ORDINANCE NO. 17- 1106

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA, AMENDING CHAPTER 10 OF TITLE 6 OF THE PLUMAS COUNTY CODE REGARDING SOLID WASTE CONTROL

The Board of Supervisors of the County of Plumas, State of California, hereby **ORDAINS** as follows:

SECTION 1.

Purpose. The purpose of this ordinance is to:

(a) Protect and preserve Plumas County's environment and the economic interests, health, safety and quality of life of the residents of and visitors to Plumas County.

(b) Update local regulations regarding the administration of the solid waste and recyclables collection and disposal system so that it continues to provide the best possible service to residents of and visitors to Plumas County.

(c) Promote recycling and the diversion of recyclable materials from the waste stream, and in doing so, comply with the California Integrated Waste Management Act of 1989 (Sher, AB 939) (hereinafter the "Act"), the California Public Resources Code, and, commencing at Section 40000 of the California Public Resources Code, the State's Mandatory Commercial Recycling Law, Chapter 476, Statutes of 2011 (Chesbro, AB 341), and other applicable laws, all as currently in force or as hereafter amended.

(d) Establish and refine Plumas County's requirements and guidelines for the collection and disposal of solid waste, including green waste, construction & demolition debris (C & D), and the diversion and recycling of recyclable materials.

(e) Provide an enforcement mechanism to help ensure that residents of and visitors to Plumas County engage in the proper collection and disposal of solid waste and recyclable materials and provide protections against illegal scavenging of materials.

(f) Provide an exemption from the provisions of California's Mandatory Commercial Recycling Law Chapter 476, Statutes of 2011 (Chesbro, AB 341) as currently in force or as hereafter amended, for Qualified Generators that Self-Haul, donate or sell their recyclables, and provide an exemption from same for those businesses that have major constraints or generate an amount of solid waste that does not meet the minimum thresholds contained in that law.

(g) Provide fiscal oversight to ensure that all fees collected in conjunction with the solid waste program are collected in conformance with Plumas County's Integrated Solid Waste Plan, Article XIIIA of the California Constitution (Proposition 13), and Articles XIIIC and XIIID of the California Constitution (Proposition 218), all as currently in force or as hereafter amended.

Findings. Now, therefore, the Board of Supervisors of Plumas County (hereinafter "**Board**") hereby **FINDS** that, in order to conserve water and energy, protect the environment and preserve the economic interests, health, safety and quality of life of the residents of and visitors to Plumas County, it must provide for an efficient and integrated solid waste collection and disposal system, and

Furthermore, the **Board** hereby **FINDS**, that in order to comply with State and Federal mandates, particularly the Act, and the State's Mandatory Commercial Recycling Law, Chapter 476, Statutes of 2011 (Chesbro, AB 341), all as currently in force or as hereafter amended, regarding the collection and disposal of solid waste, which laws require cities and counties to reduce, reuse and Recycle solid waste generated in California to the maximum extent feasible before the disposal of solid waste, Plumas County must strengthen its diversion and recycling policy by enhancing its efforts to encourage and incentivize the diversion of recyclable materials from the waste stream, and

Furthermore, the Board hereby **FINDS** that Plumas County intends to be successful in its efforts to meet the State's diversion mandates, doing so - in part - by providing a strong financial incentive for residents and visitors to redirect recyclable materials from the waste stream, and

Furthermore, the **Board** hereby **FINDS** that the timely and efficient collection and disposal of solid waste and recyclable materials within unincorporated Plumas County is an essential aspect of the Plumas County solid waste plan, and that the economic interests of the residents of and visitors to Plumas County are best served by awarding contract(s) for the collection and disposal of solid waste and recyclable materials to private solid waste collector(s) in the form of franchise agreement(s) to accomplish this goal, and

Furthermore, the **Board** hereby **FINDS** that the solid waste collection and disposal program for the unincorporated part of Plumas County shall be administered jointly by the Plumas County Departments of Environmental Health and Public Works. Their joint and individual responsibilities shall address the protection of Plumas County's environment and natural resources, and the preservation of the economic interests, health, safety and quality of life for the residents of and visitors to Plumas County, as well as the changing regulatory landscape of Federal and State law, and

Furthermore, the **Board** hereby **FINDS** that the County's goals in meeting the aforementioned responsibilities shall continue to be accomplished by awarding franchise contracts for solid waste services to private solid waste collectors, regulating the means by which solid waste is collected and disposed of, implementing existing and new State and Federal regulations as they are enacted, and providing fiduciary control over the rates that solid waste customers must pay for these services, and

Furthermore, the **Board** hereby **FINDS** that, in order to ensure that all rates and fees collected in conjunction with the solid waste program are collected in conformance with the Plumas County solid waste plan, Propositions 13, 26 and 218, responsible fiscal oversight by Plumas County shall continue to be the preeminent principle in setting or adjusting rates and fees for solid waste collection and disposal services, and

Furthermore, the **Board** hereby **FINDS** that the existing provisions of Chapter 10 of Title 6 of the Plumas County Code of Ordinances require substantial revision to meet the needs of the current administration of the Plumas County solid waste and recyclable materials collection and disposal program.

SECTION 2.

Chapter 10 of Title 6 of the Plumas County Code of Ordinances, entitled **"Solid Waste Control"**, is hereby deleted in its entirety, and is replaced as follows:

ARTICLE 1 – General Provisions

Section 6-10.101 ***Title and Citation.*** This chapter shall be known and may be cited as "Plumas County Solid Waste Control."

Section 6-10.102 ***Definitions.***

(a) Unless otherwise apparent from the context, for the purposes of this chapter and Franchise Agreement(s) between Solid Waste Collector(s) and the County pertaining to the Collection and Disposal of Solid Waste in Plumas County, certain words and phrases are defined as follows:

(1) "Abandoned Vehicles", means abandoned, wrecked, dismantled or excess inoperable vehicles as specified in Section 5-8.01 et. seq. of the Plumas County Code of Ordinances. Although abandoned vehicles are defined as Solid Waste pursuant to Section 6-10.102 in this ordinance and in Section 40170 of the California Public Resources Code as currently in force or as hereafter amended, the means of Disposal of abandoned vehicles is specified in Section 5-8.12 of the Code, therefore such Disposal is hereby excluded from this section.

(2) "Act" means the California Integrated Waste Management Act of 1989 (AB 939), Section 40000, and following, of the California Public Resources Code, as currently in force or as hereafter amended.

(3) "Administrator" means the Plumas County employee who manages the Solid Waste Agreement(s) and superintends the Solid Waste program. The Director of Public Works of the Department of Public Works is Plumas County's designated Administrator, however the Administrator may appoint, in writing, a Solid Waste manager to assist in the management of the County's Solid Waste program.

(4) "Agreement" means the current Solid Waste Franchise Agreement, including all attachments, between one or more Solid Waste Franchise Contractor(s) and the County.

(5) "Approved Disposal Site" means any designated Disposal Site in the State of California or Nevada holding a valid permit to permanently deposit Municipal Solid Waste (see "MSW"), Hazardous Waste, or Infectious Waste in accordance with all Applicable Laws and regulations of the United States and the State of California or the State of Nevada as currently in force or as hereafter amended, and all federal, State and local agencies having lawful jurisdiction.

(6) "Applicable Law" means all federal, State, and local laws, regulations, rules, orders, judgments, decrees, permits, approvals, or other requirements of any governmental agency having jurisdiction over the Collection, transportation, processing, and Disposal of Solid Waste, Targeted Recyclable Materials and other materials Collected pursuant to this ordinance that are in force on the effective date and as they may be enacted, issued or amended during the term of the Agreement(s).

(7) "Backyard Collection Service" means the provision of Collection services to a single family dwelling (hereinafter "SFD") in the rear or side Premises.

(8) "Billing" or "Billings" means statements of charges for services rendered by the Solid Waste Franchise Contractor to Owners or Occupants of property, including Residential and Commercial Premises, for the Collection of Solid Waste, Targeted Recyclable Materials and other materials that are considered to be types of Solid Waste Collected pursuant to the Solid Waste Franchise Agreement(s).

(9) "Bin" means a metal or other durable Container designed for mechanical emptying with a close-fitting hinged cover and a capacity of approximately one (1) to eight (8) cubic yards, with or without wheels, typically serviced by a front-loading Collection vehicle.

(10) "Board of Supervisors" means the Board of Supervisors of Plumas County, California.

(11) "Bulky Items" or "Bulky Waste" means large items including, but not limited to major appliances which have had chlorofluorocarbons (CFCs) and/or mercury switches removed by a certified technician, furniture, tires (with rims removed), carpets, mattresses, and other oversize materials whose large size precludes or complicates their handling by normal Collection or Disposal at a designated Transfer Station. Bulky Items or Bulky Waste does not include abandoned automobiles, large auto parts, or trees.

(12) "Buy-Back" means the act of redeeming beverage containers with approved CRV markings at a Buy-Back or redemption center. (See "CRV" and "CRV Program")

(13) "CalRecycle" (formerly known as the California Integrated Waste Management Board) means the department within the State of California primarily responsible for administering the Act.

(14) "C & D" means Construction and Demolition Debris. See "Construction and Demolition Debris".

(15) "Can" shall mean a standard 32 to 35 gallon metal or plastic customer-owned trash Container.

(16) "Cart" means a Contractor-owned plastic Container with a hinged lid and two wheels that is serviced by an automated or semi-automated Collection vehicle. A Cart has capacity of 32, 64, or 96 gallons (or similar volumes).

(17) "Cell Phones" means all telephones used for mobile or cellular communications, including batteries used to power Cell Phones.

(18) "CERCLA", also known as "Superfund", means the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as currently in force or as hereafter amended.

