

**Chapter 7.24  
SOLID WASTE<sup>1</sup>**

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**7.24.010 Short title--Definitions.**

This chapter is known and may be cited as the "Amador County Solid Waste Ordinance." The following words and phrases, when used in this chapter, shall, for the purposes of this chapter, have the meanings respectively ascribed to them by this section:

- A. "Health officer" includes health officer or other agent of the health department of the county, and includes duly authorized personnel of the state of California Department of Health Services in the performance of any contract between the state and the county or applicable state law, county ordinance, or state or county rule of regulation in aid thereof.
- B. Collection. The act of "collecting" solid waste at the place of waste generation by an approved collection agent and is distinguished from "removal."
- C. "Collection vehicle or equipment" includes any vehicle or equipment used in the collection of residential refuse or commercial solid wastes.
- D. "Composting" includes a controlled microbial degradation of organic wastes yielding a safe and nuisance free product.
- E. "Garbage" includes all kitchen and table food waste, and animal or vegetable waste that attends or results

from the storage, preparation, cooking, or handling of foodstuffs.

F. "Litter" includes any post-consumer solid waste which is not deposited in:

1. An authorized solid waste disposal site;
2. Appropriate and serviced storage containers; or
3. In other areas designated for disposal of solid wastes.

G. "Nuisance" includes anything which is injurious to human health or is indecent or offensive to the senses and interferes with the comfortable enjoyment of life or property, and affects at the same time an entire community or neighborhood or any considerable number of persons although the extent of annoyance or damage inflicted upon the individual may be unequal and which occurs as a result of the storage, removal, transport, processing, or disposal of solid waste.

H. "Person" includes an individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation or any other entity whatsoever.

I. "Putrescibles" includes wastes that are capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisances because of odors, gases or other offensive conditions, and includes materials such as food wastes, offal, and dead animals.

J. "Refuse" includes garbage and rubbish.

K. "Recycling" means the process by which salvaged materials become usable products.

L. "Removal" means the act of taking solid wastes from the place of waste generation either by an approved collection agent or by a person in control of the premises.

M. "Resource recovery" means the reclamation or salvage of wastes for reuse, conversion to energy, or recycling.

N. "Rubbish" includes nonputrescible solid wastes such as ashes, paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, plastics, rubber byproducts or litter.

O. "Scavenging" means the uncontrolled or unauthorized removal of solid waste materials.

P. "Solid waste or wastes" includes all putrescible and nonputrescible solid and semisolid wastes, such as refuse, garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes, and also includes liquid wastes disposed of

in conjunction with solid waste disposal sites, but excludes:

1. Sewage collected and treated in a municipal or regional sewerage system; or
2. Materials or substances having commercial value which have been salvaged for reuse, recycling or resale.

Q. "Vector" includes any insect or other arthropod, rodent, or other animal capable of transmitting the causative agents of human disease, or disrupting the normal enjoyment of life by adversely affecting the public health and wellbeing.

R. "Recyclable material" means solid waste subject to recycling, such as newspapers, cleansed bottles, cleansed bi-metal and aluminum cans and foil. (Ord. 707(part), 1980).

#### **7.24.020 Storage of solid wastes.**

A. The owner, operator and/or occupant of any premises, business establishment, industry, or other property, vacant or occupied, shall be responsible for the safe and sanitary storage of all solid waste accumulated on the property.

B. In all cases in which garbage and rubbish are combined, the standards for garbage shall prevail. The property owner or occupant shall store solid waste on his premises or property or shall require it to be stored or handled in such a manner so as not to promote the propagation, harborage, or attraction of vectors, or the creation of nuisances.

C. The design of any new, substantially remodeled or expanded building or other facility shall provide for proper storage or handling which will accommodate the anticipated solid waste generation and which will allow for efficient and safe waste removal or collection. Such provision shall be a condition to the issuance of a building permit, and to the issuance of a use permit, when a use permit is required.

D. Where the collection operator (franchisee) furnishes storage containers, he is responsible for maintaining the containers in good condition (ordinary wear and tear excepted) unless they are furnished by the property owner or occupant. The collection operator shall plan with the property owner and/or occupant as to placement of storage containers to minimize traffic, aesthetic, and other problems both on the property and for the general public.

E. Every property owner, tenant, lessee, or occupant of any private dwelling house or premises, and every keeper of a motel, restaurant, eating house, boardinghouse or other building where meals are furnished, and every owner and every business or other person having refuse in the unincorporated area of the county, shall deposit all garbage and putrescible matter or mixed garbage and rubbish in containers which are nonabsorbent, watertight, vector-resistant, durable, easily cleanable, and designed for safe handling and which are designed for

the containment of refuse. Containers for garbage and rubbish shall be of an adequate size and in sufficient numbers to contain, without overflowing, all the refuse that a household or other establishment generates within the designated removal period, and shall hold a maximum of thirty-two gallons of refuse. Containers shall be equipped with suitable bales or handles and shall have tightly fitted covers, and shall not leak nor permit the escape of odors. Containers when filled shall not exceed sixty pounds, except where mechanical loading systems are used. Containers shall be maintained in a clean, sound condition free from putrescible residue. Containers shall be so located on the premises as to be readily accessible to the refuse collector if the premises is so serviced. Nothing in this section shall preclude the county public health department from permitting other type containers, nor from specifying other containers for supplemental rubbish collection.

