

RESOLUTION NO. 2017-151

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AFFIRMING EXISTING FEES AND ADOPTING POLICY ASSOCIATED WITH
TITLE 3, CHAPTER 3.70 AND TITLE 30, CHAPTER 30.20 OF THE ELK GROVE
MUNICIPAL CODE, EFFECTIVE JULY 1, 2017**

WHEREAS, Elk Grove Municipal Code (EGMC) Section 30.20.020 allows residents to apply for an exemption to the City's mandatory solid waste collection and transportation services ("Garbage Collection Exemption") for one of two reasons: 1) a residential parcel contains more than one residential structure and the property owner resides on the property and subscribes to normal trash service, or 2) the owner self-hauls their solid waste; and

WHEREAS, Garbage Collection Exemption applicants must complete a Request for Garbage Collection Exemption Form (Exhibit C) in order to be considered; and

WHEREAS, the City Manager will approve or deny the Garbage Collection Exemption request in accordance with an approved Garbage Collection Exemption Policy; and

WHEREAS, EGMC Section 30.20.020 allows the City to collect a Self-Haul Security Deposit; and

WHEREAS, twenty-six grandfathered garbage collection exemptions were approved prior to July 1, 2010 and sixteen of those exemptions (Exhibit A) remain valid upon auditing ownership changes as of June 2017; and

WHEREAS, all residents within the City of Elk Grove, including those with approved garbage exemptions, have access to the Elk Grove Special Waste Collection Center ("SWCC"), as well as the City of and County of Sacramento's Household Hazardous Waste facilities; and

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

WHEREAS, Allied Waste Services of North America, LLC (d.b.a. Republic Services) ("Allied Waste") will oversee a service interruption program as stated in the Billing Procedures Plan allowing residents to temporarily suspend service in the event of a vacation, vacancy, or distressed property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove does hereby adopt the following fees, deposits and associated policies:

- 1) Grandfathered Garbage Collection Exemption Approvals. The properties identified in Exhibit A to this Resolution received approval for an exemption prior to the policy changes adopted in 2010 and shall therefore remain "grandfathered" into EGMC Title 30 conditions for garbage exemption until ownership changes.

- 2) Garbage Collection Exemption Policy (Exhibit B) and Request for Garbage Collection Exemption Form (Exhibit C) – this policy and associated form set forth the review and approval process for obtaining a Garbage Collection Exemption in the City of Elk Grove.
- 3) Self-Haul Security Deposit: The City will charge a cash security deposit in an amount of Sixty dollars (\$60.00) for those residents approved for a garbage collection exemption by reason of self-haul provisions.
- 4) Household Hazardous Waste Fee: The City will charge and Republic Services will collect on behalf of the City a monthly \$5.00 fee to all residents approved for a garbage exemption or service interruption. This fee covers the City's cost associated with the residents' use of household hazardous waste facilities in Elk Grove and the City and County of Sacramento.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of June 2017.



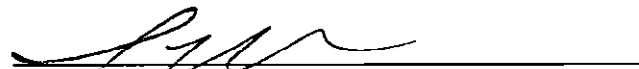
STEVEN M. DETRICK, VICE MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A

Grandfathered Garbage Collection Exemptions

Post Ownership Change Audit June 2017

APN	Name	Address
12202400300000	Chuck Brown	8649 Bader Road
13218400060007	Cynthia Carroll	5432 Tares Circle
12102000100000	Ronald Dohlen	9556 Niemann Avenue
12101900160000	Lowell Hoffer	9437 Niemann Avenue
11607400440000	Vern Janssen	8957 Sedgewick Court
13214700760000	Kalvin Listiyo	5461 Tegan Road
12202200210000	Dave & Margeret Lunde	10010 Calvine Road
12600100830000	David McClain	8962 Mooney Road
12102200210000	Tammy Meuser	9557 Sheldon Road
12101900170000	Joe & Linda Mora	9405 Niemann Avenue
12701200370000	Vern Newland	9415 Bradshaw Road
12301600020000	Gary Northrup	10579 Halfway Road
12603400120000	Zachary Taylor	10835 Sheldon Woods Way
12701200770000	Samantha Teutsch	9302 Grant Line Road
12202200150000	Wilbur & Sally Thibodeaux	10016 Calvine Road
12700800570000	Mark Wright	8950 Mackey Road

TITLE: GARBAGE COLLECTION EXEMPTION POLICY AND PROCEDURES

EFFECTIVE DATE: JULY 1, 2010

PURPOSE:

To provide guidelines that set forth the application and staff review for obtaining a residential garbage collection exemption in the City of Elk Grove as described in the Elk Grove Municipal Code, Title 30, Section 30.20:020. Exemptions are intended to accommodate the following situations: (1) secondary structure on a primary parcel and; (2) self-hauling.

Approved exemptions are valid for one year and are subject to renewal each year. An approved exemption is only valid for the current owner of a parcel and is not transferable.

