ORDINANCE NO. 145.


The Board of Supervisors of the County of Solano, State of California, do ordain as follows:

SECTION 1: The right, privilege and franchise for the disposal and/or destruction of garbage, waste, offal and/or debris upon those certain lands situated in the County of Solano, State of California, and more particularly described as follows, to-wit:

Known as State Tide Location LOTS 21, 22, 27, 39 AND 40, containing 871.07 ACRES, MORE OR LESS, THE SAME BEING SITUATE IN TOWNSHIPS 3 AND 4 NORTH OF RANGE 1 AND 2 WEST, N.D.S. AND N.,

are hereby granted to William Banta, his successors or assigns, for the period and term of twenty-five years from and after the effective date of this ordinance.

SECTION 2: The grantee herein, and his successors and assigns, shall file with the Board of Supervisors of the County of Solano, State of California, before the effective date of this ordinance, a penal bond of One Thousand ($1000.00) Dollars, to be approved, and subject to approval, by the District Attorney of Solano County, and by the Chairman of the Board of Supervisors, conditioned for the faithful performance of this franchise and of all of its terms and conditions by the said William Banta, his successors or assigns.

SECTION 3: All garbage, waste, offal and/or debris that shall be deposited on said real property under the terms of this franchise, shall, at all times, be disposed of and/or destroyed by the said William Banta, his successors or assigns, in strict accordance with all laws, rules and/or regulations of the State of California, the County of Solano, and/or any political subdivision having jurisdiction thereof, to the end that the public health and safety shall in no way be endangered. All of said deposited materials in this section referred to, shall, as and when so deposited on said lands, be entirely covered with a minimum depth of two feet of earth or soil covering the same, and to the approval of the County of Solano.

SECTION 4: All garbage, waste, offal and/or debris that shall be deposited on said lands under the terms of this franchise, shall be so disposed of and/or destroyed, that the same shall not cause pollution or any of the tidal waters, or tidal bodies of water of the State of California, to the end that there shall be no injury to fishing or wild game caused by any operations of the said William Banta, his successors or assigns, under this franchise.

SECTION 5: The grantee herein, and his successors and assigns, must, during the life of this franchise, pay to the County of Solano, the following sums monthly and for the following terms or years, for each and every ton of such garbage, waste, offal and/or debris, that shall be actually deposited on said lands, under this franchise, with a minimum payment of ten ($10.00) Dollars per day to Solano County for each day such materials are so actually deposited, and with a minimum payment of two and one-half cents per ton for each ton of such materials actually deposited on said lands, during the term of this franchise, and said monthly payments being as follows, to-wit:
Two and one-half cents for each and every ton thereof that may be so actually deposited on said lands during the first year of this franchise.

Five cents for each and every ton thereof that may be so actually deposited on said lands during the next two succeeding years of the term of this franchise.

Seven and one-half cents for each and every ton thereof that may be so actually deposited on said lands for the balance or remainder of said term of twenty-five years of this franchise; provided, however, that said price or rate of seven and one-half cents per ton shall be increased to ten cents per ton, for each and every ton of said materials, for which said grantee, his successors and assigns, during said balance or remainder of the term of this franchise, shall be paid twelve or more per ton, for depositing such materials on said lands under the terms of this franchise.

SECTION 6: The County of Solano hereby reserves the right to appoint and name employees and agents of the County as inspectors, at the expense of and to be paid by the grantee, his successors or assigns, with full power, right and authority to such agents or employees, to determine whether the grantee, his successors or assigns, are complying with all of the terms of this franchise, and any and all of the laws, rules and/or regulations of the County of Solano, and/or any political subdivision having jurisdiction of said lands.

SECTION 7: In the event the above-mentioned inspectors, agents and/or employees of the County of Solano determine that the grantee herein named, his successors or assigns are not complying with all or any of the terms of this franchise and any or all of the laws, rules and/or regulations of the County of Solano, and/or the State of California, and/or any political subdivision having jurisdiction of said lands, then in such event the County of Solano further reserves the right to do any or all things that may be necessary, including the actual covering of the above mentioned deposited materials, in order to cause said grantee, his successors and/or assigns to operate under the provisions of this franchise within said laws, rules and/or regulations, and in compliance with all of the terms of this franchise, and to charge any expense incurred thereby to said grantee, his successors and/or assigns, and in order to effect the payment of said charges, the County of Solano reserves first, the right to exhaust the penal bond mentioned in SECTION 2 hereof, and secondly, to require a new bond or bonds in the same amount should the said bond be exhausted, as to keep the County of Solano continuously and at all times during the life of this franchise indemified in keeping with the provisions of said SECTION 2 hereof.

SECTION 8: The grantee, his successors and assigns shall not, under the provisions of this franchise, interfere with or prevent the drainage of any existing or future ditches or other drainage works of Solano County - Esquite Abeyment District or of the drainage works of any other district for the drainage, irrigation or reclamation of lands, that are now or may be hereafter established under the laws of the State of California.

SECTION 9: Nothing in this franchise contained or set forth, shall be construed as a limitation upon the powers and rights of the County of Solano or of any of the political subdivisions having jurisdiction thereof under the present or any subsequent laws, rules, ordinances and regulations of the State of California, or of the County of Solano.
SECTION 10: This ordinance shall take effect and be in force thirty days from and after its passage and approval, and the Clerk of the Board of Supervisors is hereby directed to cause this ordinance to be published in RIVER NEWS, a newspaper of general circulation printed and published in the County of Solano, State of California, for one (1) week prior to the fifteenth (15th) day after its passage.

The foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Solano, at a regular session of said Board on the 7th day of January, 1935, by the following vote:

AYES: Supervisors Brown, Danielson, Sheveland, Schmeiser.

NOES: Supervisor Birkmore.

ABSENT: None.

C. E. Schmeiser
Chairman of the Board of Supervisors
of the County of Solano, State of California.

(SEAL)

ATTEST:

C. G. Malliday
Clerk of the Board of Supervisors
of the County of Solano, State of California.