(19) "Collect" or "Collection" means to take physical possession, transport, and remove Solid Waste, Targeted Recyclable Materials or other materials pursuant to the Franchise Agreement(s) from the Franchise Contractor's Service Area within Plumas County.

(20) "Collection Container" means any Container provided by the Customer or Contractor(s) to store and Collect Solid Waste, Targeted Recyclable Materials or any other material targeted for Collection by the Contractor(s) or a Subcontractor of the Contractor(s).

(21) "Commercial" means a business activity including, but not limited to, retail sales, wholesale sales, services, research and development, government, education, non-profit, hospital, manufacturing, institutional and industrial operations, but excluding businesses conducted upon Residential Property which are permitted under applicable zoning regulations and are not the primary use of the property. Commercial Collection includes service provided to Multi-Family dwelling Customers and County Facilities.

(22) "Commercial Diversion Level" means the sum of all Commercial Recyclable Materials Collected and diverted by the Contractor(s) divided by the sum of all Commercial materials Collected by the Contractor(s), expressed as a percentage.

(23) "Commingle" means to mix, mingle, or combine Targeted Recyclable Materials in a Collection Container. See "Single-Stream Targeted Recyclable Materials".

(24) "Compost" means the product resulting from the controlled biological decomposition of Organic Wastes that are Source Separated from the Municipal Solid Waste stream, or which are separated at a centralized Facility. "Compost" includes vegetable, yard, and wood wastes which are not Hazardous Waste pursuant to Section 40110 of the California Public Resources Code as currently in force or as hereafter amended.

(25) "Construction and Demolition Debris" or "C&D" means Solid Waste in an amount exceeding an average of 500 pounds per operating day produced by any Person(s) engaged in the business of building construction, renovation, remodeling, repair, or demolition operations on any Residential, Commercial or other structure or pavement. This Solid Waste shall include, but not be limited to, concrete, rock, brick, concrete block (CMU), framing and finish lumber, insulation, sheathing, sheetrock (gypsum board), lath plaster, plumbing and electrical fixtures and appurtenances, floor covering, cabinets and doors.

(26) "Container" means any receptacle used for storage of Solid Waste, Targeted Recyclable Materials and other materials Collected including, but not limited to, metal or plastic Cans, Carts, Bins, tubs, and Drop Boxes. See "Collection Container".

(27) "Contractor" means a Solid Waste Franchise Contractor serving a Service Area in Plumas County.

(28) "County" means County of Plumas, a political subdivision of the State of California.

(29) "County Manager" means the Administrator or his designee (see "Administrator", above),

(30) "CRV" means California Redemption Value, which is a regulatory fee collected by the State from container manufacturers and refunded to consumers at Buy-Back centers upon redemption of food and/or beverage containers sold within the State, and marked with a CRV symbol as having a refund value established by Section 14560 of the California Public Resources Code as currently in force or as hereafter amended.

(31) "CRV Program" means the California Beverage Container Recycling and Litter Reduction Act (Margolin, AB 2020) as currently in force or as hereafter amended, and any program elements established by the County in response thereto. The purpose of the CRV program is to assure that a greater percentage of the beverage containers sold in California are returned for Recycling.

(32) "Curbside" means the location for Collection, where Collection Containers or loose materials are placed on the street or alley against the face of the curb, or, where no curb exists, placed not more than five (5) feet from the outside edge of the street or alley.

(33) "Customer" means the Person receiving Solid Waste Collection services pursuant to the provisions of this chapter, and to whom the Contractor(s) submits Billing invoices for Collection services provided to a Premise, or from whom the Contractor accepts payment for receiving Solid Waste Disposal services at a designated Transfer Station.

(34) "Designated Transfer Facility" means the various Recycling and Disposal centers within Plumas County, which are owned by the County. See also "Transfer Station" and "Self-Haul").

(35) "Director" or "Director of Public Works" means the Director of the Plumas County Department of Public Works. See "Administrator".

(36) "Discarded Material" means Solid Waste and/or Targeted Recyclable Materials placed by a Generator in a Container and/or at a location that is designated for Collection pursuant to this ordinance. Discarded Material shall become the property of the Contractor(s) pursuant to Section 41950 of the California Public Resources Code as currently in force or as hereafter amended, until delivery to the designated transfer and Disposal Facility.

(37) "Disposal" shall have the meaning as provided in Section 40192 of the California Public Resources Code as currently in force or as hereafter amended, namely "Disposal" or "Solid Waste Disposal," means:

(a) Except as provided in subdivisions (b) and (c), "Solid Waste Disposal" or "Disposal" means the final deposition of Solid Wastes onto land, into the atmosphere, or into the waters of the state.

(b) Except as provided in the California Public Resources Code Part 2 (commencing with Section 40900), for purposes of Part 2 (commencing with Section 40900), "Disposal" means the management of Solid Waste through landfill Disposal or transformation at a permitted Solid Waste Facility.

(c) For purposes of Chapters 16 of the California Public Resources Code (commencing with Section 42800) and 19 (commencing with Section 42950) of Part 3, Part 4 (commencing with Section 43000), Part 5 (commencing with Section 45000), Part 6 (commencing with Section 45030), and Chapter 2 (commencing with Section 47900) of Part 7, "Solid Waste Disposal" or "Disposal" means the final deposition of Solid Wastes onto land.

(38) "Disposal Facility" or "Facility" means any Facility or location where Disposal of Solid Waste occurs as provided in Section 40121 of the California Public Resources Code as currently in force or as hereafter amended.

(39) "Disposal Site" or "Site" includes the place, location, tract of land, area, or Premises in use, intended to be used, or which has been used, for the landfill Disposal of Solid Wastes. "Disposal Site" includes Solid Waste landfill, as defined in Section 40195.1 pursuant to Section 40122 of the California Public Resources Code as currently in force or as hereafter amended.

(40) "Drop Box" means an open-top Container with a typical capacity of ten (10) to fifty (50) cubic yards (CY) that is serviced by a Drop Box or roll-off Collection vehicle.

(41) "Electronic Waste" or "E-Waste" means "Covered Electronic Wastes" as defined in the Act (Section 42463 of the California Public Resources Code as currently in force or as hereafter amended) in addition to discarded electronic equipment such as, but not limited to, television sets, computer monitors, central processing units (CPUs), laptop computers, and peripherals (e.g., external computer hard drives, computer keyboards, computer mice, and computer printers). E-Waste does not include those items defined herein as Targeted Recyclable Materials.

(42) "Environmental Health" means the Plumas County Department of Environmental Health or the Director of that department.

(43) "Environmental Laws" means all Federal and State statutes and County ordinances concerning public health, safety and the environment including, by way of example and not limitation:

- California Integrated Waste Management Act of 1989 (Sher, AB 939), Section 40000, and following, of the California Public Resources Code;
- the California Hazardous Waste Control Act, California Health and Safety Code Section 25100 and following;
- the California Toxic Substances Control Act, California Health and Safety Code Section 25300 and following;
- the Porter-Cologne Water Quality Control Act, California Water Code Section 13000 and following;
- the Safe Drinking Water and Toxic Enforcement Act, California Health and Safety Code Section 25249.5 and following;
- the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) 42 USC Section 9601 and following (better known as the Superfund Act);
- the Resource Conservation and Recovery Act; 42 USC Section 6901 and following;
- the Federal Clean Water Act 33 USC Section 1251 and following;
- the Toxic Substances Control Act 15 USC Section 2601 and following;
- the Occupational Safety and Health Act, 29 USC Section 651 and following,

all as currently in force or as hereafter amended, and all rules and regulations promulgated thereunder.

(44) "Event" includes, but is not limited, to "large Events" as defined in the Act (Section 42648 of the California Public Resources Code as currently in force or as hereafter amended), any Event that serves an average of at least 2,000 attendees and workers per day, and County-sponsored community Events.

(45) "Facility/Facilities" means any plant or Site, owned or leased and maintained, operated or used by the Contractor(s) for purposes of performing the Contractor(s)' obligations under the Agreement(s) e.g., Facilities for parking and maintaining vehicles, administration offices, and customer service offices, etc.).

(46) "Food Waste" means all putrescible waste and animal or vegetable waste or residue produced or accumulated from the preparation, processing, handling or consumption of foodstuff. See "Garbage".

(47) "Franchise" means a system in which the franchisor licenses the Franchisee, for a payment (See "Franchise Fee"), the right to provide services on an exclusive or semi-exclusive basis.

(48) "Franchise Area" shall mean a certain portion of unincorporated Plumas County shown as a Collection area where the Franchisee or permit holder may Collect, transport or use Solid Waste.

(49) "Franchisee" means Contractor.

(50) "Franchise Fee" means the fee(s) paid by Contractor(s) to the County pursuant to the Agreement(s).

(51) "Garbage" means all putrescible waste and animal or vegetable waste or residue produced or accumulated from the preparation, processing, handling or consumption of foodstuff. See "Food Waste".

(52) "Generator" means any Person whose act or process produces Solid Waste or Targeted Recyclable Materials or whose act first causes Solid Waste or Targeted Recyclable Materials to become subject to regulation.

(53) "Green Waste" means a biodegradable waste that can be comprised of landscaping waste from gardens, lawns or parks, including pine needles, leaves, grass clippings, flower or plant cuttings or branches, hedge trimmings or similar plant materials. Green Waste does not include Food Waste, Municipal Solid Waste, Construction and Demolition Debris, wood that is painted with lead-based paint or wood containing wood preservatives. For the purposes of this ordinance, Green Waste shall be divided into the following two categories:

(i) "Woody Green Waste" is a Green Waste that has a high energy potential and which may be used as a source for conversion into fuel or electricity, i.e. woody debris such as dry pine cones, brush and tree trunks, limbs and branches.

