

AN ORDINANCE AMENDING DIVISIONS 2 AND 3 OF TITLE 5 OF THE ORDINANCE CODE OF SAN JOAQUIN COUNTY BY AMENDING SECTIONS 5-201, 5-3300-, AND 5-3303, AND ADDING SECTION 5-2404 RELATING TO MANDATORY RESIDENTIAL REFUSE COLLECTION

The Board of Supervisors of the County of San Joaquin do ordain as follows:

DIVISION 2. REFUSE COLLECTION AND DISPOSAL

CHAPTER 1. GENERAL PROVISIONS.

SECTION 5-2101. DEFINITIONS.

1. SECTION 5-2101 is amended to include:

“(x) ‘Mandatory Residential Refuse Collection Area’ means any geographical

Area designated by Board Order where residential refuse collection services must be provided by the franchised collector to all habitation units within the area.”

DIVISION 2. REFUSE COLLECTION AND DISPOSAL.

CHAPTER 4. REFUSE, SERVICE AND THE RETENTION AND ACCUMULATION OF REFUSE .

SECTION 5-2404. MANDATORY RESIDENTIAL REFUSE COLLECTION.

2. 5-2404 MANDATORY RESIDENTIAL SOLID WASTE COLLECTION.

(a) The Board may establish mandatory residential solid waste collection areas by order of the Board. Unless otherwise specified by the Board, all unincorporated real property parcels, with at least one (1) and no more than ten (10) habitation units, for which any of the following residential zoning classifications apply, shall be included in mandatory residential solid waste collection areas:

TABLE INSET:

Zone Classification	Description
R-R	Rural Residential
R-VL	Very Low Density Residential
R-L	Low Density Residential
R-M	Medium Density Residential
R-MH	Medium-High Density Residential
R-H	High Density Residential

(b) Residential solid waste collection and related services will be provided by the franchise collectors, as required by the residential refuse collection contracts, to residents within mandatory residential solid waste collection areas, whether or not these services were requested by the property owner or tenant. Residential properties are exempt from mandatory residential solid waste collection and related services during periods of vacancy.

(c) Residents within mandatory residential solid waste collection areas shall pay the rates established by the Board for services to be provided in such areas. When charges for such services become delinquent and unpaid for a period of sixty (60) days or more, the County shall notify property owners of such delinquency. Annually, charges which remain delinquent and unpaid for a period of sixty (60) days or more, shall be levied on the respective parcels in accordance with Sections 5-3300 through 5-3306 of the San Joaquin County Ordinance Code.

(Ord. 3782; Ord. 3977 § 11, 1998; Ord. 4322 § 1, 2007)

DIVISION 3. UTILITIES.

CHAPTER 3. SERVICE CHARGES AND SPECIAL ASSESSMENTS.

SECTION 5-3300. AUTHORITY TO FIX, LEVY, AND COLLECT.

3. Section 5-3300. I. SERVICE CHARGES is amended to included:

“C. Mandatory Residential Refuse Collection. Refuse collection and other related charges for services provided by agreement between the County and the Franchised Refuse Collectors to residents with Mandatory Residential

Refuse Collection Areas, that remain unpaid for a period of 60 days or more, shall be levied on the respective parcels, pursuant to Section 25827 of the Government Code. An administrative fee will be added to the assessment for delinquent Mandatory Residential Refuse collection charges. The administrative fee will be twenty percent (20%) of the delinquent amount, or twenty dollars (\$20.00) per delinquent habitation unit, whichever is greater. Revenues received from such levies shall be deposited into the County Solid Waste Enterprise Fund.

PASSED AND ADOPTED this Mar 01, 1994, by the following vote of the Board of Supervisors, to wit: SOUSA, SIMAS, CABRAL, BARBER, WILHOIT