An approved exemption only applies to residential solid waste charges. It does not exempt a property from storm drainage or Household Hazardous Waste Availability Fees.

APPLICATION PROCESS:

A resident wishing to apply for a garbage collection exemption must complete the form entitled "Request for Garbage Collection Exemption" which can be obtained from the Integrated Waste Department, and submit the completed form, with all required attachments, to the Integrated Waste Department, 8401 Laguna Palms Way, Elk Grove, CA 95758.

DISCLAIMER:

If the City of Elk Grove's Community Enhancement 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 Garbage Exemption request will be immediately rescinded, trash carts will be delivered, and billing will commence in accordance with the terms prior to the exemption approval.

Exhibit C



Request for Garbage Collection Exemption
Secondary Structure and Self-Hauls

Account Information:

Customer Account #: _____

First Name _____ Middle Initial _____ Last Name _____

Spouse/Co-Applicant: First Name _____ Middle Initial _____ Last Name _____

Service address _____

Mailing address (if different from service address) _____

Phone # _____ Alternate phone # _____

Email address _____

Driver's license # _____ State _____

Driver's license # (Spouse or co-applicant) _____ State _____

Social Security # _____

Social Security # (Spouse or co-applicant) _____

Employer _____

Employer (Spouse or co-applicant) _____

Employer's phone number _____

Employer's phone number (Spouse or co-applicant) _____

A Secondary Structure or Self-Haul request may qualify for a Garbage Collection Exemption if the terms listed in the Garbage Collection Exemption Policy and Title 30, Section 30.20.020 of the Elk Grove Municipal Code are satisfied.

Please check the box for the requested exemption and provide all required documents listed under the category checked. If all items are not provided, the request will be considered as incomplete and will not be granted.

PLEASE SELECT ONE:

SELF-HAUL EXEMPTION

Customers may qualify to self-haul refuse by means other than City-provided trash collection services.

Please check one:

- 1. Solid Waste is taken to a solid-waste facility by resident in their own vehicle.

Please provide ALL of the following in order to be approved:

- a. A \$60 cash security deposit with the City. Please attach a check, cashier's check or money order. If you wish to pay in person, you may go to the Cashier's Office at the address on Page 2 of this form. Provide a copy of this completed form with your payment.
b. Two weeks of receipts from a permitted solid waste disposal facility proving last two weeks of disposal.
c. Brief letter stating reason for request.

2. **Dumpster is located at residence and is being removed by a commercial trash hauler.**

Please provide ALL of the following in order to be approved:

- a. Brief letter stating reason for request.
- b. Current invoice from commercial trash hauler, to include frequency of bin servicing, customer's name and residential address.

II. SECONDARY STRUCTURE

Customers of residential parcels with more than one residential structure may request an exemption of the secondary structure from City trash collection services.

Please provide the following:

- Letter stating circumstances of the request.

**PLEASE SIGN AND RETURN YOUR FORM, ATTACHMENTS
AND CHECK (IF APPLICABLE) TO:**

City of Elk Grove
Attn: Integrated Waste Department
8401 Laguna Palms Way, Elk Grove, CA 95758
Fax: 916-627-4110

According to Title 3, Section 3.70.070 of the Elk Grove Municipal Code, if approved for a Garbage Collection Exemption, a Household Hazardous Waste Availability Fee will be charged each month that a customer is on a Garbage Collection Exemption.

By signing this form and requesting a Garbage Collection Exemption from weekly trash collection service, I, _____, certify that I understand the required provisions of the Garbage Collection Exemption Policy and Section 30.20.020 of the Elk Grove Municipal Code and am within compliance. I agree to a periodic inspection of my property by City Staff to determine compliance with this application.

I understand and agree that if my Garbage Exemption application is accepted, I will be subject to all provisions of City ordinances now existing or hereafter adopted as set forth in the Elk Grove Municipal Code; and agree to pay all charges associated with the utility service, including all costs and fees resulting from late payment. I also guarantee payment for all services included in this agreement and to pay the cost of collection of this account, including attorneys' fees, if it becomes delinquent. By signing below, I certify under penalty of perjury that the information provided is true and correct under the Laws of the State of California.

Owner signature

Date

Spouse or co-applicant signature

Date

Print Name

Print Name

Internal Use Only:

CASHIER'S OFFICE: Please post \$60 deposit to SELF in cash receipts.

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-151**

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

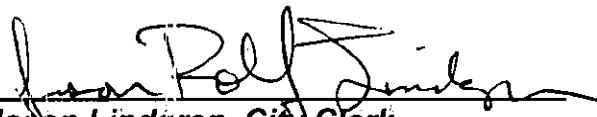
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 28, 2017 by the following vote:

AYES: COUNCILMEMBERS: *Detrick, Hume, Nguyen, Suen*

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Ly*


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