F. Nothing in this section shall preclude the property owner or occupant of the premises from the composting of organic waste in such a manner as to prevent propagation, harborage, or attraction of flies, rodents, or other vectors, and the creation of nuisances.

G. No person shall tamper with, modify, remove from, or deposit solid wastes in any container which has not been provided for his or her use, without permission of the container owner. (Ord. 707(part), 1980).

#### **7.24.030 Solid waste removal and collection.**

A. The owner or tenant of any premises, business establishment or industry shall be responsible for the satisfactory removal of all refuse accumulated by him or her on his property or his premises. Excepting disruptions in normal refuse collection schedules, garbage shall not be allowed to remain on the premises for more than seven days, to prevent propagation, harborage, or attraction of flies, rodents or other vectors, and the creation of nuisances. Where it is deemed necessary by the health officer because of the propagation of vectors and for the protection of public health, more frequent removal of garbage shall be required. Where garbage and rubbish are containerized together, the period of removal shall be that applied to garbage.

B. Except as provided elsewhere in this chapter, all solid waste created, produced, or accumulated in or about a dwelling house or place of human habitation, hotels, restaurants, boardinghouses, multiple occupancy units, or other business establishments, where refuse is accumulated, situated in the unincorporated area of the county, shall be removed from the premises no less frequently than every seven days. The health officer may require a greater or lesser number of collections or removals consistent with proper sanitary requirements. It is unlawful for the owner, occupant, tenant, or lessee of any of the above-described premises to fail or neglect to provide for the removal of refuse either by himself or an approved refuse collector (franchisee). Each day's violation of this section shall be treated and considered as a separate and distinct offense.

C. Each person providing residential, commercial, or industrial solid waste collection services shall enter into a franchise agreement with the county and shall comply with all county regulations applicable to such services.

D. Solid wastes subject to collection by a collection service operator shall become the property of the collection service operator after such time as the authorized collector takes possession of the wastes.

- E. All equipment used for collection and transportation of residential and commercial refuse shall be nonabsorbent, watertight, vector-resistant, durable, easily cleanable, and designed for safe handling. The equipment shall be maintained in good condition and cleaned in a frequency and in a manner determined by the health officer to prevent the propagation or attraction of flies, rodents, or other vectors, and the creation of nuisances.
- F. Vehicles and equipment used in the transport of garbage and rubbish shall be constructed and maintained in such a manner as to minimize the health and safety hazards to collection personnel and the public.
- G. For reasons of nuisance and vector problems, uncleaned refuse collection vehicles containing putrescible materials shall not be stored on public streets or roads except under emergency conditions. The collection service operator must designate a location where the vehicles will be parked when not in service to the satisfaction of the county public works and health department.
- H. Each vehicle used for the collection and transport of refuse shall be clearly marked with the name of the agency or firm operating the vehicle.
- I. Equipment used for solid waste collection shall be made available for inspection as requested by the health officer or public works department. (Ord. 707(part), 1980).

#### **7.24.040 Scavenging.**

Scavenging is prohibited on any premises, public or private, including the designated county sanitary landfill site. (Ord. 707(part), 1980).

#### **7.24.050 Rules and regulations.**

The health officer is authorized to make all necessary and reasonable rules and regulations covering refuse accumulation, collection, transportation, and disposal, types of refuse containers and vehicles used for collection, for the operation and maintenance of sanitary methods of refuse disposal, and for the effective and reasonable administration of this chapter. All such rules and regulations shall be consistent with the provisions of this chapter and effective on the thirtieth day following the filing thereof with the clerk of the board of supervisors. (Ord. 707(part), 1980).

#### **7.24.060 Violation--Penalty.**

A violation of provisions in this chapter constitutes a misdemeanor, and upon conviction thereof is punishable by imprisonment in the county jail not exceeding six months, or by fine not exceeding five hundred dollars, or by both such imprisonment and fine. (Ord. 707(part), 1980).

#### **7.24.070 Enforcement.**

The health officer is designated as the enforcement agency for provisions of this chapter, and is authorized to make necessary inspections and enforce the provisions of this chapter. (Ord. 707(part), 1980).

**7.24.080 Abatement proceeding.**

Any operation contrary to the provisions of this chapter or contrary to rules and regulations established under provisions of this chapter or contrary to franchise agreements established under provisions of this chapter is unlawful and a public nuisance, and the health officer may commence action or proceedings for the abatement and removal and injunction thereof in the manner provided by law and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such operation and restrain and enjoin any person, firm or corporation from so operating. (Ord. 707(part), 1980).

**7.24.090 Appeal.**

Any person who is dissatisfied with any decision or ruling of any county officer or employee under the provisions of this chapter may appeal in writing to the board of supervisors, who shall have the power to grant or deny such application. The written appeal must be filed with the clerk of the board of supervisors within fifteen days after the date of the decision or ruling by the county officer or employee. (Ord. 707(part), 1980).

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<sup>1</sup> Prior ordinance history: Ords. 381, 405 and 406.