, and Lawn and Leaf Bags

No person shall dump any Solid Waste nor deposit the same in anything except a cart for holding Solid Waste. Each cart shall be as follows:

- (a) Garbage Cart. A heavy plastic receptacle with a rated capacity of at least thirty-two (32) and not more than ninety-six (96) gallons, having a hinged tight-fitting lid and wheels, that is approved by the District and is appropriately labeled as a garbage cart.
- (b) Green Waste Cart. A heavy plastic receptacle with a rated capacity at least thirty-two (64) gallons and not exceeding ninety-six (96) gallons, having a hinged tight-fitting lid, and wheels, that is approved for such purpose by the District and is appropriately labeled as a green waste cart.
- (c) Recycling Cart. A heavy plastic receptacle with a rated capacity of at least thirty-two (64) gallons and not more than ninety-six (96) gallons, having a hinged tight-fitting lid, and wheels, that is approved for such purpose by the District and is appropriately labeled as a recycling cart.
- (d) Used Oil Container. A plain copoly container provided by the District or its designee for the accumulation of used oil that is at least four (4) quarts in capacity, leak-proof, has a screw-on lid and has a label designating it for use as a used oil container.

- (e) Lawn and Leaf Bags. For the period January 1st -- April 30th of each year, residents may place Green Waste in such closed plastic bags suitable for collection as part of regular green waste collection.

4.07 Depositing In Streets

No person shall throw, place, scatter or deposit any Solid Waste Exempt Waste, or other waste of any kind or composition in or upon any public street or highway in the District except as herein expressly authorized, nor throw, place, scatter or deposit any Solid Waste, Exempt Waste, or other waste of any kind or composition upon or below the surface of any premises in such a manner that the same is or may become a nuisance or endanger the public health.

- 5.01 From time of placement of Recyclable Materials at the curb or in recycling shelters for collection in accordance with the District's recycling program, such Recyclable Materials shall be and become the property of the District or its authorized agent. It shall be a violation of the ordinance codified in this section for any person unauthorized by the District to collect or pick up or cause to be collected or picked up any such items. Any and each such collection in violation hereof from one or more locations shall constitute a separate and distinct offense punishable as hereinafter provided.

- 5.02 Violation of any provision of this Chapter shall constitute a misdemeanor punishable in the manner prescribed by the laws of the state.

5.03 Recyclable Material—Owner's Rights

Nothing in Chapter 31 shall limit the right of any person to donate, sell, or otherwise dispose of his or her Recyclable Materials.

- 6.01 No Solid Waste from building construction or demolition may be stored on site and in the open. All Solid Waste from construction and demolition shall be placed and contained in commercial type debris containers. Solid Waste which may be transported by the wind shall be placed in suitable Containers daily and removed as necessary. Adequate storage capacity shall be provided to prevent littering of surrounding areas.

- 6.02 Solid Waste from construction and demolition shall not be disposed in residential garbage, recycle or yard waste containers.

SECTION TWO:

To the extent the terms and conditions of this Ordinance may be inconsistent or in conflict with the terms and provisions of any prior District ordinances, resolutions, rules, or regulations the terms of this Ordinance shall prevail with respect to the terms and provisions thereof, and such inconsistent or conflicting terms and provisions of prior ordinances, resolutions, rules, and regulations are hereby repealed.

SECTION THREE:

This Ordinance shall be in full force and effect thirty (30) days after adoption.

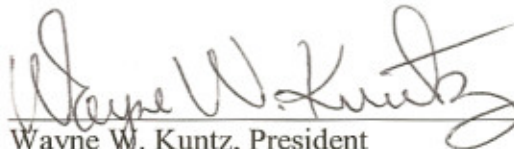
PASSED AND ADOPTED by the Board of Directors of the Rancho Murieta Community Services District, Sacramento County, California, at a meeting held on June 20, 2007, by the following roll call vote:

AYES: *Kuntz, Taylor, Belton, Kjome, Pasek*

NOES: *None*

ABSENT: *None*

ABSTAIN: *None*

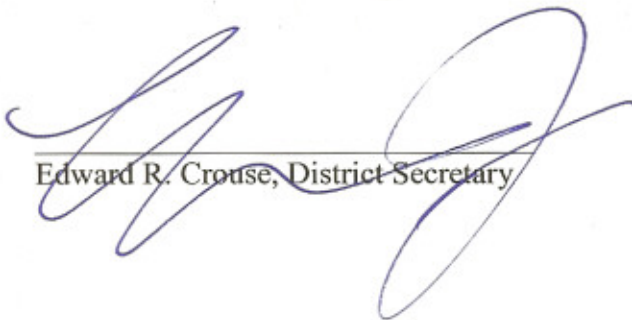


Wayne W. Kuntz, President

Rancho Murieta Community Services District

[seal]

ATTEST:



Edward R. Crouse, District Secretary