

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: September 18, 2000

FROM: CITY MANAGER

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 8.60 OF THE PASADENA MUNICIPAL CODE RELATING TO SOLID WASTE AND CHAPTER 1.26 OF SAID CODE RELATING TO ADMINISTRATIVE CITATIONS ASSOCIATED WITH VIOLATION OF THE SOLID WASTE COLLECTION ORDINANCE.

TITLE OF PROPOSED ORDINANCE:

An Ordinance of the City of Pasadena Amending Chapter 8.60 of the Pasadena Municipal Code Relating to Solid Waste and Chapter 1.26 of said Code Relating to Administrative Citations Associated with Violation of the Solid Waste Collection Ordinance.

BACKGROUND:

A new citywide waste collection program called "Pay-As-You-Throw" (PAYT) was adopted by Council on May 10, 1999. City Council then directed the City Attorney's Office to prepare an ordinance which reflects any recommended changes necessary to support the program.

Impetus for a procedure change in the City's solid waste collection service was passage of state legislation, AB 939, which called for municipal districts to reduce the amount of waste they sent to landfills by at least 50% or face penalties of up to \$10,000 a day. Subsequent to the adoption of the new program, staff recommended revision of the Pasadena Municipal Code to reflect the newly adopted program and necessary changes in waste collection procedures. The proposed modifications to the Municipal Code are a result of a year-long pilot program and months of research and analysis on environmentally-friendly collection procedures and compliance measures.

Literature was mailed to households citywide explaining how the PAYT program works and the responsibilities of the residents. In addition, staff has ongoing outreach and education programs for the community about PAYT and recycling.

The recommended Municipal Code changes will give staff the ability to fully implement the new collection procedures necessary for PAYT to be successful. The changes made by staff will modify the code to reflect actual collection procedures and regulations, replacing sections in the present municipal code which are outdated. For example, back yard collection, found in the current ordinance, has not been a practice for more than ten years.

For PAYT program to benefit the City, it is necessary that the residents comply with basic guidelines. These guidelines have been incorporated in the staff recommendations. The Code revisions will clarify the public's responsibilities as recipients of this service.

SUMMARY OF THE REVISIONS:

The purpose of the revisions is to modify the Pasadena Municipal Code to conform to the current program of containerized solid waste pickup and to establish standards for this program as well as penalties for misusing it. The revisions provide specific definitions for terms not specifically used in the former refuse ordinance, including bulky items, collector, container, contamination, curbside collection, disabled person, excluded material (which is essentially hazardous material which is already well regulated under state and federal law and which should be excluded from routine solid waste collection), mixed solid waste, recyclable, regulation container, responsible person, self-hauler, solid waste and yard waste.

Responsibility for the supervision of city solid waste collection service is delegated specifically to the Director of Public Works and Transportation. The distribution and use of City owned, regulation containers for automated pick-up is specified, including the participation in the waste reduction program and sorting of solid waste for the program.

A bulky item pickup program is established according to the specifics to be developed and noticed by the Director of Public Works and Transportation. Special and occasional programs and fees are provided for, including late or return pickup of regulation containers, pick up of bulky items, no-fee roll out service for disabled persons, rental of large containers and commercial pick up.

The inspection and licensing program of vehicles involved in solid waste collection is continued but does not apply to self-haulers or to persons exempt from the solid waste collection franchise ordinance. Collection of solid waste is allowed only from 7:00 a.m. to 5:00 p.m. from Monday

through Saturday, except in an emergency or as is determined necessary to protect the public health, safety or welfare.

The revisions define the following as prohibited acts for which criminal penalties can be imposed: burning of solid waste, curbside dumping, deposit of excluded material in a container, interference with solid waste collection, unauthorized use of a regulation container, unauthorized possession of a regulation container, and scavenging.

The revisions set forth the following as prohibited acts for which additional fees required to remediate the acts can be charged without notice, or for which civil penalties can be imposed in accordance with city administrative citation procedure: misuse of a regulation container, damage of a regulation container, leaving containers in the public right of way.

Revisions are made in the general administrative penalties and citations associated with solid waste collection. In addition, as a part of the administrative process, the privilege of participating in the solid waste reduction program can be revoked for violations related to compliance with that program

REASON WHY LEGISLATION IS NEEDED:

The Pasadena Municipal Code may only be amended by ordinance of the City Council.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

The proposed ordinance amendment will directly affect the employees of the Public Works and Transportation Department, Solid Waste and Integrated Waste Management Division, who are responsible for refuse pickup, and private refuse collectors doing business in the City.

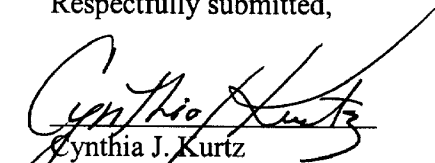
ENVIRONMENTAL IMPACT:

The proposed changes fall under the general rule 15061(b)(3) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Since there is no possibility that the changes in question may have a significant effect on the environment, they are not subject to CEQA.

FISCAL and SERVICE IMPLICATIONS:


The proposed code changes facilitate improved refuse collection and recycling, thereby eliminating potential costs for non-compliance with state and federal regulations.

Respectfully submitted,




Cynthia J. Kurtz
City Manager

Prepared by:



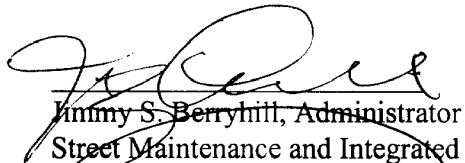
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Concurrence:



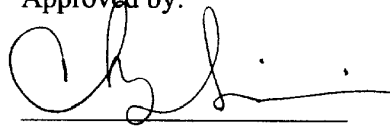
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