(ii) "Non-Woody Green Waste" is a Green Waste that has a low energy potential such as pine needles, garden waste, leaves, green pine cones, weeds and grass clippings.

In addition, Green Waste may be characterized in one of the two following terms:

(iii) "Processed Green Waste" which means Green Waste that has been subjected to chipping, grinding, or other mechanized treatment, or

(iv) "Unprocessed Green Waste" which means Green Waste that has not been subjected to chipping, grinding, or other mechanized treatment.

(54) "Hazardous Substance" means any of the following:

(i) Any substances defined, regulated or listed (directly or by reference) as "Hazardous Substances", "Hazardous Materials", "Hazardous Wastes", "Toxic Waste", "Biological Waste, "Medical Waste", "Pollutant" or "Toxic Substances" or similarly identified as hazardous to human health or the environment, in or pursuant to the laws referred to in Chapter 10 of Title 6 of the Plumas County Code of Ordinances, or:

(aa) the Hazardous Materials Transportation Act, 49 USC Section 1802, and following;

(ab) California Health and Safety Code Sections 25115-25117, 25249.8, 25281 and 25316;

(ac) the California Code of Regulations, Title 22, Division 4.5, Chapter 11 and following;

(ad) the Clean Air Act, 42 USC Section 7901 and following; and

(ae) the California Water Code Section 13050; or

(ii) Any amendments, rules or regulations promulgated thereunder to such numerated statutes or acts currently existing or hereafter enacted; and

(iii) Any other hazardous or Toxic Substance or material such as a chemical, acid, base, oxidizer, paint, stain, adhesive, tar, petroleum distillate, or any waste or Pollutant identified as hazardous or toxic or regulated under any other applicable Federal, State or local Environmental Laws currently existing or hereinafter enacted, including, without limitation, Household Hazardous Waste, friable asbestos, polychlorinated biphenyl's ("PCBs"), petroleum, natural gas and synthetic fuel products, and by-products.

(55) "Hazardous Waste" means all substances defined as Hazardous Waste, acutely Hazardous Waste, or extremely Hazardous Waste by the State in the California Health and Safety Code Sections 25110.02, 25115, and 25117 or in any future amendments to or recodifications of such statutes or identified and listed as Hazardous Waste by the US Environmental Protection County (EPA), pursuant to the Federal Resource Conservation and Recovery Act (42 USC Section 6901 and following), all future amendments thereto, and all rules and regulations promulgated thereunder, or defined as Hazardous Waste pursuant to Section 40141 of the California Public Resources Code as currently in force or as hereafter amended.

(56) "Holiday" or "Holidays" means New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.

(57) "Holiday Schedule" means the modified service schedule for the days following a Holiday. If a Holiday falls on Monday, Tuesday, Wednesday, Thursday or Friday, the service is provided the immediately following day, unless previously noticed otherwise in a publication of general circulation.

(58) "Household Batteries" means disposable or rechargeable dry cells (e.g., A, AA, AAA, B, C, D, 9-volt, button-type) commonly used as power sources for household or consumer products including, but not limited to, nickel-cadmium, nickel metal hydride, alkaline, mercury, mercuric oxide, silver oxide, zinc oxide, nickel-zinc, nickel iron, lithium, lithium ion, magnesium, manganese, and carbon-zinc batteries, but excluding automotive lead acid batteries.

(59) "Household Hazardous Waste" means Hazardous Waste as defined above, generated at Residential Premises. Household Hazardous Waste does not include those items defined below as Targeted Recyclable Materials.

(60) "Infectious Waste" means biomedical waste generated at hospitals, public or private medical clinics, dental offices, research laboratories, pharmaceutical industries, blood banks, mortuaries, veterinary facilities, and other similar establishments that are identified in California Health and Safety Code Section 25117.5 as currently in force or as hereafter amended.

(61) "LEA" means the local enforcement agency, as certified by CalRecycle. In Plumas County, the LEA role is filled by a member of the Department of Environmental Health. LEA responsibilities include oversight (inspection) of the operation of Solid Waste Facilities, storage and transportation of Solid Wastes by the Contractor(s).

(62) "Major Appliances" means any device including, but not limited to, washing machines, clothes dryer, hot water heaters, dehumidifiers, conventional ovens, microwave ovens, stoves, refrigerators, freezers, air-conditioners, trash compactors, and Residential furnaces discarded by Customers. Major Appliances are commonly referred to as "White Goods".

(63) "Materials Recovery Facility" means a permitted Facility where Solid Waste, Targeted Recyclable Materials, and other materials are processed, sorted or separated for the purposes of recovering Reusable Materials or Targeted Recyclable Materials.

(64) "Medical Waste" means waste generated in a health care setting for the care of humans or animals. These include, but are not limited to sharps (such as hypodermic needles), blood products, containers and equipment containing blood as a fluid.

(65) "Multi-Family," "Multi-Family Dwelling" or "MFD" means an individual Residential Premises in a Multi-Family Residential complex.

(66) "Multi-Family Residential Complex" means the building(s) containing three (3) or more individual Residential Premises.

(67) "Municipal Solid Waste" (MSW), commonly known as trash, Refuse or Garbage, means a broad Waste Type that includes predominantly household waste (domestic waste or Garbage) and organic materials or Rubbish, in either solid or semisolid form. Federal and/or State governments regulate items that are to be excluded from the MSW stream.

(68) "MSW" means Municipal Solid Waste.

(69) "Occupant" means the Person in possession or control of the Premises, such as the lessee, tenant, licensee, manager, custodian, or caretaker.

(70) "Operator" means the Person to whom the approval to operate a Disposal Site, Transfer or Processing Station, or Collection system is granted pursuant to Section 40141 of the California Public Resources Code as currently in force or as hereafter amended.

(71) "Organic Waste" means animal or vegetable waste which can be broken down into its base compounds by micro-organisms and other living things.

(72) "Other Recyclable Material" means a subset of Recyclable Materials that are Collected which include, but are not limited to: household batteries, Cell Phones, Used Motor Oil, Used Motor Oil Filters, Bulky Items that are recycled, Major Appliances, E-Waste, and U-Waste. The purpose of differentiating Other Recyclable Material is to describe a category used to calculate the Overall Diversion Level.

(73) "Overage" means the amount of Solid Waste placed in or adjacent to a Collection Container that is in excess of the Container capacity.

(74) "Overall Diversion Level" means the total weight of all Recyclable Materials Collected (diverted from landfill Disposal) by the Contractor(s) divided by the total weight of all materials, including Recyclable Materials, Collected by the Contractor(s) in a calendar year.

(75) "Owner" means the Person having dominion of or title to the Premises.

(76) "Person" includes an individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever pursuant to Section 40170 of the California Public Resources Code as currently in force or as hereafter amended.

(77) "Pharmaceutical Waste" means a waste generated from prescription or over-the-counter human or veterinary drugs.

(78) "Plumas County Integrated Waste Management Task Force" or "PCIWMTF" means an advisory committee appointed by the Plumas County Board of Supervisors to advise them on Solid Waste management matters.

(79) "Plumas County Solid Waste Plan" means, collectively, the documents portraying the procedures by which Solid Waste and Recyclable Materials are Collected, stored, processed and transported in Plumas County and to their ultimate Disposal Sites, which documents include, but are not limited to Chapter 10 of Title 6 of the Plumas County Code of Ordinances, the current Franchise Agreement(s) between Plumas County and its Franchise Contractor(s) and all amendments thereto, and all applicable State and Federal law.

(80) "Premise or Premises" shall mean the following:

(i) *Residential unit.* A parcel of real property, located in the unincorporated area of the County, upon which is situated any dwelling house or other place of human habitation, including each unit of a multiple occupancy up to and including four (4) separate living units, which shall be considered to be four (4) residential units.

(ii) *Commercial unit.* A parcel of real property upon which is conducted any business, occupation, or activity which results in the production or accumulation of Refuse. Five (5) or more separate living units at one location shall constitute a Commercial enterprise.

(81) "Public Works" means the Solid Waste Division of the Plumas County Department of Public Works or its Director (see "Administrator")

(82) "Qualified Generator" means a Commercial Generator of Solid Waste and/or Targeted Recyclable Materials who generates four (4) cubic yards (CY) of combined Solid Waste and/or Targeted Recyclable Materials, and who is subject to the provisions of the State's Mandatory Commercial Recycling Law, Chapter 476, Statutes of 2011 (Chesbro, AB 341) as currently in force or as hereafter amended.

(83) "Rates" means the monetary amounts to be charged a Customer by the Contractor(s) for providing Collection of Solid Waste, Recyclable Materials and other materials.

(84) "Recycle" or "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 pursuant to Section 40180 of the California Public Resources Code. "Recycling" does not include transformation, as defined in Section 40201 of the California Public Resources Code, both as currently in force or as hereafter amended.

(85) "Refuse" means Solid Waste that has been placed by the Generator in a Contractor-provided or Owner-provided Container for Collection and Disposal. Refuse excludes source-separated Targeted Recyclable Materials and Unpermitted Materials.

(86) "Recyclable Containers" means food and beverage packaging receptacles including but not limited to packaging that has California redemption value.

(87) "Recyclable Materials" or "Recyclables" means those Discarded Materials that can be re-used, remanufactured, reconstituted, or recycled. See "Targeted Recyclable Materials".

(88) "Residential" means of, from, or pertaining to Single-Family dwellings, and Multi-Family Residential complexes, including Single-Family homes, apartments, condominiums, townhouse complexes, mobile home parks, cooperative apartments, and yacht harbors and marinas where residents live aboard boats.

(89) "Residential Diversion Level" means the sum of all Residential Recyclable Materials Collected and diverted by the Contractor(s) divided by the sum of all Residential materials Collected by the Contractor(s).

