

RESOLUTION NO. 2004-691

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF AUG 24 2004

RESOLUTION ADOPTING A VOLUNTARY CONTAINERIZED COLLECTION SERVICE PROGRAM FOR GARDEN REFUSE AND ADOPTING PROGRAM REGULATIONS

WHEREAS, pursuant to Article III of Chapter 13.10 of the Sacramento City Code, the City operates a garden refuse collection and disposal program. Under this program, the City periodically collects garden refuse deposited in City streets, disposes of the garden refuse and sweeps the City streets. The owners of properties fronting on streets where these services are provided are required to pay the lawn and garden service fee established by resolution of the City Council to cover the City's cost to provide these services; and

WHEREAS, on June 29, 2004, the City Council adopted Ordinance No. 2004-036 enacting City Code Section 13.10.475 that authorizes the City Council to adopt, by resolution, a voluntary containerized collection service program for garden refuse. Such a program would allow qualifying residential property owners in the city with an option to subscribe to containerized garden refuse collection and disposal service as an alternative to depositing garden refuse in city streets for collection, and such property owners would not be entitled to deposit garden refuse in the street for City collection except to the extent that the deposit of garden refuse in the street is authorized under the City's voluntary containerized collection service program. Under City Code Section 13.10.475, a property owner's decision whether to subscribe to the program is voluntary, and participation in the program is not required as a condition of owning residential property in the City; and

WHEREAS, City Code Section 13.10.475 authorizes the City's Integrated Waste General Manager to promulgate regulations for operation of a voluntary containerized collection service program, which shall become effective when adopted by City Council resolution, and requires customers who voluntarily subscribe to containerized garden refuse collection service to pay the rates, fees and charges established for this service by City Council resolution; and

WHEREAS, the fees for containerized collection of garden refuse, consisting of the fee for containerized lawn and garden service and the fee for street sweeping service, were established by City Council Resolution No. 2004-514 adopted on June 29, 2004; and


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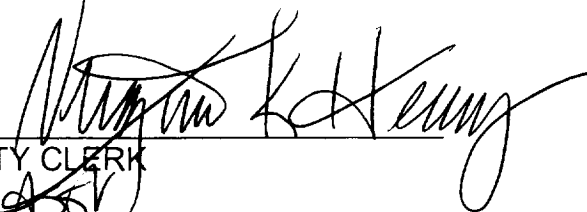

WHEREAS, pursuant to Section 13.10.475 of the Sacramento City Code, the City Council now desires to adopt a voluntary containerized collection service program for garden refuse and adopt the regulations for such program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The City Council hereby adopts a Voluntary Containerized Collection Service Program for garden refuse (hereafter referred to as the "Program"), pursuant to Section 13.10.475 of the Sacramento City Code. Under the Program, residential property owners in the City who qualify for the Program may voluntarily request to subscribe to containerized garden refuse collection service in accordance with the applicable provisions of City Code Chapter 13.10, the Program Regulations adopted by this resolution, and such administrative procedures as may be adopted by the City's Integrated Waste General Manager to implement the Program Regulations. Property owners who subscribe to the Program shall pay the fees established by City Council resolution for containerized lawn and garden service and street sweeping service.
2. The Program Regulations promulgated by the City's Integrated Waste General Manager and attached hereto as **Exhibit A**, are hereby adopted.


MAYOR

ATTEST:


CITY CLERK


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**PROGRAM REGULATIONS
VOLUNTARY CONTAINERIZED LAWN AND GARDEN
COLLECTION PROGRAM**

1. The collection schedule shall be weekly for voluntary containerized (96 gallon greenstone container) lawn and garden service and include bi-weekly collection of loose material during Leaf Season (months of November and December), Pruning Season (end of February and March), and Growth Season (end of month of April, and August).
2. Residents who participate in the voluntary containerized Lawn and Garden Collection Program must agree to subscribe to the service for a minimum of 5 years to fully recover program's capital costs.
3. Participants in the Voluntary Lawn and Garden collection program that place improper material in their lawn and garden collection container will be warned three times.
 - a. 1st Warning – A notice will be placed on the container (stating that improper material was found in the green waste container) and the container will be dumped as garbage by a garbage truck (utility bill account will be noted).
 - b. 2nd Warning – A notice will be placed on the container (stating that this is the second time improper material was placed in the container) the container will be dumped as garbage by a garbage truck and a Supervisor will try to make contact with the customer (utility bill account will be noted).
 - c. 3rd Warning – A notice will be placed on the container, stating that the container was not dumped because it contains improper material. The container can be dumped as garbage by a garbage truck for a fee of \$11.62 (which is the Additional 90 gallon garbage container charge established in Resolution 2004-514). In addition, a letter will be sent to the customer stating future occurrences of placement of improper materials in the Lawn and Garden container will result in an automatic charge of \$11.62 per occurrence.
4. Upon the first anniversary date of participation in the program, residents will be eligible for a second lawn and garden collection container at a reduced rate, if such rate has been adopted in the annual Fee and Charges report adopted by Council resolution.
5. Residents wanting a second lawn and garden container before their one year anniversary date in the program, will be required to pay the containerized lawn and garden rate for a second container established in the Annual Fee and Charges report. The current rate approved by Council on June 29, 2004, Resolution 2004-514, is \$13.15 (rate includes \$7.15 for containerized service and \$6.00 for service of second container).

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