

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: March 1, 2022	TYPE OF AGENDA ITEM: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input type="checkbox"/> Consent
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DEPARTMENT: Solid Waste Fee Administration APPROVING PARTY: Laura Marshall PHONE NUMBER: 530-289-3283
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AGENDA ITEM: Discussion and direction regarding Solid Waste Hauler Application Fee.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other
County Ordinance 8.04.205, backup information regarding fee research.

BACKGROUND INFORMATION:

FUNDING SOURCE: N/A
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

ARE ADDITIONAL PERSONNEL REQUIRED? <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	IS THIS ITEM ALLOCATED IN THE BUDGET? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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SPACE BELOW FOR CLERK'S USE

BOARD ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2022- _____ Agreement 2022- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD

DATE

8.04.205 Licensing of regular residential and commercial solid waste collection.

A. The Board hereby finds and declares that it is necessary for the protection of the public health, safety, and welfare to make available through private sector providers residential and commercial solid waste handling services, which may include the collection and transportation of recyclables, by means of exclusive or nonexclusive license, within the unincorporated area of the county. The Board further finds it necessary and appropriate to limit the number of collectors authorized to provide residential and commercial solid waste collection service within the unincorporated area of Sierra County.

B. Except as provided for in SCC [8.04.035\(C\)](#), all solid waste handling services shall be provided by a collector under a license issued by the county which shall be subject to the terms and conditions contained therein and the other requirements set out in this chapter. Solid waste handling services may include the collection and transportation of recyclables.

C. Applicants for a license to provide solid waste handling services shall file with the solid waste fee administrator and pay such application fees as may from time to time be established by the Board by resolution a verified application in writing on a form furnished by the solid waste fee administrator which shall give the following information:

1. Full name of applicant;
2. Permanent home and business address of the applicant;
3. Trade and firm name;
4. If a joint venture, partnership or limited partnership, the names of all joint venturers or general partners, their percentage of participation and permanent addresses. If a corporation, the names and permanent business addresses of all of the directors and officers, and if a corporation with out-of-the-county headquarters, the name and permanent address of the local manager;
5. Facts showing applicant has arranged for the disposal of all solid waste collected or transported at an authorized solid waste facility of the applicant's choosing where the same may be legally accepted and disposed;
6. The location of the authorized solid waste facility;
7. Facts showing that the applicant is qualified to render efficient unscheduled solid waste handling services;
8. A list of all collection equipment and such other facts showing that the applicant owns or has under his or her control, in good mechanical condition, sufficient equipment to adequately conduct unscheduled solid waste handling services;
9. Other facts or information as the solid waste fee administrator may require.

D. Upon receipt of a complete application the solid waste fee administrator shall schedule a public hearing before the Board of Supervisors at which time the Board shall entertain public input on the question of the issuance of a license to the applicant. Notice of the hearing shall be by publication in the newspaper within 15 days of the date of the hearing and by mail to the applicant. From the information presented, the Board shall, in its sole discretion, decide if it is in the public interest to issue a license for solid waste collection services in the county or for any portion of the county. Any license issued by the Board shall be valid for a period of no more than three years. The issuance of a license by the Board shall not constitute the granting of any contractual right, property interest or vested right to engage in solid waste collection in Sierra County and any license shall be subject to review and revocation by the Board based on the Board's determination that it is no longer in the public interest to license the collector to provide solid waste collection services. In issuing any license the Board reserves the absolute right to enact new and/or modify any existing ordinance or other provisions pertaining to solid waste services and collection; and the cost of compliance by any collector shall not be a county charge or legal responsibility.

The Board may charge fees for the issuance of a solid waste collection license as the Board may deem appropriate to offset the cost to the county in the issuance of the license and the administration and operation of the solid waste system.

E. A collector issued a license to provide collection and transportation of recyclables may also be designated as an authorized recycling contractor.

1. In the event the Board does not include the collection and transportation of recyclables in any license, the Board may, by resolution, determine whether such recycling services shall be provided, and whether the services are to be provided by means of exclusive, semi-exclusive or nonexclusive license either with or without competitive bidding.

2. Nothing in this section is intended to revoke, modify, amend, or affect any right or duty of any person who has a valid license issued by the Board, to collect and transport recyclables in the county.

F. No person, other than an authorized recycling contractor, shall remove recyclables, which have been placed at a designated recycling collection location. Any and each such collection in violation hereof shall constitute a separate and distinct offense punishable in accordance with this chapter.

1. Nothing in this chapter shall limit the right of a person, organization or other entity to donate or sell source separated recyclables generated by such person, organization, or entity.

2. Nothing in this chapter shall limit the right of a business or other commercial enterprise which maintains its own recycling operation to transport recyclables generated by such business or commercial enterprise to the location of such recycling operation, or to sell its recyclables to a third party who may then transport same from the business.

G. A collector providing solid waste handling services shall comply with the requirements of SCC [8.04.105](#) at all times during the term of the license or contract.

H. All fees received by the county pursuant to this section shall be deposited to the solid waste enterprise fund or to such other fund as the Board may designate.

I. Notwithstanding any language to the contrary in this section, the Board may authorize another collector or any other solid waste enterprise to provide emergency solid waste handling services for a period not to exceed 180 days when the Director determines there is a danger to the public health, safety, or welfare. (Ord. 939, eff. 3/20/03; Ord. 880, eff. 3/4/99)

The Sierra County Code is current through Ordinance 1109, passed December 21, 2021.

Disclaimer: The clerk of the board's office has the official version of the Sierra County Code. Users should contact the clerk of the board's office for ordinances passed subsequent to the ordinance cited above.

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[County Website: www.sierracounty.ca.gov](http://www.sierracounty.ca.gov)

County Telephone: (530) 289-3295

[Code Publishing Company](#)

Solid Waste Fee Research Data for Consideration

Hauler Permit and Licensing Fees		
Plumas County		
5 year Operating Permit		
Annual Permit Fee	\$47.47	Hourly Rate of \$37.9755 x 1.25 hours to process permit <i>(estimated based on transportation permit)</i> of Gross Receipts, paid quarterly
Franchise Fee	9.50%	
Nevada County		
Solid Waste Certificate of Operation		
Per Refuse Vehicle Permit Fee	\$244.65	Hourly Rate of \$195.72 x 1.25 hrs permit processing of All Revenues, paid quarterly
Franchise Fee	12%	
Host Fee - Transfer Station Services	\$20	per ton of Solid Waste
Host Fee - Transfer Station Services	\$10.50	per ton C&D Materials
Placer County		
Bid Process for Haulers		
Site Permits for Solid Waste	\$205.00	
Sierra County Suggested Fees		
Application (Permit) Fee	\$225.00	
Franchise Fee	10.75%	Average of Plumas and Nevada Counties
Transfer Station Fee - Solid Waste	\$5.00	\$2.00 Registered Hauler with Exemption Handling Fee compounded approx 20 years at 5%.
Transfer Station Fee - C+D Waste	\$5.00	

Solid Waste Fee Administration - Compiled by Stephanie Villa 2/23/2022