(90) "Residential Premises" means individual dwelling units such as Single-Family dwelling units, Multi-Family Dwelling units (such as townhouses, apartments, and condominiums), mobile home park dwelling units, cooperative apartments, and dwelling units at yacht harbors and marinas where residents live aboard boats.

(91) "Residential Property" means property used for Residential purposes.

(92) "Residential Recyclable Materials" means Targeted Recyclable Materials Collected from both Single-Family dwelling customers and Multi-Family Residential complexes.

(93) "Rubbish" means non-putrescible waste or discarded or abandoned material, including, but not limited to paper, cardboard, rugs, rags, clothing, straw, wood, crockery, glass, rubber, metal, plastic and construction debris (C&D), and in the context of this section, means Solid Waste that is the subject of Collection services by a Franchise Contractor.

(94) "Self-Haul" means the act of hauling Solid Waste and/or Recyclable Materials to a Designated Transfer Facility by the Generator of such Solid Waste and/or Recyclable Materials, using their own personnel and equipment.

(95) "Service Area" means the area within, and, if applicable, outside the County's jurisdictional boundaries with respect to which the County exercises franchising authority for the Collection of Solid Waste, Targeted Recyclable Materials or other materials pursuant to the Agreement(s).

(96) "Service Day" means a day during which Solid Waste services are provided, Monday through Sunday, excluding Holidays.

(97) "Service Sector" means Collection services for each of the following types of services: Single-Family; Multi-Family; and Commercial facilities.

(98) "Single-Family," "Single-Family Dwelling," or "SFD" means a Premise used as a Residential dwelling and includes each unit of a duplex, at which there are no more than two dwelling units where individual Solid Waste and Targeted Recyclable Materials Collection is provided separately to each dwelling unit.

(99) "Single-Stream Targeted Recyclable Materials" means Targeted Recyclable Materials which have been Commingled by the Generator and placed in a Container for the purposes of Collection.

(100) "Solid Waste" shall have the meaning set forth in Section 40170 of the California Public Resources Code as currently in force or as hereafter amended, namely:

(a) Except as provided in subdivision (b), "Solid Waste" means all putrescible and non-putrescible solid, semisolid, and liquid wastes, including Garbage, trash, Refuse, paper, Rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not Hazardous Waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes.

(b) "Solid Waste" does not include any of the following wastes:

(1) Hazardous Waste, as defined in Section 40141 of the California Public Resources Code as currently in force or as hereafter amended.

(2) Radioactive waste regulated pursuant to the Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code as currently in force or as hereafter amended).

(3) Medical Waste regulated pursuant to the Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code as currently in force or as hereafter amended,). Untreated Medical Waste shall not be disposed of in a Solid Waste landfill, as defined in Section 40195.1 of the California Public Resources Code as currently in force or as hereafter amended. Medical Waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to this division.

(101) "Solid Waste Collector" means a Person, including their agents and employees, who Collects or transports Solid Waste under authority granted by the Board. See "Franchisee" and "Contractor".

(102) "Solid Waste Permit" means a permit issued by Plumas County authorizing the Collection and/or transport of a particular waste product for a limited time, for which the Collection and/or transport is not readily available by a Plumas County Franchise Contractor.

(103) "Source Separated" means materials which otherwise would become Solid Waste, but have been segregated by the Generator, such as Targeted Recyclable Materials, for the

purpose of reuse, Recycling, or composting, to be Collected by the Contractor(s) or others.

(104) "Special Handling Service" means the provision of Collection service to a SFD in the rear or side of the Premises. Customers eligible for this service include only those that submit documentation (e.g., a form signed by a doctor) of their inability to perform the generally applicable Curbside Collection set-out requirements.

(105) "Specialty Recyclable" or "Reusable Material" means Recyclable Materials that are not Targeted Recyclable Materials but that may be Collected for purposes of Recycling by any Person operating in accordance with Chapter 10 of Article 6 of the Plumas County Code of Ordinances. Such Specialty Recyclable or Reusable Materials include, but are not limited to, scrap metal weighing more than ten (10) pounds, pallets, plastic film, and reusable furniture.

(106) "Spills of Discarded Materials" means any Solid Waste or Targeted Recyclable Materials spilled or left at established Collection Sites by the Contractor(s) after Collection, other than small particles of grass clippings and leaves of the size and volume which may be left behind that may be Collected by regular street sweeping operations.

(107) "State" means the State of California, and in the context of Chapter 10 of Article 6 of the Plumas County Code of Ordinances, the California Department of Resources, Recycling and Recovery (See "CalRecycle").

(108) "Subcontractor" means a Person who has entered into a contract with the Contractor for the performance of work that is necessary for the Contractor's fulfillment of their obligations under the Agreement.

(109) "Subscription Collection Route Area" means that area within the Solid Waste Franchise Contractor's Franchise Area that Curbside Collection is offered.

(110) "Targeted Recyclable Materials" means a subset of Recyclable Materials accepted at Plumas County's Transfer Stations and/or Recycling centers that includes a variety of paper products, metals and empty food and beverage containers, i.e. newspapers (including inserts, coupons, and store advertisements); mixed paper (including office paper, computer paper, magazines, junk mail, catalogs, brown paper bags, paperboard, paper egg cartons, telephone books, books, colored paper, construction paper, envelopes, legal pad backings, shoe boxes, cereal and other similar food boxes); corrugated cardboard; paper milk and juice cartons; glass containers of any color (including brown, blue, clear, and green); aluminum (including food and beverage containers, foil and small pieces of scrap aluminum); small pieces of scrap metal weighing less than ten (10) pounds that fit into the Targeted Recyclable Materials Collection Container (excluding chain, cable, wire, banding, hand tools, and automotive parts); steel, tin or bi-metal containers; plastic containers (i.e., all plastic containers and bags stamped with the Society for the Plastics Industry (SPI) code #1 through #7; and plastic containers and bags that are not stamped but clearly can be identified as PET, HDPE, polypropylene), and all other similar items that are mutually agreed upon by the County and the Contractor(s). For Single-Family and Multi-Family dwellings, Targeted Recyclable Materials also include Used Motor Oil, Used Motor Oil Filters, antifreeze, household batteries, Cell Phones and e-waste such as televisions and other consumer electronics, which are accepted separately from Commingled Recyclables.

Items that will not be accepted at Plumas County's Transfer Stations and/or Recycling centers as Targeted Recyclable Materials include materials that are in bags, boxes or other containers (even if containing Recyclable Materials), microwave trays, mirrors, window or auto glass, light bulbs of any kind, ceramics, porcelain, plastic bags, unnumbered plastic containers that cannot be identified as PET, HDPE or polypropylene, coat hangers, glass cookware or ovenware, household items such as cooking pots or toasters, wet fibers or fibers containing or having been in contact with food debris, any recyclable or piece of a recyclable less than two (2") inches in its largest dimension, or materials that:

(a) pose a hazard to the public, or

(b) contain deleterious chemicals or substances or have other hazardous properties that are capable of causing material damage to Solid Waste Collection Containers or equipment, or

(c) may materially impair the strength or durability of Solid Waste Collection Containers or equipment.

(111) "Tire Amnesty Program" means the periodic tire Collection program funded by CalRecycle and administered by the County.

(112) "Ton" or "Tonnage" means a unit of measure for weight equivalent to 2,000 pounds where each pound contains 16 ounces.

(113) "Transfer Station" shall have the meaning set forth in Section 40200 of the California Public Resources Code as currently in force or as hereafter amended, namely:

(a) "Transfer or Processing Station" or "Station" includes those Facilities utilized to receive Solid Wastes, temporarily store, separate, convert, or otherwise process the materials in the Solid Wastes, or to transfer the Solid Wastes directly from smaller to larger vehicles for transport, and those Facilities utilized for transformation.

(b) "Transfer or Processing Station" or "Station" does not include any of the following:

(1) A facility whose principal function is to receive, store, separate, convert, or otherwise process in accordance with state minimum standards, manure.

(2) A facility whose principal function is to receive, store, convert, or otherwise process wastes which have already been separated for reuse and are not intended for Disposal.

(3) The operations Premises of a duly licensed Solid Waste handling Operator who receives, stores, transfers, or otherwise processes wastes as an activity incidental to the conduct of a Refuse Collection and Disposal business in accordance with regulations adopted pursuant to Section 43309 of the California Public Resources Code as currently in force or as hereafter amended.

See also "Designated Transfer Facility" and "Self-Haul")

(114) "Universal Waste," or "U-Waste," means all wastes defined by Title 22, Sections 66273.1through 66273.9 of the California Code of Regulations as currently in force or as hereafter amended. These include, but are not limited to, empty aerosol cans, batteries,

fluorescent light bulbs or lamps, mercury switches or other mercury-containing equipment, and cathode ray tubes and cathode ray tube glass. U-waste does not include those items defined herein as Targeted Recyclable Materials.

(115) "Unpermitted Materials" mean wastes or other materials that the Designated Transfer Facility is not permitted to receive, including hazardous waste, Infectious Waste and Hazardous Substances.

(116) "Used Motor Oil" means used motor oil from automobiles and other light duty vehicles intended for personal use which is removed from such vehicles at a Residential Premises and not as a part of a for-profit or other business activity.

(117) "Used Motor Oil Filter" means a Used Motor Oil Filter from automobiles and other light duty vehicles intended for personal use which is removed from the vehicle at a Residential Premises and not as a part of a for-profit or other business activity.

(118) "Venue" means a permanent facility that during any year seats or serves an average of more than 2,000 individuals per day of operation. All Persons attending the Event and those working at it, including volunteers, are included in this number.

