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July 5, 1994

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Law and Legislation Committee  
City of Sacramento  
Sacramento, California 95814

Honorable Members in Session:

**SUBJECT:** Various Amendments to Title 19 of the  
City Code, Relating to the Collection  
of Garbage, Rubbish, Weeds, and Waste Matter

**LOCATION AND COUNCIL DISTRICT:** All Districts

**RECOMMENDATION**

Staff recommends that the City Council adopt the attached ordinance amending various sections of Title 19 of the Sacramento City Code.

**CONTACT PERSON:** Joe Robinson, Deputy City Attorney, 264-5346

**FOR COMMITTEE MEETING OF:** July 19, 1994

**SUMMARY**

The attached ordinance makes several minor changes to City Code Sections 19.03.301(b)(1), 19.03.317 and 19.05.507, and deletes Section 19.05.508, in order to be consistent with other provisions and terminology of Title 19 and Title 64 of the City Code.

**BACKGROUND INFORMATION**

Title 19 of the City Code regulates the collection of garbage, rubbish, weeds, and waste matter in the City of Sacramento. In 1990, Ordinance No. 90-031 made comprehensive revisions to Title 19 in order to establish uniform collection and billing requirements. As a result of Ordinance No. 90-031, some of the terminology used in Title 19 was changed, including replacement of the term "commercial refuse collector" with the term "private refuse collector." However, this term was inadvertently left unchanged in Sections 19.03.301(b)(1) and

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19.03.317. The attached ordinance replaces the term "commercial refuse collector" with the term "private refuse collector" in the above code sections.

In 1991, the Council adopted Ordinance No. 91-086, which created the Downtown Collection Area, and established special requirements for garbage and refuse collection in such area due to the excessive accumulation of litter, debris, garbage and refuse in downtown alleys. However, Sections 19.05.507 and 19.05.508 of the Downtown Collection Area ordinance, pertaining to the collection of delinquent penalties, inadvertently referred to other provisions of Title 19 which had been deleted the previous year by Ordinance No. 90-031. In order to correct this inconsistency, the attached ordinance modifies Section 19.05.507 and deletes Section 19.05.508, so that the Downtown Collection Area ordinance refers to the correct collection procedures, which are included in Title 64 of the City Code.

**FINANCIAL CONSIDERATIONS**

The attached ordinance will not result in any new costs, as the modifications to Title 19 are merely technical amendments needed to make Title 19 internally consistent.

**POLICY CONSIDERATIONS**

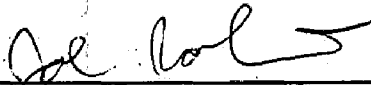
This is clean-up legislation which does not raise any new policy issues or considerations.

**MBE/WBE**

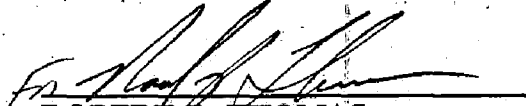
Not applicable.

Respectfully submitted,

**SAMUEL L. JACKSON**  
City Attorney

By:   
**JOE ROBINSON**  
Deputy City Attorney

RECOMMENDATION APPROVED:

  
**ROBERT P. THOMAS**  
Deputy City Manager

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**AN ORDINANCE AMENDING SECTIONS 19.03.301(b)(1), 19.03.317 AND 19.05.507, AND DELETING SECTION 19.05.508, OF THE SACRAMENTO CITY CODE, RELATING TO THE COLLECTION OF GARBAGE, RUBBISH, WEEDS, AND WASTE MATTER**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

## **SECTION 1.**

Sections 19.03.301(b)(1) and 19.03.317 of the Sacramento City Code are hereby amended to read as follows:

19.03.301 Purpose of chapter; definitions.

\* \* \*

(b) **Definitions:** As used in this chapter, unless the context requires otherwise:

- (1) The words "private refuse collector" means any person who has a valid private refuse collector's permit issued in accordance with the provisions of this article. A ~~commercial~~ private refuse collector may collect rubbish from residential and non-residential property anywhere within the city.

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

(3)

19.03.317 Insurance.

A ~~commercial-private~~ refuse collector shall maintain, during the term of his ~~its~~ permit, public liability insurance in an amount not less than one hundred thousand dollars for injury or death to one person and in an amount not less than three hundred thousand dollars for injury or death to more than one person arising out of any one accident and property damage insurance in an amount not less than fifty thousand dollars. The City, its officers, agents and employees shall be designated as an additional insured in such policy. A copy of the insurance policy or its certificate of insurance shall be filed with the City prior to the issuance of any permit to collect refuse. All policies shall contain a provision requiring that ten days' notice must be given to the city collector prior to cancellation, modification or reduction of the limits of the policy by the insured.

**SECTION 2**

Section 19.05.507 of the Sacramento City Code is hereby amended to read as follows:

19.05.507 Collection of penalties; penalties and procedures for delinquency.

Penalties imposed pursuant to Section 19.05.504 shall be ~~billed and~~ collected together with the fees for collection service, ~~and shall be payable at the same time and place and in the same manner and shall be subject to the same delinquency penalties and procedures as set forth in Section 19.01.111 of this Title pursuant to the provisions of Title 64 of the Sacramento City Code.~~

**SECTION 3**

Section 19.05.508 of the Sacramento City Code is hereby deleted.

~~19.05.508 Delinquent charges constitute lien; procedure.~~

~~If any charges imposed pursuant to Section 19.05.507 remain unpaid for a period of 30 days, such charges shall become a lien on the real property to which the collection service was rendered. The property owner shall be notified by the utility services supervisor of the City that the charges are unpaid and that subsequent proceedings will~~

~~be undertaken to make the charges a special assessment on the real property to which such collection service was rendered. Such proceedings shall follow the procedure set forth in Sections 19.01.114-1 through 19.01.120, inclusive, of this Title.~~

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

(5)

# ORDINANCE NO.

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19.03.301 Purpose of chapter; definitions.

\* \* \*

(b) **Definitions:** As used in this chapter, unless the context requires otherwise:

- (1) The words "private refuse collector" means any person who has a valid private refuse collector's permit issued in accordance with the provisions of this article. A private refuse collector may collect rubbish from residential and non-residential property anywhere within the city.

\* \* \*

19.03.317 Insurance.

A private refuse collector shall maintain, during the term of its permit, public liability insurance in an amount not less than one hundred thousand dollars for injury or death to one

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

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person and in an amount not less than three hundred thousand dollars for injury or death to more than one person arising out of any one accident and property damage insurance in an amount not less than fifty thousand dollars. The City, its officers, agents and employees shall be designated as an additional insured in such policy. A copy of the insurance policy or its certificate of insurance shall be filed with the City prior to the issuance of any permit to collect refuse. All policies shall contain a provision requiring that ten days' notice must be given to the city collector prior to cancellation, modification or reduction of the limits of the policy by the insured.

**SECTION 2**

Section 19.05.507 of the Sacramento City Code is hereby amended to read as follows:

19.05.507 Collection of penalties; penalties and procedures for delinquency.

Penalties imposed pursuant to Section 19.05.504 shall be billed and collected together with the fees for collection service, pursuant to the provisions of Title 64 of the Sacramento City Code.

**SECTION 3**

Section 19.05.508 of the Sacramento City Code is hereby deleted.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK