

AN ORDINANCE AMENDING SECTIONS 68.502 THROUGH 68.571 OF THE COUNTY CODE RELATING TO MANAGEMENT OF SOLID WASTE AND DIVERSION OF RECYCLABLE MATERIALS FROM DISPOSAL

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that is necessary to amend sections 68.502 through 68.571 of the County Code relating to Management of Solid Waste and Diversion of Recyclable Materials from Disposal. The amended ordinance reflects changes in state law including passage of Assembly Bill 341, and state mandatory recycling regulations that enhance recycling requirements for businesses and multifamily residences, as well as increase the level of detail in local reporting to the state.

Section 2: The Management of Solid Waste Chapter, Sections 68.502 through 68.571 are hereby amended to read as follows:

SEC. 68.501. PURPOSE.

(a) California Public Resources Code (PRC) section 40059 authorizes a local agency to determine all aspects of solid waste handling which are of local concern, including, but not limited to, frequency of collection, means of collection and transportation, level of services, charges and fees, and nature, location, and extent of providing solid waste handling services within its jurisdiction. PRC section 40051 provides that a local agency, in implementing its responsibilities for solid waste management, shall, among other things, promote recycling. The purpose of this chapter is to provide for the orderly regulation of collecting, transporting, and disposing of solid waste, including recyclable materials, kept, accumulated or produced within the unincorporated area of the County.

(b) The Board of Supervisors (Board) finds that solid waste shall be regulated to the extent necessary to protect the health, safety and welfare of the public, to conserve disposal capacity, to meet State laws and to ensure cost effective public service. The Board determines that these goals may best be accomplished by a system of non-exclusive management agreements regulating solid waste collection and disposal and a comprehensive system for storage, collection, removal, transport and recovery of marketable and recyclable materials. This chapter shall be construed to achieve this purpose.

SEC. 68.502. DEFINITIONS.

The following definitions shall apply to this chapter:

(a) "Aluminum" means recoverable materials made from aluminum such as used aluminum food and beverage containers, aluminum foil, siding, screening and other items manufactured from aluminum.

(b) "Authorized enforcement officer" means the director of the County department who is authorized to enforce a portion of this chapter and any person that director appoints or hires to enforce a portion of this chapter.

(c) "Biohazardous waste" has the same meaning as the term "biohazardous waste" in Health and Safety Code section 117635.

(d) "Cardboard" means post-consumer waste paper grade, corrugated cardboard (#11), kraft (brown) paper bags or solid fiber boxes which have served their packaging purpose and are discarded and can later be reclaimed for collection and recovery for recycling.

(e) "Collection" means the act of taking possession of solid waste or recyclable materials at a residential, commercial, industrial or institutional site and transporting it to a facility for processing, composting, transfer, disposal or burning.

(f) "Collector" means any person who has a current valid Solid Waste Management Agreement with the County that is not suspended or revoked, to operate an enterprise to collect and subsequently transport or dispose of solid waste within the County.

(g) "Commercial facility" means a business, including, but not limited to, a firm, partnership, proprietorship, joint-stock company, corporation, or association that is organized as a for-profit or nonprofit entity, strip mall (e.g. property complex containing two or more commercial entities), industrial facility, school, school district, California State University, community college, University of California, special district or a federal, state, local, or regional agency or facility that generates 4 cubic yards or more of solid waste per week.

(h) "Commercial recyclable materials" means the following material generated by a commercial facility: aluminum, glass bottles and jars, rigid plastics, tin and bi-metal cans, corrugated cardboard, mixed paper and white goods.

(i) "Construction and demolition waste" means the nonhazardous waste building material, inert material, soil, packaging, green materials and rubble resulting from construction or demolition.

(j) "Designated recyclable materials" means materials identified in this chapter as materials that are required to be recycled and those additional materials the Director of Public Works identifies from time to time that shall be added to the list of materials required to be recycled.

(k) "Disposal" means the management of solid waste through landfill disposal or transformation at a permitted solid waste facility.

(l) "Director" means the Director of Public Works and any person the Director appoints or hires to administer or enforce this chapter.

(m) "Glass bottles and jars" means food and beverage containers made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling, including container glass designated redeemable under the California Beverage Container Recycling and Litter Reduction Law, Public Resources Code sections 14500 et seq., as well as glass bottles and jars without redeemable value ("scrap"), but excluding household, kitchen and other sources of non-container glass such as drinking glasses, ceramics, light bulbs, windowpane glass and similar glass products.

(n) "Green waste" means leaves, grass, weeds, shrubs, tree branches, tree trunks and other wood materials from trees.

(o) "Hazardous waste" means any substance defined as acutely hazardous waste, extremely hazardous waste or hazardous waste in Health and Safety Code sections 25110.02, 25115, and 25117

respectively, any substance listed as hazardous waste in 42 USC Sec. 6901 et seq., and any substance identified or listed as hazardous waste by any State or Federal agency.

(p) "Hospitality facility" means an establishment that offers dining services or sells food or beverages to consume on or off the premises, such as a cafeteria, restaurant, café, sandwich shop, school, college, hospital, mini-mart, convenience store, tavern or bar, and a hotel, motel, inn or other transient occupancy facility that offers dining services or sells food or beverages on its premises.

(q) "Hospitality recyclable materials" means the following material when generated by a hospitality facility: aluminum, corrugated cardboard, glass bottles and jars, rigid plastics, tin and bi-metal cans, mixed paper and white goods.

(r) "Industrial recyclables" means loads consisting of 90% or more of any of the following materials: asphalt, concrete, dirt, land clearing vegetation, sand, gravel and rock.

(s) "Industrial Service" means collection of all types of solid wastes which result from construction and demolition activity, industrial processes and manufacturing operations, but does not include collection of hazardous waste.

(t) "Inert materials" mean materials such as concrete, soil, asphalt, ceramics and bricks.

(u) "Manure" means accumulated animal excrement and includes feces and urine which may be mixed with any animal bedding material, spilled feed or soil.

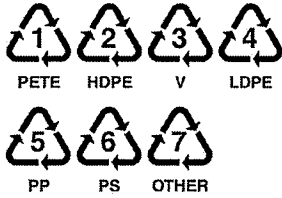
(v) "Medical waste" has the same meaning as the term "medical waste" as provided in Health and Safety Code (H & S Code) sections 117690, 117695 and 117700 and also includes "biohazardous waste" as defined by H & S Code section 117635. Medical waste also includes any waste that federal law or any other State law defines as medical waste. "Treated medical waste" means medical waste that has been treated pursuant to the California Medical Waste Management Act, H & S Code sections 118215 et seq. Medical waste that has not been treated pursuant to these requirements shall be referred to as untreated medical waste.

(x) "Mixed paper" means magazines, newspapers, telephone books, cereal boxes, mail, catalogs, copy paper, clean food boxes, paper bags and other similar material, but does not include paper towels, tissues, plasticized or waxed paper, books with metal rings, folders with metal clips or dirty food boxes, such as pizza boxes.

(y) "Multi-family residential facility" means a residential property with four or more dwelling units. A multi-family residential facility does not include a hotel or motel or other transient occupancy facility.

(z) "Newspaper" means a publication such as a magazine, catalogue, circular, pamphlet, advertisement, telephone book, newspaper or other similar matter made of newsprint or other similar quality paper and also includes packing material made from newsprint.

(aa) "Rigid plastics" means plastic materials marked 1-7 (as indicated below)



including: (a) all plastic beverage containers labeled "CA redemption value" or "CA cash refund" (b) food and beverage containers for milk, soda, water, salad dressings, cooking oil, etc., (c) jars and canisters for peanut butter, mayonnaise, aspirin, 35 mm film, etc., (d) cleaning product containers such as detergents, bleach, soap, shampoo, drain cleaners, etc. and (e) automotive and yard products containers for motor oil, antifreeze, herbicide, plant pots, etc. (f) any other plastic items such toys, tools, utensils, etc. Rigid plastics do not include PVC pipe, expanded polystyrene foam, compostable plastics, plastic film or bags.

(bb) "Processing" means the reduction, separation, recovery or conversion of solid waste.

(cc) "Putrescible waste" means a type of waste that is capable of being decomposed by microorganisms with sufficient rapidity as to cause a nuisance because of odors, gases or other offensive conditions and includes food waste, manure, dead animals and green waste.

(dd) "Radioactive waste" means any radioactive material, as defined in Health and Safety Code section 11470, that is discarded as unusable.

(ee) "Recycle" or "recycling" means the process of collecting, sorting, cleansing, treating and reconfiguring materials that would otherwise become solid waste and returning them to the economic mainstream in the form of raw material for new, reused or reconstituted products which meet the quality standards necessary to be used in the marketplace. Recycling does not include transformation.

(ff) "Removal" means the act of taking solid wastes or recoverable material from the place of generation by an approved collector, agent for the collector or by a person in control of the premises.

(gg) "Residential recyclable materials" means aluminum, glass bottles and jars, mixed paper, cardboard, rigid plastics, tin and bi-metal cans, white goods and green waste, generated from residential properties.

(hh) "Residential service" means collection of all types of domestic solid waste or recyclables generated in single-family or multi-family residential dwellings.

(ii) "Residential solid waste" means solid waste generated in single-family or multi-family residential dwellings.

(jj) "Rubbish" means non-putrescible solid waste.

(kk) "Solid waste" means all putrescible and non-putrescible solid, semi-solid and liquid wastes, including rubbish, paper, ashes, industrial wastes, construction and demolition waste, abandoned vehicles, abandoned vehicle parts, discarded residential, commercial and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and dewatered, treated or chemically fixed sewage

sludge that is not hazardous waste. Solid waste, however, does not include hazardous waste, radioactive waste or medical waste.

(ll) "Solid waste facility" means a solid waste transfer station or a construction, demolition and inert debris processing/disposal facility, a compostable materials handling facility, a transformation facility, an incinerator or a disposal facility.

(mm) "Solid Waste Management Agreement" (SWMA) means a non-exclusive agreement entered into between the collector and the County where the collector agrees to store or transport solid waste or both.

(nn) "Storage" means the interim containment of solid waste or recyclable material.

(oo) "Street" means a street, highway, road, alley, road right of way or any other public or private thoroughfare.

(pp) "Tin and bi-metal can" means a steel food or beverage container with a tin or aluminum plating.

(qq) "Transfer station" means a facility that receives, handles, separates, converts or otherwise processes materials in solid waste or transfers solid waste directly from one container to another for transport or for storage.

(rr) "Transformation" has the same meaning as the term "transformation" in Public Resources Code section 40201.

(ss) "Vector" means an animal capable of transmitting the causative agent of human disease.

(tt) "White goods" means major kitchen appliances or other large appliances.

(uu) "Wood waste" means lumber and wood products but does not include painted wood, wood treated with chemicals and pressure treated wood.

Cross reference(s)--Definitions, § 12.101 et seq.

SEC. 68.505. HAZARDOUS AND MEDICAL WASTES.

(a) No person shall transport or collect hazardous wastes or medical wastes without complying with all applicable State laws.

(b) No person shall deposit, dump, spill, place or otherwise allow to be disposed of in or on a solid waste facility not designated as a hazardous waste disposal facility, any waste classified as hazardous pursuant to State, federal or County law.

(c) No person shall deposit, dump, spill, place or otherwise allow untreated medical waste to be disposed of in or on a solid waste facility.

(d) The Director of the Department of Environmental Health shall have enforcement authority for this section.