(119) "Waste Type" means listings (categories of waste) that are created by Federal and State agencies. For purposes of this ordinance, the Plumas County Solid Waste Plan identifies the following Waste Types:

- Municipal Solid Waste
- Tire Waste
- White Goods
- Building and Demolition Debris (see "C & D")
- Medical Waste
- e-Waste
- Household Hazardous Waste
- Bulky Waste
- Commercial Waste
- Pharmaceutical Waste
- Green Waste
- Universal Waste

(120) "Weekly Collection Service" means Collection service that is scheduled in advance on a day or days from Monday through Friday and provided once-per-week on the same day or days each week.

(121) "White Goods" means "Major Appliances."

(b) Additional definitions pertaining to the Act and the Plumas County Solid Waste program are located in Section 40100 of the California Public Resources Code as currently in force or as hereafter amended, and shall be considered as being incorporated herein.

Sec. 6-10.103 ***Depositing Solid Waste; Littering.***

(a) No Owner or Occupant shall abandon, dump, bury, or otherwise dispose of any Solid Waste or allow any other Person to dispose of Solid Waste upon Premises other than a County-designated ultimate Disposal Site or Transfer Station Site during the Site's business hours; provided, however, that:

(1) Building materials may be kept on Premises during a period of active construction, reconstruction, or repair of a building or structure thereon under a valid building permit; and

(2) Wood may be kept neatly piled upon Premises for household use; and

(3) Residential (household) Solid Waste may be composted in a manner approved by the Plumas County Department of Environmental Health.

(4) Clean Recyclable Materials may be stored on the Premises, provided storage of same does not create odors, attract vectors or cause other nuisance conditions.

(b) No Person shall cause to be thrown, deposited, or abandoned any Solid Waste material on any public property, public right-of-way, watercourse, bank of any watercourse, or on the Premises of any other Person, except at County-designated Disposal Sites or Transfer Stations.

Sec. 6-10.104 ***Removal of Solid Waste.***

(a) Residential. The Owner or Occupant of an occupied dwelling, house, or residence, excluding Commercial establishments, shall remove, or have a Solid Waste Collector remove, Solid Waste from the Premises at least once each week; except for Solid Waste composted on-site in a manner approved by Plumas County Department of Environmental Health. Environmental Health, by special order, may require more frequent removal in specific circumstances threatening health and safety.

(b) Commercial.

(1) The Owner or Occupant of any Commercial, industrial, or other business establishment conducting a business, occupation or Commercial activity on the Premises shall have a Solid Waste Collector exclusively remove Solid Waste from the Premises at least once each week.

(2) A hotel, restaurant, boardinghouse, or other Food Waste or Garbage-producing business shall have the Collector remove such Food Waste or Garbage at least twice each week. Environmental Health, by special order, may require more frequent removal in specific circumstances threatening health and safety. Food Waste or Garbage may be given as animal feed to the Owners or caretakers of animals that can consume such material prior to Collection by a Franchise Contractor.

(3) The Owner or Occupant shall deal directly with a Solid Waste Collector for Collection and Disposal arrangements. Unless expressly permitted by the Franchise Contractor, Commercial Customers shall not be permitted to haul Solid Waste generated on the Premises to any Transfer Station or place of ultimate Disposal, excepting those Commercial, industrial or other businesses described in Section 6-10.105(b)(4) or those certain Commercial, industrial or other businesses operating under the authority of a Solid Waste Permit as described in Section 6-10.203.

(4) The Owner or Occupant of any Commercial, industrial or other business establishment conducting a business that is not conducted on the Premises of the Owner, particularly those enterprises conducting the business of building construction, remodeling or demolition, shall be authorized to remove such Solid Waste, including C & D generated through the prosecution of such business, occupation or activity to an authorized Disposal Facility within the Franchise Area where such Solid Waste was generated in the County. Construction & Demolition Debris may be stored at the Premises during a period of active construction, reconstruction, repair, remodeling or demolition of a building or buildings that are legally permitted by the Plumas County Department of Planning and Building Services. Removal and Disposal of such Solid Waste must be completed within thirty (30) calendar days from the completion of the work, and such removal and Disposal may be performed by the Owner or the Occupant of the Premises where the

work is taking place, a licensed contractor under contract to prosecute such construction, reconstruction, repair, remodeling or demolition work with their own personnel and equipment, or an authorized Solid Waste Collector. No other Persons are authorized to remove or Dispose of such Solid Waste. Such removal shall be subject to the minimum Recycling or re-use requirements of this section, if any.

Sec. 6-10.105 ***Special Arrangements for Solid Waste Removal.*** The Owner or Occupant of any Premises, or two (2) or more such Persons acting jointly, may request the Administrator to approve a plan whereby special arrangements are made for effective and efficient Solid Waste removal. The proposed plan shall include a statement of the expected charges and such other comments as the Solid Waste Collector whose services will be utilized considers appropriate.

Sec. 6-10.106 ***Transporting Solid Waste.***

(a) Solid Waste hauled anywhere in the County shall be securely tied or covered. No Person shall allow Solid Waste to leak, spill, blow off, or drop from any vehicle at any time.

(b) No Person shall import Solid Waste into the County or export Solid Waste from the County for the purpose of Disposal without specific authorization from the Administrator or the Plumas County Board of Supervisors.

Sec. 6-10.107 ***Disposal of Solid Waste.***

(a) Solid Waste generated in Plumas County shall be:

(1) Disposed of by the Generator of such Solid Waste only at authorized Solid Waste Transfer Stations, authorized Recycling centers or a County landfill within Plumas County, or

(2) Collected for Disposal by an authorized Solid Waste Collector, or

(3) Disposed of under the authority of a valid and current Solid Waste Permit, as described in Section 6-10.203.

(b) The types of Solid Waste that may be disposed of by the methods described in this ordinance include:

(1) Municipal Solid Waste (MSW)

(2) Targeted Recyclable Materials

(3) Green Waste

(4) Construction and Demolition debris (C&D)

(5) Universal Waste (U-Waste)

(6) Electronic Waste (E-waste)

all as defined in Section 6-10.102. Only those types of waste which are eligible for Disposal under this section may be disposed of under a Solid Waste Permit.

(c) The types of Solid Waste that may not be disposed of by either of the methods described in Section 6-10.107(a) include:

(1) Hazardous Substances or waste of any kind, or

(2) Medical Waste

all as defined in Section 6-10.102.

Sec. 6-10.108 ***Containers.*** No Owner or Occupant shall fail or neglect to provide a sufficient number of standard Containers, waste-wheelers (Carts or totes) or Bins for holding, without leakage or the escape of odors, all Solid Waste produced or accumulated upon any Premises. All Solid Waste shall be deposited in such Containers. Containers shall be at all times kept in useful and sanitary condition. Containers shall at all times be closed against the access of flies, rodents, and other animals. Garbage, Rubbish, and garden Refuse may be deposited in the same Container.

(a) Privately-owned Containers shall not exceed thirty-three (33) gallons in volume and shall not exceed forty (40) pounds in weight when filled for removal.

(b) Solid Waste Collector-owned waste-wheelers (Carts or totes) or Bins may be used in lieu of privately-owned Containers, and shall have the capability of being emptied using truck-mounted mechanical assist. Such waste-wheelers (Carts or totes) or Bins shall be of a size approved by the Administrator as being adequate for the particular use or occupancy of the Premises using the waste-wheelers (Carts or totes) or Bins.

(c) The Owner or Occupant of the Premises at all times shall keep all Containers, waste-wheelers (Carts or totes) or Bins closed, in good condition, identified as to ownership, emptied on a regular schedule as described in this ordinance, and in compliance with the weight limitations established by the Administrator.

(d) Owners or Occupants responsible for Containers in areas of Plumas County that have experienced intrusion by scavenging wildlife, particularly bears, shall take all precautions necessary to prevent such intrusion, including, but not limited to:

(1) Setting out Containers on the same day as scheduled Collection.

(2) Storing Containers inside of structures that are sufficiently secure to keep wildlife from entering.

(3) Ensuring that all Containers are completely and securely covered while awaiting Collection.

(e) Repeated preventable instances of scavenging by wildlife that have been reported to the Plumas County Department of Public Works or the Plumas County Department of Environmental Health shall be administered in the following manner:

(1) After the first reported instance, the Owners or Occupants responsible for such Containers shall be contacted by either Public Works or Environmental Health and counseled on the proper storage and setting-out procedures that will alleviate wildlife scavenging.

(2) After a second reported instance within a 12 month period of the first report, the Owners or Occupants responsible for such Containers shall be cited for a violation of this

chapter in accordance with Chapter 8 of Title 1 of the Plumas County Code of Ordinances.

(3) Any subsequent instance reported within a 12 month period of the second report may result in the installation of "bear-proof" Containers at the Customer's expense.

Sec. 6-10.109 ***Prohibited Locations of Containers.*** Solid Waste Containers or garden Refuse bundles shall not be placed or allowed to remain in or on any street or alley right-of-way or in any unsightly location.

Sec. 6-10.110 ***Containers and Bins: Inspections and Tagging for Violations.*** The Administrator, or their agents, at their discretion and at any time, may inspect, or cause to be inspected, Solid Waste Containers or Bins. The determination of the Administrator of the condition of such Containers and Bins shall be final, and violations shall be tagged.

Sec. 6-10.111 ***Beneficial Use of Solid Waste.*** Notwithstanding the provisions of this chapter, non-hazardous Solid Waste may be used for soil improvement, Recycling, or other beneficial purposes provided such use complies with this chapter and all other laws.

Sec. 6-10.112 ***Recycling: Residential & Small Business, Commercial, Public Venues & Events.*** Most Recycling in the unincorporated portion of Plumas County falls within one of the following four (4) classifications, and shall be dealt with as follows:

(a) Residential and Small Businesses. Residential Premises and small businesses (defined herein as a business with ten employees (or full-time equivalents) or less) may Self-Haul source-separated or Commingled Recyclables to a Transfer Station or other authorized Collection center that accepts Recyclable Materials.

(b) Commercial.

(1) Commercial Recycling shall be mandatory for businesses, schools and other public entities, "Qualified Generators" as defined in Section 6-10.102(a)(82), generating four (4) cubic yards or more of Solid Waste per week in any week or weeks of the year, and for Multi-Family Residential complexes or buildings of five living units or more, regardless of the amount of Solid Waste generated, in accordance with the State's Mandatory Commercial Recycling Law AB 341 (Chesbro), Chapter 476, Statutes of 2011, as stated in the California Public Resources Code. Recyclable Materials shall be placed in dedicated Bin(s) or Container(s) clearly marked "Recycling" for Collection.

(2) Qualified Generators may also Self-Haul their Recyclables to a Transfer Station in Plumas County, where a receipt shall be issued therefor that will constitute proof of compliance with the California Mandatory Commercial Recycling Law.

(3) Each Qualified Generator shall be responsible for ensuring and demonstrating their compliance with the requirements of this section. Each Qualified Generator shall:

(i) Source separate Recyclable Materials from Solid Waste, and

(aa) Subscribe to a basic Recycling Collection service with a Solid Waste Franchise Contractor, or

(ab) Complete and retain on-site a Self-Hauling form certifying that all Self-Hauling activities will be completed in accordance with this section or

other Applicable Law or regulation, a copy of which shall be available to the Administrator upon request.

(ii) Use Containers to Collect and store Recyclable Materials and shall designate areas to Collect and/or store Recyclable Materials.

(iii) Prominently post and maintain one or more signs in maintenance or work areas, or common areas where Recyclable Materials are Collected and/or stored that:

(aa) Specify the materials to be source-separated

(ab) Delineate Collection procedures

(ac) Prohibit scavenging for such materials.

(iv) Notify and instruct employees in writing of applicable source-separation requirements, including outreach and training on what materials are required to be source-separated and how to source-separate such material. A copy of such instruction or training materials shall be provided to the Administrator or their designee upon request.

(v) Place all Recyclable Materials in covered Containers or in a covered area conforming to the following requirements:

(aa) No Container shall be overloaded beyond its capacity.

(ab) The Containers used for the Collection and storage of Recyclable Materials generated on their Premises shall be maintained in a clean and sanitary condition.

(ac) No material or Containers shall be kept or handled in such a manner as to become a nuisance.

(ad) No putrescible materials shall be Commingled with the Recyclables.

(ae) No Recyclable Materials shall be allowed to become odoriferous or a producer of vermin.

(af) Lids on Containers shall remain closed at all times while stored or placed for Collection.

(ag) Unwaxed cardboard need not be placed in a Container, but must be flattened and stacked, unless the volume of such flattened material ordinarily exceeds 27 cubic feet (1 cubic yard) on a bi-weekly basis.

(ah) The Administrator is specifically authorized to promulgate rules and regulations regarding the use of any and all Recyclable Materials Containers, including the Recyclable Materials to be placed therein, the placement and maximum weight of high-density materials for Collection, and the proper use of said Containers.

(vi) Ensure that Recyclable Materials generated at their Site will be taken only to a Recycling or composting Facility, or make other arrangements to make sure that

the materials are recycled or composted, and not delivered to a Transfer Station or landfill for Disposal. They shall not dispose of, or make arrangements to dispose of Recyclable Materials by placement in a Transfer Station or landfill except in an emergency situation, or when no viable markets or Recycling Facilities are available, as determine by the Administrator. Further, all qualified Generators are hereby encouraged to consider the Recycling of additional materials, whether or not they have been designated by the Administrator if, under the terms of the Franchise Agreement, such materials are accepted by the Franchise Contractor as Recyclable Materials.

(vii) Make the Recycling service Agreement and any other Recycling documents available for inspection by the Administrator or designee at the principle location of the Qualified Generator's business, Commercial facility, special Event, Multi-Family housing unit or non-Residential Property during normal business hours.

(4) No Franchise Contractor shall be held liable for the failure of its Customers to comply with such regulations, unless such liability is specified in the Franchise Agreement between the Contractor and the County.

(5) Subject to approval by the Administrator and the PCIWMTF, the following shall be exempt from the requirements of this section:

(i) The State of California, a special district or other local public agency other than the County of Plumas, as defined, or any employee thereof, when Collecting or transporting Recyclable Materials produced by an operation or system of a Franchise Contractor who is under contract with the County of Plumas.

(ii) Municipal corporations and governmental agencies other than the County of Plumas using their own vehicles, and employees engaged in the Collection, transportation or Disposal of Recyclable Materials within the boundaries of the Franchise Service Areas in Plumas County.

(iii) A Generator shall not be deemed a Qualified Generator unless they meet the following requirements:

(aa) They must operate a Multi-Family Residential facility of five (5) units or more, using common Collection Container(s) within a Plumas County Franchise Service Area, or

(ab) They must operate a Commercial business or institutional facility generating four (4) cubic yards (CY) or more of Solid Waste per week within a Plumas County Franchise Service Area.

(iv) An otherwise Qualified Generator can demonstrate that there is no Collection service available or other system available.

(v) An otherwise Qualified Generator can demonstrate that there are no recyclable materials being generated by any activities in the Generator's business.

(vi) An otherwise Qualified Generator can demonstrate that there is no space available on the Premises for Recyclable Materials Containers.

(vii) An otherwise Qualified Generator can demonstrate that there is no viable market or that there are no Recycling Facilities for the Recyclable Material generated at their place of business, public facility or Multi-Family Residential housing complex.

In order to receive an exemption based upon the foregoing subsections (i) through (vii), the Generator must file an application with the Plumas County Department of Public Works on a form prescribed by the Administrator. After reviewing the exemption request, and after an on-site review, the Administrator shall either approve or disapprove the exemption.

(c) Public Venues. Parks, sidewalks, public parking lots and other such public gathering places shall have an equal number of waste and dedicated Recycling receptacles in sufficient quantity and in good operating condition. Agencies responsible for the administration and maintenance of such public Venues shall ensure that Solid Waste and Recyclable Materials removal is done in a timely fashion.

(d) Events.

(1) The responsible party for Events held in Plumas County that will have an anticipated total attendance greater than two thousand (2,000) Persons, including all employees, volunteers, contractors, customers and attendees of the event where Solid Waste and/or Recyclable Materials will be generated, either indoors or outdoors, shall complete and submit a "Plumas County Event Waste & Recycling Plan" no later than thirty (30) working days prior to the first day of the Event. This plan shall provide, at a minimum:

(i) The name, type of Event, dates and location(s) of the Event,

(ii) The sponsor and responsible party for the Event, along with their mailing addresses, telephone numbers and any other contact information available,

(iii) The expected number of employees, volunteers, contractors, customers and attendees of the Event,

(iv) The Disposal destination for Solid Waste and Recyclable Materials generated at the Event,

(v) The number and size of Solid Waste and Recyclable Materials Disposal Containers to be used at the Event, and

(vi) The estimated types and volumes (in cubic yards) of the Recyclable Materials expected to be generated at the Event.

(2) The plan shall be filed with the Plumas County Department of Public Works or with the Owner of such indoor or outdoor Venue(s), who shall forward a copy of the plan to the Plumas County Department of Public Works, together with proof of contract with an approved waste hauler for the Event, if required. No permit(s) or contract(s) shall be issued for the occurrence of indoor or outdoor Events on public or private property until the plan has been reviewed and approved.

(3) Owners of public and private Venues where Events are to be held in the County shall cooperate with Event organizers to ensure that sufficient numbers of waste and dedicated Recycling receptacles in good operating condition are available for Events. The number

of Recyclable Materials Containers shall equal or exceed the number of Solid Waste receptacles. Recyclable Materials Containers and Solid Waste receptacles shall be paired together, or placed as close together as possible. The Disposal of waste and Recyclables generated at such Events shall be done in a timely fashion.

(4) All of the receptacles must have appropriate signage and be color coded to identify the type of Refuse to be deposited within, and meet any other additional design criteria established by the Administrator.

(5) The Event coordinator must provide at least one separate Container for Recyclables and trash for use by customers and visitors. Multiple food vendors that provide disposable food service ware and share a common eating area may share an appropriate number of Containers for Recyclables and trash for convenient use by customers and visitors, or have common access to such Containers, which shall be located within a reasonable proximity to the vendors.

(6) The types of receptacles for Recyclable Materials shall include, at a minimum, receptacles for glass bottles and jars (or glass and plastic), cans, and Commingled Recyclables, which shall include plastic containers, glass bottles and jars, clean paper, non-waxed cardboard and metals.

(7) The responsible Person shall ensure that the Recyclable Materials deposited into the Recycling receptacles are Self-Hauled to a Recycling Facility or picked up for transport by a Franchise Contractor within seven (7) calendar days.

Sec. 6-10.113 ***Recycling Services.*** The Recycling services provided by the Franchise Contractor to Qualified Generators shall include, at a minimum, all of the following:

(a) Collection of Recyclable Materials at a minimum of two (2) times each month, or more as specified in the Franchise contract.

(b) Collection of Recyclables as identified in the Franchise Agreement.

(c) Utilization of Recycling Containers which comply with Franchise contract standards.

(d) Appropriate signage on all Recycling Containers which allows Customers to clearly and easily identify which Containers to use for Recyclables or trash and be color-coded (blue or a contrasting color from trash for Recyclables, green or any other single color for trash).

