

RESOLUTION NO. 2013-170

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
ADOPTING THE SERVICE INTERRUPTION POLICIES AND PROCEDURES AND A
COST RECOVERY FEE FOR SERVICE INTERRUPTIONS**


WHEREAS, all residents, including those with approved garbage exemptions, have access to either the City and/or County of Sacramento's Household Hazardous Waste facilities or the City of Elk Grove's Special Waste Collection Center for the disposal of typical household hazardous waste; and

WHEREAS, EGMC Section 3.70.070 allows the City to adopt a regulatory fee to cover the costs associated with providing the services of the Household Hazardous Waste Facilities for those residents that do not pay for solid waste services; and

WHEREAS, EGMC Section 3.70.080 allows the City Council to adopt a Service Interruption Policy and a fee to recover the costs of administering said policy to allow residents to request and receive a temporary suspension of residential solid waste services.


NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove does hereby adopt the Service Interruption Policies and Procedures as shown in the attached Exhibit A and the Service Interruption Administration Fee as shown in the attached Exhibit B. This policy sets forth the staff process for obtaining a residential service interruption in the City of Elk Grove.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of August 2013.



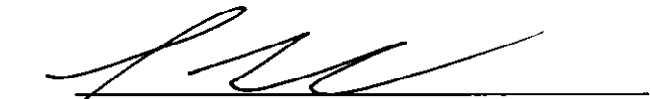
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT A

TITLE: CITY OF ELK GROVE SERVICE INTERRUPTION POLICY AND PROCEDURES

EFFECTIVE DATE: AUGUST 28, 2013

PURPOSE:

To provide guidelines that set forth the procedures for implementing a service interruption (temporarily stopping solid waste and recycling services) at a residential property in the City of Elk Grove as described in the Elk Grove Municipal Code, Title 3, Section 3.70.080 and in Resolution No. 2010-117. Service Interruptions are intended to accommodate the extended property vacancy.

POLICY:

Approved service interruptions are valid for a minimum of eight (8) weeks and up to a maximum of one year and are subject to renewal each year. An approved service interruption is only valid for the current owner of a parcel and is not transferable. An approved exemption only applies to residential solid waste and recycling charges. It does not exempt a property from storm drainage or Household Hazardous Waste Availability Fees.

REQUEST PROCESS:

Requests will only be accepted over the phone, via email or by written correspondence. If a resident using garbage and recycling services provided by the City's contracted solid waste service provider (currently Republic Waste Services of North America, LLC) desires to discontinue such services by reason that a vacancy exists or will exist, a Service Interruption for non-use of garbage and recycling services may be granted upon all of the following conditions:

- (a) Resident is the legal owner or management association acting as the owner's legal representative; AND
- (b) Resident contacts the Utility Billing Department during or in advance of the vacancy and requests that service be interrupted; AND
- (c) Current/delinquent utility bill and service interruption fee are paid in full prior to the granting of any interruption; AND
- (d) Resident agrees to pay an on-going fee for storm drainage and/or household hazardous waste availability fees; AND
- (e) Resident provides the City with the end date of the vacancy period at the time of the application. An end date is required, except in the instance of a foreclosure or short sale situation. In these instances, the City will resume services no later than one year from the application date; AND
- (f) Any account holding resident may reactivate his/her service at any time at no cost. If during the period of the service interruption, the property legally changes ownership there is no cost associated with modifying the service account; AND

- (g) Service interruption requests for properties that are unoccupied properties for rent will not be approved for a Service Interruption; AND
- (h) Should the property generate green waste materials, the property owner must ensure that the green waste material is being removed from the property during the vacancy period; AND
- (i) Properties that are either in a foreclosure, short sale, or on the market for sale and are vacant.
- (j) Distressed Property: Properties where a structure may be deemed uninhabitable in instances of fire, water, infestation, vandalism or other types of damage that may cause health or safety issues.
- (k) Unusual Circumstances: The City Manager or Director of Finance may grant a service interruption in instances not anticipated by this policy in which a property is vacant or anticipated to be vacant for 8 weeks or more.

A service interruption approval may require removal of refuse and recycling carts. Should this occur, cart(s) shall be placed on curb for collection as directed by Utility Billing

RETROACTIVE REQUESTS

Service interruptions are *not retroactive*. Any request for a retroactive service interruption shall be denied and the service interruption will apply prospectively from the date the request for service interruption is placed with Utility Billing.

PERIODIC INSPECTIONS

The City reserves the right to periodically inspect the premises to determine that a permissible cause for service interruption exists. Upon inspection of the premises, if it is determined that a permissible cause for service interruption does not exist, initiation of solid waste and recycling services will commence. Charges for garbage and recycling services will apply from the inspection date. If after a service interruption has been instituted and the resident places refuse, recycling or green waste carts out on the curb for servicing by the City's contracted solid waste service provider, the City will immediately recommence billing for services.

If the City of Elk Grove Code Enforcement Division determines that a Code violation has occurred because a specific property's trash or yard debris is creating a nuisance or threatening public health, any approved service interruption request will be immediately rescinded, trash carts will be delivered, and billing will resume in accordance with the terms in effect prior to the commencement of the service interruption.

NON INTERRUPTIBLE SERVICE CHARGES

A service interruption cannot be allowed for storm drainage or Household Hazardous Waste Availability Fees. These charges continue while any account is on service interruption status.

The Director of Finance may adjust billing or allow refunds when a structure is vacant up to an amount authorized by the City Council. Billing will be adjusted on the day a service interruption is requested to reflect no trash service for the period requested by the resident. Any account holding resident may contact the City's Utility Billing Department and request the service interruption and notify staff of the reason for the vacancy. **Service interruptions will not be granted until an account is current on all previously billed charges and pays the service interruption fee.**

EXHIBIT B

Service Interruption Administration Fee Calculation

Position Title	Task and Time Spent per Service Interruption	Fully Loaded Hourly Rate*	Cost Per Service Interruption (Recommended Fee)
Code Enforcement Officer	Receive report and document SI, drive to property to verify vacancy, document report of property visit: 32 Min	\$66.95	\$35.70

* Includes 42% assumed benefit load plus an additional 15% for unforeseen costs and overhead expenses.

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-170**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on August 28, 2013 by the following vote:

AYES : **COUNCILMEMBERS:** *Davis, Detrick, Cooper, Hume, Trigg*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



**Jason Lindgren, City Clerk
City of Elk Grove, California**