ARTICLE II. CONSTRUCTION AND DEMOLITION MATERIALS DIVERSION PROGRAM

SEC. 68.512. DEFINITIONS.

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

(a) "Applicant" means a person who applies to the County of San Diego for a permit for an applicable project.

(b) "Applicable project" means a construction or demolition project subject to a threshold in section 68.513(a).

(c) "Chipping and grinding operation" means an operation or facility that does not produce compost or that mechanically reduces the size of or otherwise engages in the handling of compostable material.

(d) "Construction" means the act of building, making, erecting, remodeling, repairing, renovating or improving a "structure" as that term is defined in the California Building Code and includes any project for which the County requires a building permit.

(e) "Construction and demolition debris" means nonhazardous waste building material, inert material, soil, packaging, green material and rubble resulting from construction or demolition.

(f) "Conversion rate" means the rate in the standardized conversion rate table approved by the County pursuant to this article for use in estimating the volume or weight of materials identified in a debris management plan (DMP).

(g) "Debris management plan" (DMP) means a plan for diverting construction or demolition debris required by this article.

(h) "Demolition" means the act of removing, razing or tearing down a structure or any portion of a structure.

(i) "DMP compliance official" means a person responsible for implementing this article.

(j) "DMP permittee" means a person who is required to divert construction or demolition waste under this article and who has an approved DMP.

(l) "Divert" means to reuse or recycle construction or demolition debris.

(m) "Diversion requirement" means the requirement in this article to divert a percentage of construction and demolition debris generated by an applicable project.

(n) "DPW" means the Department of Public Works.

(o) "Green material" means any material related to land development such as yard trimmings, trees, brush and construction and demolition wood waste. Green material does not include food material, bio-solids, wood containing lead-based paint or wood preservatives, mixed construction debris or mixed demolition debris.

(p) "Green material processing operations" means a facility or center that processes green material through composting, chipping or grinding operations.

(q) "Inert debris" has the same definition as the term "inert debris" in California Code of Regulations Title 14, section 17381(k) and means materials such as concrete, soil, asphalt, ceramics or masonry.

(r) "Permitted construction and demolition and inert recycling center" or "CDI center" means a facility or center for which the Local Enforcement Agency has issued an oversight permit to allow the facility or center to receive or process construction, demolition or inert debris.

(s) "Project" means any construction or demolition which requires a building or demolition permit or any similar permit.

(t) "Recycling" means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

(u) "Reuse" means further or repeated use of construction and demolition debris.

(v) "Salvage" means the controlled removal of construction and demolition debris from a permitted building or demolition site for the purpose of recycling, reuse, or storage for later recycling or reuse.

ARTICLE IV. SOLID WASTE MANAGEMENT AGREEMENT REQUIRED

SEC. 68.531. EXEMPTIONS.

The following persons shall be exempt from section 68.530 and from the decal requirements of this chapter:

(a) A municipal corporation and other governmental agency in the unincorporated area of the County.

(b) A person removing solid waste from the person's place of residence, provided the person is transporting solid waste from the residence directly to an approved solid waste disposal facility.

(c) A person who is part of a group of single family residential owners or tenants, not to exceed 10 residences, whose residences lie within a single boundary served internally only by private access, where the person is removing solid waste from any of the residences of the group.

(d) A person who is a corporation or the owner, principal or partner of a business and who only removes or transports solid waste generated by the business to an approved solid waste disposal facility and complies with the following:

(1) The person removing or transporting the solid waste is an employee or the owner, principal or partner of the commercial facility.

(2) The vehicle used to remove or transport the solid waste is owned or leased by the commercial facility.

(3) The solid waste being removed or transported was stored on the private property where the commercial facility is being operated.

(4) The solid waste being removed or transported was collected from the property where the commercial facility is being operated.

(5) The business or multifamily complex shall maintain an annual disposal log in a form or format as prescribed by the Director of the Department of Public Works. This log shall be stored at the place of business and made available to County inspector upon request.