(e) Occupant Education: For Multi-Family facilities, the manager or other responsible party shall provide Occupants with the following information about Recycling and Recycling services:

(1) Information and instructions upon occupancy, including the types of Recyclable Materials accepted, the location of Recycling Containers and the Occupant's responsibility to Recycle pursuant to this chapter. This information shall be distributed to all Occupants annually.

(2) Updated information and instructions upon any change in the Recycling service.

(f) The Occupant education program required by this section shall be subject to review and approval by the Plumas County Integrated Waste Management Task Force (PCIWMTF) within ninety (90) days of the effective date of this ordinance and every three (3) years thereafter. Any dispute that cannot be resolved by the Administrator or the PCIWMTF regarding the

requirements of this section shall be heard and resolved by the Plumas County Board of Supervisors.

(g) Franchise Contractors shall not take a Qualified Generator's Recyclable Materials to a Transfer Station or landfill for Disposal. Such materials shall be taken to a Recycling Facility. Franchise Contractors shall maintain a copy of a service Agreement and/or receipts documenting that Recyclable Materials generated by the Qualified Generator have been properly delivered, as well as any documentation evidencing an event of ***force majeure*** which prevented the proper delivery of same. Such documents shall be available for inspection by the Administrator at the principle place of business during normal business hours and maintained for not less than three (3) years.

Sec. 6-10.114 ***Redemption or "Buy-Back" Recycling Services.*** Plumas County and its Solid Waste Franchise Contractor(s) recognize that the provision of Buy-Back Recycling of beverage containers marked with the appropriate California redemption value (CRV) symbol is an important part of Plumas County's Solid Waste Plan. The parties are also aware that other Recycling contractors have, from time to time, established Buy-Back Facilities in Plumas County in accordance with the California Beverage Container and Litter Reduction Act as described in Section 14500, and following, of the California Public Resources Code upon certification by the State, but without the need to acquire a Franchise Agreement or operating permit with Plumas County. Plumas County, on its sole and absolute discretion, may establish a requirement that Plumas County's Solid Waste Franchise Contractor(s) provide such redemption services for Customers who Self-Haul their CRV Recyclable Materials to a redemption Facility at, or adjacent to a County-owned Transfer Station operated by the Franchise Contractor(s) within their Service Area at a location within 10 miles (by public road or highway) of the following population centers of Plumas County, when such redemption Facilities are not offered by other Recycling contractors:

(a) Chester - Lake Almanor Basin

(b) Greenville - Indian Valley

(c) Quincy – American Valley

(d) Graeagle – Mohawk Valley

(e) Portola – Delleker

When Buy-Back services are provided by Plumas County's Franchise Contractor(s), such services shall become a part of the Franchise Contractor(s) ordinary Recycling services and shall be subject to the applicable requirements described in Section 14500 of the California Public Resources Code as currently in force or as hereafter amended.

Sec. 6-10.115 ***Interfering with Collection.*** No Person by any means shall hinder, obstruct or interfere with the removal or transportation of Solid Waste or Recyclable Materials by a Solid Waste Collector.

Sec. 6-10.116 ***Ownership/Scavenging of Solid Waste.*** All Solid Waste and Recyclable Materials placed in any Container or receptacle provided or serviced by a Franchise Contractor sufficient to accommodate the quantity and types of materials generated by public Venues, Events, businesses, Single-Family housing, Multi-Family housing facility or other qualifying non-Residential facility shall be considered to be owned by and be the property and the responsibility of the Franchise Contractor until such time as the Solid Waste or Recyclable Material has been disposed of at a place of ultimate Disposal or sold as a commodity. No Person shall scavenge, remove or Collect Solid Waste or Recyclable Materials from such Containers or receptacles without the expressed permission of the Franchise Contractor.

Sec. 6-10.117 ***Animal waste.***

(a) No Person who owns or controls land shall allow any animal waste, including manure, urine, and defecations, to accumulate on the land and cause a public or private nuisance or a danger to public health, such as fly-breeding conditions and offensive odors.

(b) Any Person owning or controlling land upon which animals are confined in pens, kennels, stalls, fenced Residential back yards, or other small areas shall remove animal waste and dispose of it in an approved manner at least three (3) times each week, or more frequently if so ordered by the Plumas County Department of Environmental Health.

Sec. 6-10.118 ***Hazardous Materials.*** No Person shall deposit in any Container used for Solid Waste any explosive, highly flammable, radioactive, toxic, or other Hazardous Waste or Hazardous Substance as defined in Section 6-10.102. No Person shall deposit any Hazardous Material in a Solid Waste Container, Transfer Station, or Disposal Site, without having first made special arrangements with the Plumas County Department of Environmental Health, the Solid Waste Collector, and the Site Operator for Disposal of the material.

Article 2 - Regulation of Solid Waste Collectors

Sec. 6-10.201 ***Franchises or Permits Required.*** No Person shall Collect, transport, use, or dispose of Solid Waste in the unincorporated area of the County unless that Person is the Generator of such Solid Waste without first receiving a Franchise or permit to engage in such activity. The provisions of this chapter shall not apply to any Person authorized to transport Solid Waste as set forth in Section 6-10.104.

Sec. 6-10.202 ***Granting Solid Waste Franchises.***

(a) Solid Waste Franchises shall be granted by the Board on the authority of Section 40059 of the California Public Resources Code as currently in force or as hereafter amended, providing that the Board may grant exclusive Solid Waste Franchises, with or without competitive bidding, under such terms and conditions as are prescribed by resolution or ordinance of the Board.

(b) Within its Franchise Area, a Franchisee shall have the exclusive right to make all Collections which any Owner or Occupant may require pursuant to the provisions of this chapter, subject to Solid Waste Permit(s) granted pursuant to Section 6-10.203.

(c) The Franchisee shall dispose of all Collected Solid Waste at a County-designated ultimate Disposal Site; provided, however, the franchisee may request, and the Plumas County Department of Public Works may issue a permit for the beneficial use of such Solid Waste as provided in Section 6-10.111 of this ordinance, upon approval by the LEA.

Sec. 6-10.203 ***Granting Solid Waste Permits.***

(a) Upon an application, and except as provided in Section 6-10.106, the Board may grant a Solid Waste Permit to Collect, transport, or use Solid Waste whenever the Board finds that the granting of such permit promotes the public health, safety, and welfare, and that the type(s) of Solid Waste to be Collected, transported or used are not included in the Waste Types that are ordinarily Collected, transported or used by an authorized Solid Waste Collector in Plumas County.

(b) Such permits may be granted for any period not to exceed five (5) years. Such permits may be renewed upon expiration for a similar term provided the Board finds that the permit holder is

capable of continuing operation in conformity with the provisions of this chapter and the rules and regulations of the Plumas County Department of Environmental Health.

(c) Every Solid Waste Permit granted by the Board shall be subject to the provisions of Chapter 10 of Title 6 of the Plumas County Code of Ordinances and the rules and regulations of the Board. The permit shall state:

(1) The name and address of the Person to whom the permit is issued;

(2) The activity authorized;

(3) The term for which the permit is granted; and

(4) Such other conditions as the Board may provide.

(d) Solid Waste Permits granted pursuant to this section shall be for special or limited uses and shall not be intended for Collection, hauling, or Disposal in competition with Solid Waste franchises.

Sec. 6-10.204 ***Granting Recycling Center Permits.***

(a) Upon an application, the Board may grant a Recycling Center Permit to Collect, transport, or use Recyclable Materials, including CRV containers, whenever the Board finds that the granting of such permit promotes the public health, safety, and welfare.

(b) Such permits may be granted for any period not to exceed five (5) years. Such permits may be renewed upon expiration for a similar term provided the Board finds that the permit holder is capable of continuing operation in conformance with the provisions of this chapter and the rules and regulations of the Plumas County Department of Environmental Health.

(c) Every Recycling Center Permit granted by the Board shall be subject to the provisions of Chapter 10 of Title 6 of the Plumas County Code of Ordinances and the rules and regulations of the Board. The permit shall state:

(1) The name and address of the Person to whom the permit is issued;

(2) The activity authorized;

(3) The term for which the permit is granted; and

(4) Such other conditions as the Board may provide.

Sec. 6-10.205 ***Permits: Applications, Fees.***

(a) Applicants for a Solid Waste Permit or for the renewal of such a permit to Collect, transport, or use Solid Waste shall file with the Plumas County Department of Public Works a verified and signed application in writing which shall give the following information:

(1) The name and description of the applicant;

(2) The permanent home and business address and full local address of the applicant;

(3) The trade and firm name;

(4) If a joint venture, a partnership, or limited partnership, the names of all partners, their percentage of participation, and their permanent addresses. If a corporation, the names and permanent addresses of all the stockholders and the officers and the percentage of participation of each. If a limited liability company (LLC), the names of all of the members, their percentages of participation and their permanent addresses;

(5) A detailed explanation of the manner in which the applicant will conduct the activity for which the permit is requested;

(6) The applicant's arrangements for the Disposal of all Collected Solid Waste at a County-designated Disposal Site; and

(7) Facts showing that the applicant:

(i) Is able to provide efficient and reliable service;

(ii) Owns or controls sufficient vehicles and equipment, and that such vehicles and equipment conform to all applicable provisions of local, State, and Federal laws;

(iii) Shows that there is a need for a permit to be issued; and

(iv) Shows such other facts or information as Public Works may require.

The Solid Waste Permit fee shall be as listed in the Plumas County Master Fee Schedule, and shall be payable to Public Works on the yearly anniversary of the issuance of the permit.

