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ORDINANCE NO. 50

AN ORDINANCE OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ESTABLISHING DIVERSION REQUIREMENTS AND MAXIMUM RATES FOR SOLID WASTE ENTERPRISES OPERATING WITHIN THE DISTRICT

WHEREAS, the Integrated Waste Management Act ("Act") requires that each city and county divert 25% of all solid waste from landfill or transformation facilities by January 1, 1995; and

WHEREAS, the Midway City Sanitary District ("District") is charged with the responsibility for solid waste collection and disposal for large areas of the Cities of Garden Grove and Westminster and also a portion of unincorporated territory in the County of Orange; and

WHEREAS, the District, in conjunction with the Cities of Garden Grove and Westminster, have developed a source reduction and recycling element to meet the diversion mandates; and

WHEREAS, all solid waste placed in large bins within the District is collected and disposed of by solid waste enterprises operating within the District; and

WHEREAS, in order to meet these diversion mandates, the District has determined that solid waste enterprises operating within the District must ensure that 25% of the solid waste collected by such enterprises is diverted from landfill or transformation facilities; and

WHEREAS, Public Resources Code Section 40059 authorizes the District to determine all aspects of solid waste collection, including the development of methods for meeting diversion requirements and the setting of rates.

1	Compacting Bins	\$384.66 per pickup
2	Temporary 3-Cubic Yard Bin	\$ 48.24 per pickup

3 **Section 2: Diversion**

4
5 2.1 Effective February 1, 1994, all solid waste enterprises operating within the
6 District shall divert at least 25% of all solid waste collected within the District in accordance
7 with the District's source reduction and recycling element ("SRRE") and the Act and any
8 amendments thereto.

9 2.2 Beginning April 15, 1994, any solid waste enterprise operating with the District
10 shall provide documentation to the District to substantiate that it has diverted at least 25% of all
11 solid waste collected within the District. All such documentation shall be on forms which have
12 received the prior approval of the District and shall include all information required by the
13 District's SRRE and the Act. The initial report shall substantiate that the solid waste enterprise
14 has achieved 25% diversion for the months of February and March of 1994. Documentation
15 shall be provided each April 15th thereafter, as well as on a quarterly basis on the 15th day of
16 the months of July, October and January. The documentation provided on January 15th of each
17 year shall include a summary of the preceding year's diversion.
18

19 2.3 The District reserves the right to direct the manner and method in which refuse
20 is collected and disposed if a solid waste enterprise fails to meet the diversion levels and provide
21 the documentation required by this Ordinance.
22

23 **Section 3: Violations**

24 In addition to any penalties imposed by the Act, any violation of this Ordinance shall
25 constitute a misdemeanor and shall be punishable by a maximum of 30 days imprisonment in the
26 county jail or a \$1,000 fine or both. Any violation may also result in the revocation of any
27 license, permit or franchise granted by the District.
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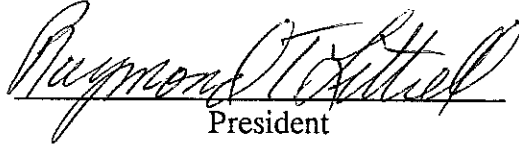
Section 4: Repeal of Previous Ordinances

All motions, resolutions and ordinances inconsistent with this ordinance are repealed to the extent of such inconsistency and no further.

Section 5: Publication

In accordance with Health and Safety Code Section 6490, this Ordinance shall be published once in a newspaper of general circulation in the District and shall take effect upon expiration of one week after publication.

ADOPTED, SIGNED AND APPROVED this 7 day of December, 1993.



President

ATTEST:



Secretary

1 **CERTIFICATION**

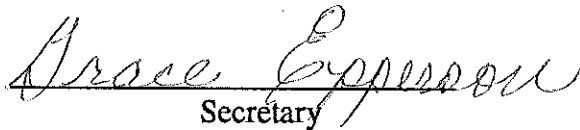
2 I, Grace P. Epperson, Secretary of the Midway City Sanitary District of Orange County,
3 California, do hereby certify that the foregoing Ordinance No. 50 was duly adopted at a regular
4 meeting of the Board of Directors of said District, held on the 7 day of December, 1993, by
5 the following vote of the members of the Board:
6

7 **AYES:** Directors Epperson, Evans, Kearns, Rice, Littrell

8 **NOES:** None

9 **ABSENT:** Directors None

10 and I further certify that Ray Littrell, as President, and Grace P. Epperson, as Secretary, signed
11 and approved said Ordinance on the 7 day of December, 1993.
12

13 
14 Secretary

15 (District Seal)
16
17

18
19 **STATE OF CALIFORNIA**)
20) ss.
21 **COUNTY OF ORANGE**)

22 I, Grace P. Epperson, Secretary of the Midway City Sanitary District of Orange County,
23 California, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No.
24 50, passed and adopted by the Board of Directors of said District at a regular meeting thereof
25 held on the 7 day of December, 1993.

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal
of said District this 7 day of December, 1993.

Grace Epperson
Secretary

(District Seal)