(e) A person removing or transporting any of the following:

(1) Containers delivered for recycling under the California Beverage Container Recycling and Litter Reduction Act, California Public Resources Code sections 14500, et seq.

(2) Any other recyclable materials not included in subsection (1) above.

(3) Green waste a property owner or tenant removes or that a gardening, landscaping or tree trimming contractor removes from property as an incidental part of a total service that contractor offers and not while the contractor is acting as a hauling service.

(4) A load containing 90% or more construction and demolition waste or debris.

(5) Hazardous waste or medical waste regardless of its source.

(6) By-products of sewage treatment, including sludge, sludge ash, ash, grit and screenings.

(7) Residual material from a solid waste management facility, including material recovery, composting or transformation facilities.

(8) Animal waste and remains for use as tallow.

(9) Solid waste collected in the course of community clean-up campaign.

ARTICLE V. SOLID WASTE MANAGEMENT AGREEMENT CONDITIONS*

SEC. 68.540. GENERAL CONDITIONS.

A collector operating under an SWMA shall comply with the following conditions:

(a) A collector shall produce all vehicles or other equipment used to collect or transport solid waste for inspection at a time and place the Director designates. If a vehicle passes inspection the Director shall issue the collector a durable decal for the vehicle. The collector shall securely affix the decal to the vehicle and maintain the vehicle so that the decal shall be clearly visible at all times. The Director may revoke the decal of any vehicle that fails to pass inspection or meet any requirements of this chapter. The Director may allow a collector to use a vehicle temporarily without a decal. It shall be unlawful for a collector to use a vehicle to collect or transport solid waste if the decal has been revoked or if the collector has never been issued a decal for the vehicle unless the Director has granted the collector permission to use the vehicle temporarily without the decal.

(b) A collector shall obtain and keep in effect the insurance coverage and limits required by its SWMA and by Board resolution. A collector shall file with the Director a copy of each insurance policy or certificate of insurance evidencing a policy prior to the Director approving an SWMA. Each policy shall contain provisions naming the County of San Diego as an additional insured and require that the insurance carrier give the Director at least 30 days notice in writing by registered mail prior to the cancellation, modification or reduction of the limits of the policy.

(c) The Director may suspend or revoke an SWMA when the Director determines the collector has violated any provision of the agreement, this chapter, any State or Federal law or any rule or regulation promulgated by the Board or the Director relating to the collection or transportation of solid waste.

(d) If the Director determines that a collector's conduct warrants suspension or revocation of an SWMA, as provided in subsection (c) above, the Director shall serve a written notice on the collector personally or by certified or registered mail at the last address provided by the collector. When the Director serves notice by certified or regular mail, the notice shall be deemed received on the date the United States Postal Service first attempts to deliver the notice at the last address provided by the collector, whether or not the collector actually receives the notice on the attempted delivery date. The collector shall cease operations within 10 days after the collector receives the notice unless the Director has reinstated the agreement or the collector has requested a hearing before the Board. In the case of an appeal, the collector may continue to operate until the Board renders a decision.

(e) A request for a hearing to contest the suspension or revocation of an SWMA shall be made in writing to the Clerk of the Board within 10 days after the collector receives the notice described in subsection (d). If possible, subject to whether the Board has a meeting scheduled and there is time to give sufficient notice required by law, the hearing shall be held within 14 days following the receipt of the written request. If it is not possible to hold the hearing within 14 days, the hearing shall be scheduled at the next earliest date. The Clerk of the Board shall give written notice of the time, date and place of the hearing to the collector and the Director. The Board Supervisors shall render its decision within 15 days after the close of the hearing and its decision shall be final.

SEC. 68.546. SOLID WASTE PLANNING FEES.