(b) Applicants for a Recycling Center Permit or for the renewal of such a permit to Collect, transport, or use Recyclable Materials shall file with the Plumas County Department of Public Works a verified and signed application in writing which shall give the following information:

(1) The name and description of the applicant;

(2) The permanent home and business address and full local address of the applicant;

(3) The trade and firm name;

(4) If a joint venture, a partnership, or limited partnership, the names of all partners, their percentage of participation, and their permanent addresses. If a corporation, the names and permanent addresses of all the stockholders and the officers and the percentage of participation of each. If a limited liability company (LLC), the names of all of the members, their percentages of participation and their permanent addresses;

(5) A detailed explanation of the manner in which the applicant will conduct the activity for which the permit is requested;

(6) The applicant's arrangements for the Disposal of all Collected Recyclable Materials; and

(7) Facts showing that the applicant:

(i) Is able to provide efficient and reliable service;

(ii) Owns or controls sufficient vehicles and equipment, and that such vehicles and equipment conform to all applicable provisions of local, State, and Federal laws;

(iii) Shows that there is a need for a permit to be issued; and

(iv) Shows such other facts or information as Public Works may require.

The Recycling Center Permit fee shall be as listed in the Plumas County Master Fee Schedule, and shall be payable to Public Works on the yearly anniversary of the issuance of the permit.

Sec. 6-10.206 ***Collection Areas Assigned.*** The Board of Supervisors, by resolution, may establish Solid Waste Collection areas (Franchise Areas) in the unincorporated area of the County, excluding therefrom those areas served by a Franchise Contractor within a separate Solid Waste Collection jurisdiction. The Board shall specify in all Franchises or permits the Service Area within which the Franchise Agreement or permit holder may Collect, transport, or use Solid Waste within the County. No Franchise or permit holder at any time shall Collect, transport, or use Solid Waste in the County outside the limits of the area fixed in the Franchise or permit, except as specified by the Board. The area specified in any Franchise or permit may be modified at any time upon Agreement by the Franchisee or permit holder and the Administrator should the Board find such modification necessary for the efficient administration of this chapter and to best serve the public interest.

Sec. 6-10.207 ***All Requests for Service to be Met.*** A Franchisee shall provide Solid Waste removal service to all Premises situated within their Subscription Collection Route Area as specified in their Franchise Agreement, upon a request for such service by a qualified Owner or Occupant. A Franchisee shall not be required to Collect oversize, overweight, or unsafe Containers, or Containers at Premises located outside of their Subscription Collection Route Area. A Franchisee shall not be required to continue to provide Solid Waste removal service if the Owner or Occupant has failed to pay the charges for such service for a period of forty-five (45) days. Prior to terminating service for the nonpayment of charges, the Franchisee, at least fifteen (15) days prior to such termination, shall provide written notice of intention to terminate, a copy of which shall be given to the Administrator.

Sec. 6-10.208 ***Fee Schedule for Collection, Transfer, and Related Services.***

(a) All fees shall be collected by the franchisee(s) on a fair and equitable basis.

(b) No franchisee shall charge a fee greater than the fee approved by the Board of Supervisors by resolution.

(c) Any Customer who believes that they have been required to pay an unfair or unreasonable charge for any service may file a written complaint with the Administrator setting forth the facts of such alleged overcharge. The Administrator shall notify the Franchisee, investigate the complaint, and determine the appropriate charge. The Administrator's determination shall be final, unless it is appealed as provided in Section 6-10.408.

Sec. 6-10.209 ***Franchise Agreements.*** The respective duties and responsibilities of the Franchisee(s) and the County shall be further specified in a Franchise Agreement which is consistent with this chapter.

Article 3 – Disposal Sites Within Plumas County

Sec. 6-10.301 ***Permits; Operation.*** It shall be unlawful for any Person to operate a Solid Waste Disposal Site in the unincorporated area of the County without a permit to do so having been issued by the State. No permit(s) to operate a Solid Waste Disposal Site may be issued by a County department for any location within Plumas County. Such permit(s) may only be issued by the State after approval by the LEA.

Article 4 - Enforcement and Procedural Provisions

Sec. 6-10.401 ***Clearing of Solid Waste from Private Property.*** The Plumas County Department of Environmental Health is authorized to require the Owner of any private property within the County to remove and properly dispose of Solid Waste which constitutes a threat to health and safety or a public nuisance. Environmental Health is authorized to enforce the provisions of this chapter.

Sec. 6-10.402 ***Right of Entry.*** An officer from the Plumas County Department of Environmental Health, a Code Enforcement officer from the Plumas County Department of Planning and Building, a County, State or Federal peace officer or other designated agents are authorized to enter private property at any reasonable time to inspect such property and to perform any duty imposed upon him or her by the provisions of this chapter provided he or she shall first present proper credentials to the Occupant and request entry, explaining his or her purpose. Notwithstanding the foregoing, if the authorized agent has reasonable cause to believe that there is an accumulation of Solid Waste or other unsanitary condition prohibited by this chapter on the Premises which could be seriously detrimental to the public health or safety, he or she shall have the right immediately to enter and inspect such property and to use any reasonable means required to effect such entry and make such inspection, whether such property shall be occupied or unoccupied and whether or not permission to inspect has been obtained.

Sec. 6-10.403 ***Suspension or Revocation of Franchises and Permits.***

(a) Any Franchise granted pursuant to the provisions of this chapter may be suspended or revoked by the Board upon prior notice and a hearing. In order to suspend or revoke such Franchise, the Board must find that the Franchisee has failed to comply with one or more of the terms of such Franchise Agreement or this chapter, or has failed to render satisfactory Collection services and that grounds exist within the Franchise Agreement for such suspension and/or revocation.

(b) The Administrator, upon prior notice and a hearing, may suspend or revoke any Solid Waste or Recycling Permit other than the Franchise described in 6-10.403(a) of this Article, granted pursuant to the provisions of this chapter or the applicable rules or regulations of the Plumas County Department of Public Works. Inactivity of a Solid Waste or Recycling Permit for a period in excess of thirty (30) days shall be good cause for revocation. Action to revoke or suspend a Solid Waste or Recycling Permit may be taken by the Administrator only after ten (10) days' advance written notice to the permittee of the cause and the permittee's right to a hearing thereon within the ten (10) days.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, the Plumas County Department of Environmental Health may suspend or impose special conditions upon a Franchise Contractor, Solid Waste or Recycling Permit holder without prior notice whenever such action is immediately necessary to protect the public health and safety. In the case of the Franchise Contractor, however, such actions must be consistent with the terms of the Franchise Agreement.

Sec. 6-10.404 ***Responsibility of the Environmental Health Department.*** The administration and enforcement of the health and safety requirements of this chapter shall be the responsibility of the Plumas County Department of Environmental Health.

Sec. 6-10.405 ***Responsibility of the Public Works Department.*** The administration and enforcement of the operational and permitting requirements of this chapter shall be the responsibility of the Plumas County Department of Public Works.

Sec. 6-10.406 ***Responsibility of the Franchise Contractor(s).*** The timely and efficient Collection and Disposal of Solid Waste and Recyclable Materials within unincorporated Plumas County as specified in

the Plumas County Solid Waste Plan and in accordance with the terms and conditions of the current Franchise Agreement(s) shall be the responsibility of the Franchise Contractor(s).

Sec. 6-10.407 ***Service of Notices.*** All notices required or given pursuant to this chapter shall be deemed properly served five (5) days after deposit of certified mail with return receipt, postage prepaid, in the United States mail, addressed to the Owner at the address provided or to a Franchise or permit holder at their local office. Notices to the County shall be addressed to the Plumas County Department of Environmental Health, 270 County Hospital Road, #127, Quincy, California 95971, and the Plumas County Department of Public Works, 1834 East Main Street, Quincy, CA 95971.

Sec. 6-10.408 ***Administrative Remedies.*** Any Person aggrieved by any decision or action resulting from the application of the provisions of this chapter may appeal to the Board. Such appeals shall be in writing and shall be received by the Clerk of the Board not more than fifteen (15) days after such decision or action. The Board shall delegate the hearing of such appeals to the Board-appointed Plumas County Integrated Waste Management Task Force (PCIWMTF) which shall promptly schedule and conduct a hearing and render a finding of facts and recommended decision to the Board. Thereafter, the Board shall make a final and binding decision on the matter, at which time administrative remedies shall be deemed exhausted.

Sec. 6-10.409 ***Supplemental Regulations.*** The Board may establish, by resolution, regulations for the administration and implementation of this chapter. A copy of the regulations established by resolution of the Board shall be filed with the Clerk of the Board and with the Plumas County Department of Public Works and the Plumas County Department of Environmental Health.

Sec. 6-10.410 ***Enforcement.*** The provisions of this chapter shall be enforced by any peace officer as defined in Chapter 4.5, Title 3 of Part 2 of the California Penal Code, by the Plumas County Code Enforcement Officer, and by employees of the Plumas County Department of Environmental Health as designated by the Director of Environmental Health. Such designated employees are authorized to make arrests and/or issue citations for violations of the health and safety regulations of this chapter.

Sec. 6-10.411 ***Violations; Penalties.*** A violation of any provision of this chapter is punishable as set forth in Chapters 2, 5 and 8 of Title 1 of the Plumas County Code of Ordinances.

SECTION 3.

Effective Date; Publication; Codification. This ordinance shall become effective 30 days after its date of final adoption. It shall be published in all newspapers of general circulation in Plumas County published by the Feather River Publishing Company within 15 days of final adoption. Section 2 of this ordinance shall be codified, and the remainder shall be uncodified.

Introduced at a regular meeting of the Board of Supervisors on the 3rd day of JAN, 2017, and passed and adopted by the Board of Supervisors of the County of Plumas, State of California, on the 10th day of JAN, 2017, by the following vote:

AYES: SUPERVISORS ENGEL, THRALL GOSS, SIMPSON
NOES: NONE
ABSENT: SUPERVISOR SANCHEZ

Lori Simpson
Chair, Board of Supervisors

Attest:
Nancy DaForno
Clerk of the Board of Supervisors