

**SQUAW VALLEY PUBLIC SERVICE DISTRICT CODE
CHAPTER 3 GARBAGE CODE**

All Sections of this Code Chapter have been adopted by Ordinance 88-02 unless noted otherwise.

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Chapter 3 Regulations Establishing Garbage Rates and Rules

DIVISION I PURPOSE AND OBJECTIVES

Section 1.01 Purpose

The primary purpose of the Chapter is to establish rules, regulations and rates for garbage collection service within the Squaw Valley Public Service District.

Section 1.02 Implementation and Objectives

The District will either provide or contract for garbage collection service for residents and businesses within the District boundaries.

In administering a garbage collection system the District intends to provide an orderly process to keep Olympic Valley beautiful and prevent any additional cost burden on the District taxpayer in the form of either property taxes or water and sewer service fees.

Section 1.03 Amendments

This Chapter was adopted by the District on June 30, 1988 by Ordinance 88-2. Any future changes, additions, or deletions to this Chapter will be accomplished by adoption of future Ordinances amending, adding or repealing Sections in this Chapter.

DIVISION II DEFINITIONS

Section 2.01 Applicability

The following words or phrases when used in this Chapter shall have the meaning hereafter set forth, unless the context of their use clearly requires a different meaning.

Section 2.02 Chapter 1 and Chapter 2 Definitions Applicable

Those definitions contained in Chapter 1 and 2 apply to this Chapter.

Section 2.03 Contractor

"Contractor" shall mean any person, partnership, or corporation providing garbage, trash, or waste collection service within the boundaries of the District pursuant to contract or agreement with the District and providing service is in compliance with all applicable county, state, and federal regulations or laws.

Section 2.04 Trash

"Trash" shall include garbage, waste, or both.

Section 2.05 Garbage

"Garbage" shall include accumulations of all putrescible animal, fruit or vegetable matter that attend the storage, sale, preparation and use of meat, fish, fowl, fruit or vegetables and shall include all containers used in the handling, preparation, cooking and consumption of food. It shall also include abandoned and dead domestic pets and any other discarded or abandoned putrescible, organic materials.

Section 2.06 Waste

"Waste" shall include, but not be limited to all non-putrescible matter such as paper, cardboard, grass clippings, tree trimmings, shrub trimmings, wood, bedding, crockery, glass, rubber tires, and building construction materials which are rejected, abandoned, or discarded by the owners, producers, or users.

Section 2.07 Authorized Containers

"Authorized Containers" shall include any container described and permitted by the County of Placer, State of California, and in accordance with OSHA restrictions for use in collection of garbage, rubbish, or refuse pursuant to ordinances of said county and used for similar purpose in the storage and collection of trash within the District.

Section 2.08 Owner

"Owner" shall mean the owner of record of the premises or lands as shown on the rolls of the Assessor, County of Placer, State of California, as of the date of billing by the District.

DIVISION III GENERAL PROVISIONS AND COLLECTION PRACTICES

Section 3.01 Compulsory Collection Service

The occupant of any premises or lands located within the District shall use the trash collection services. The owner of such premises or lands shall provide payment to the District of those rates for such services set forth by the Board at the beginning of each fiscal period, regardless of whether the trash collection services are utilized.

Section 3.02 Collection Service Contract

The District shall contract with a person, partnership, corporation, or public entity to provide for the collection of trash, garbage, or waste within the boundaries of the District as provided in section 31140 of the California Water Code and the provisions of this Chapter shall be of no force or effect until, or unless, there shall be an existing and valid written contract or agreement between the District and any such person, partnership, corporation or public entity.

Section 3.03 Placer County Franchise

The boundaries of the District are completely within Placer County Garbage Franchise Area #4 of which Tahoe Truckee Sierra Disposal is the franchisee. The District reserves the right to utilize the services of Tahoe Truckee Sierra Disposal under the franchise permit of the county as long as both parties agree to a contract within the scope of this Chapter, section 31140 of the Water Code, and county policies.

Section 3.04 Collection Practices

The frequency of collection of trash, garbage, and waste within the District shall be as prescribed for residential, farms, ranches, and commercial establishments by ordinances duly enacted by the County of Placer, State of California.