(a) Pursuant to Public Resources Code section 41901 this section establishes a fee to pay the County's costs in preparing, adopting and implementing a Countywide integrated waste management plan, to fulfill the State mandated reporting requirements for each county, including countywide disposal reporting. To cover these costs, all solid waste handlers collecting or transporting solid waste generated

in the County shall pay the County \$0.02 per ton of any solid waste handled. This fee shall be collected at all solid waste disposal sites in San Diego County. Except as provided in subsection (b) below, if a \$0.02 per ton fee is not collected at a solid waste disposal site in San Diego County, the solid waste hauler shall remit the amount due to the Director.

(b) The fee required by this section shall not be assessed against a solid waste handler if the hauler is able to demonstrate to the satisfaction of the Local Enforcement Agency (LEA) that the waste was recycled or diverted from the solid waste stream or if the fee was collected at a disposal site within San Diego County.

SEC. 68.547. SERVICE AREA AND TYPE OF SERVICE.

(a) A collector shall provide solid waste and recycling collection and disposal service in the area(s) approved in the collector's application and shall provide the type of service approved in the application.

(b) A collector may modify the area(s) where the collector provides service or modify the type of service the collector provides, by making a written request to the Director.

ARTICLE VI. REGULATIONS FOR COLLECTORS AND CUSTOMERS

SEC. 68.560. EQUIPMENT AND VEHICLE STANDARDS

All equipment and vehicles used to transport or collect solid waste in the unincorporated area of the County shall comply with the requirements of 14 CCR sections 17341 through 17345. Each vehicle used to collect or transport solid waste shall carry a shovel, broom and fire extinguisher and shall be maintained in a clean condition and neatly painted. The name and telephone number of the collector shall be painted in letters at least three inches high on each side and across the back of each vehicle. All equipment and vehicles used to collect and transport solid waste shall also be equipped with both of the following:

(a) An audible automatic back-up or other acceptable warning devices prescribed by Vehicle Code section 27000.

(b) A mechanical cover or other device that is adequate to cover and contain solid waste within the vehicle or piece of equipment. If solid waste falls from, drops from or for any other reason unintentionally comes out of a vehicle or piece of equipment after solid waste was placed in or on the vehicle or equipment, it shall be prima facie evidence that the cover was inadequate.

SEC. 68.561. REGULATIONS APPLICABLE TO COLLECTORS.

A collector providing service pursuant to an SWMA shall comply with all of the following requirements:

(a) A collector operating a residential collection route shall provide regular collection at least once a week to all customers.

(b) A collector providing commercial or industrial service shall provide collection on an as needed basis to be agreed on by the customer.

(c) A collector providing service within a specific area shall provide that service to any customer who requests the service and agrees to pay the collector's rates.

(d) At the time a collector begins providing service to a customer and every six months thereafter, a collector shall notify its customers about the regulations governing disposal of designated recyclables, solid waste, hazardous waste and toxic waste. The notice shall mention regulations that have changed since the last notice. When a collector begins providing service under an SWMA the collector shall file a copy of the notice it uses with the Director and whenever it changes the notice it shall provide the Director with a copy of the revised notice.

(e) At least once every two weeks a collector shall collect designated recyclables from customers and transport the recyclables to an appropriate recycling facility.

(f) A collector shall submit quarterly reports to the Director on or before May 1, August 1, November 1 and February 1 for the first through fourth quarters of each year, respectively. The reports shall identify the weight in tons of:

(1) All designated recyclables materials, broken down by whether the source of the material is a commercial, industrial, single-family residential or multi-family residential facility.

(2) The type of recyclable material, such as newspaper, mixed paper, corrugated cardboard, steel, tin and bi-metal cans, aluminum, white goods, glass jars and bottles, plastic containers, green waste, concrete, asphalt or other material required to be recycled.

(3) All disposable solid waste collected.

(g) A collector shall also provide the Director with quarterly export reports, as required by 14 CCR sections 18800 through 18813, on the same quarterly reporting schedule as required in subsection (f) above.

(h) Collectors shall submit an annual report to the County by August 15th, using a form or format prescribed by the Director for each commercial facility, including multi-family dwelling units with four or more units, serviced within the unincorporated County for the period June 30 through July 1 of the immediately-preceding twelve month period.

SEC. 68.562. REGULATIONS APPLICABLE TO CUSTOMERS.

A person receiving any type of residential, commercial or industrial collection service in the unincorporated areas of the County shall comply with the following regulations:

(a) A person using reusable containers for collection service that are not furnished by the collector shall use containers of adequate size and in sufficient numbers to contain without overflowing all the solid waste that the person's household or establishment generates within the designated removal period. The containers shall be equipped with tight-fitting lids or other closure devices.

(b) A person using plastic or paper bags as containers for collection service shall tie, seal or otherwise securely fasten all bags set out for collection.

(c) A person receiving collection service shall not place containers in a manner that impedes access to neighboring driveways, mailboxes or easements.

(d) No person shall place, deposit or allow any solid waste or solid waste containers to remain on a street, curb, sidewalk or any other place in a public or private right of way before 6:00 p.m. of the day prior to the regular day for collection by a collector, or after 12:00 p.m. on the day following collection day.

(e) A violation of this section shall be charged as an infraction, except that a person convicted of two or more violations of this section in a one year period may, at the discretion of the prosecutor, be charged with a misdemeanor.

ARTICLE VII. RECYCLING REQUIRED

SEC. 68.570. DESIGNATED RECYCLABLE MATERIALS.

The following materials are designated recyclable materials:

(a) Designated residential recyclable materials for the purpose of section 68.571(a) are the same as "residential recyclable materials" defined in section 68.502.

(b) Designated commercial recyclable materials for the purpose of section 68.571(b) are:

(1) "Commercial recyclable materials," as that term is defined in section 68.502.

(2) "Hospitality recyclable materials," as that term is defined in section 68.502.

(c) Designated industrial recyclable materials for the purpose of section 68.571(c) are industrial loads consisting of 90% or more of any of the following: asphalt, concrete, dirt, land clearing vegetation, sand, gravel or rock.

SEC. 68.571. RECYCLING REQUIREMENTS.

(a) The owner or occupant of a residential property shall only deposit designated residential recyclable material in a container that is intended to receive designated residential recyclable materials for collection or at a recycling center. If a bottle, jar, jug or can made of residential recyclable material has previously contained oil, antifreeze, household cleaner or other similar material, no person shall deposit the bottle, jar, jug or can in a container intended for residential recyclable materials until the bottle, jar, jug or can has been emptied.

(b) The owner, occupant or operator of a commercial facility or hospitality facility shall only deposit designated commercial or hospitality recyclable materials in a container that is intended to receive designated commercial or hospitality recyclable materials for collection or at a recycling center.

(c) The owner, occupant or operator of an industrial facility or a construction site, shall only deposit designated industrial recyclable materials in a container that is intended to receive designated industrial recyclable materials for collection or at a recycling center.

(d) Any multi-family complex of four or more units, commercial facility or hospitality facility that does not use a franchised hauler for waste and/or recycling, shall maintain an annual disposal log in a form or format as prescribed by the Director of the Department of Public Works for the preceding Fiscal Year July 1 through June 30th. Annual log shall be stored at the place of business and made available to County inspector upon request.

(e) As an alternative to depositing recyclable material as provided in subsections (a), (b) and (c) above, a person may transfer any recyclable material to a person or facility that intends to reuse the material.

(f) No collector shall deliver for disposal any designated recyclables mixed with materials that are not recyclable.

Section 3. This Ordinance will become effective 30 days from the date of Board adoption.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 6th day of February, 2013.



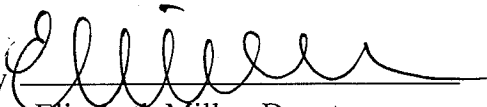
GREG COX
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 6th day of February, 2013.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By 
Elizabeth Miller, Deputy



Ordinance No. 10253 (N.S.)

02-6-2013 (8)