Section 3.05 Containers

Only authorized containers shall be used for the storage of trash, garbage, and waste prior to collection of such materials by the Contractor. Materials stored for such collection shall be segregated and prepared for such collection as prescribed by ordinances duly enacted by the County of Placer, State of California.

Section 3.06 Placement of Containers

On days specified for collection by Contractor, all authorized containers containing materials for collection shall be placed within twenty (20) feet of the nearest accessible street or roadway edge or boundary on the same elevation with said street or roadway edge or boundary.

Section 3.07 Storage of Containers

All authorized containers maintained and used for the purpose of the collection of trash within the District shall be maintained and stored at all times so as not to constitute a public nuisance.

Section 3.08 Dumpage or Spillage

"Dumpage or spillage" of the contents of any authorized container by animals or persons other than Contractor or Contractor's employees, agents, or servants shall be promptly restored to such authorized containers by the occupant of the premises or lands upon which such containers are located and upon failure of such occupant to restore such materials within twenty-four (24) hours after notification of such dumpage or spillage, the District shall provide for the removal of such materials and shall bill the occupant or owner for such service at rates established from year to year by the Board. Notification for the purposes of this section will be by posting of such written notice upon the premises served or by personal delivery of such notice to the occupant of the premises.

DIVISION IV SERVICE RATES

Section 4.01 General Conditions

Rates for the collection and removal of trash are set forth in Schedule A, attached hereto and incorporated herein.

Section 4.02 Collection of Rates

Collection of single-family residential rates shall be by the District and such rates shall be billed upon the same bill with water and/or sewer service rates.

Section 4.03 Other Rates

Collection of rates applicable to condominium or multiple-family dwellings shall be by the District and such rates shall either be billed upon the same bill with water and/or sewer service rates or billed to the homeowner's association of a condominium development separate from sewer and/or water service charges for each individual unit.

Section 4.04 Dumpage or Spillage Rate

Collection of rates applicable to the removal of materials dumped or spilled from containers servicing single-family residences or multiple-family residences shall be billed as established in Section 3.08 and at the rates set from year to year by resolution of the Board.

Section 4.05 Billings

"Billings" for the payment of rates to be received by District shall be as provided for the billing of water and sewage charges as set forth in Chapters 1 and 2 of the District Administrative Code.

A. Pay First, Litigate Later. No appeal to the Board of Directors, nor legal or equitable process shall issue in any suit, action or proceeding before the District or in any court against the District or any officer, employee, or director of the District to appeal, prevent or enjoin the collection of any rate or charge, with or without interest, unless the same shall have been paid in full first.

(Added by Ord 2010-02)

DIVISION V COLLECTION OF DELINQUENCIES

Section 5.01 General Conditions

In the event of failure to pay the whole bill or any part thereof after presentation by the District, any and all services provided by the District, including but not limited to, sewer/ water/garbage may be discontinued by the District after notice has been provided the occupant of said premises and the office of the Department of Health, County of Placer. Such notice shall be provided to the occupant of the premises by posting such notice on the premises, certified/return receipt requested mailing, or personal delivery of said notice to the occupant thereof. Notice shall be provided to the office of the Department of Health, County of Placer, by mailing such notice in the United States mail, first class postage prepaid. Discontinuation of water and/or sewer service under this section shall be in accordance with the procedures at Division IX of Chapters 1 and 2.

Section 5.02 Collection Enforcement

In addition to the procedures described by Section 5.01, General Conditions, the District may cause total termination of service as provided by District ordinances, rules and regulations if payment for garbage service is not rendered promptly. Continued nonpayment of charges may result in the following procedures:

- A. Posting a \$10.00 administrative charge per month.
- B. Posting a 1% per month interest charge.
- C. Referral to Placer County Health Department for further action.
- D. Collection proceedings through Small Claims Court or other appropriate legal proceedings.
- E. Assignment of all charges as a lien against the property or the county tax rolls.

Section 5.03 Notices

Unless otherwise provided in the District's Administrative Code, any notices required to be given by the District Manager under this Chapter shall be in writing and may be mailed by regular first-class mail to the last known address known to the District Manager. Where the address is unknown, service may be made as provided above upon the owner of record of the property.

Section 5.04 Disconnection Notices

These notices will be conducted in the same manner as described in Chapter 1 and 2 of the District Administrative Code.