ORDINANCE NO. 2009-1704

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SOLANO AMENDING SECTION 23-72 OF THE SOLANO COUNTY CODE RELATING TO BILLING CHARGES FOR SOLID WASTE GARBAGE COLLECTION

The Board of Supervisors of the County of Solano ordains as follows:

Section 1. Chapter 23, section 23-72 is amended to read:

Sec. 23-72. Billing charges to be a lien
(a) All billing for waste collection shall be made by the contractor; all charges shall become delinquent ninety thirty days after the billing date and subject to lien sixty days after the billing date.

(b) If the bill remains unpaid after the date of delinquency, the contractor shall be entitled to a delinquency fee. However, said delinquency fee shall not be assessed until fifteen days after Notice of the delinquency shall be given to the property owner and recipient of service by the contractor within fifteen days after the delinquency date. The form and content of the delinquency notice shall be approved by the Department of General Services. The contractor shall simultaneously file with the Department of General Services a formal written notice stating that such delinquency notice has been sent to such recipient and owner and the date upon which notice was sent. Delinquency fees shall be set by the Board of Supervisors' resolution.

(c) Should the bill remain unpaid at the expiration of the fifteen days for a period of sixty days from the billing date, the contractor may assign the bill to the County for lien proceedings once per year during the month of May. The contractor shall simultaneously file with the Department of General Services a formal written notice report listing the delinquent amounts, service addresses, Assessor Parcel Numbers, property owners, and the dates the delinquency notices were sent to the property owners, stating that such delinquency notice has been sent to such recipient and owner and the date upon which notice was sent.

(d) Upon the County's receipt of the assignment and report from the contractor and at the convenience of the County (once per year during the month of May), the Department of General Services shall initiate proceedings complying with Government Code sections 25831 and 38790.1 to create a lien on the real property to which the collection service has been rendered.

(e) The lien will be officially recorded in the County Recorder's office and a copy of the recorded lien shall be sent to the property owner in accordance with Government Code section 27297.5. The lien may carry additional administrative charges as set forth by the Board of Supervisors resolution. The owner shall be notified by the Department of General Services that the delinquency charges and administrative charges are due to the County and that such lien has been recorded.
Section 2. This ordinance shall take effect thirty (30) days after its passage.

Section 3. A summary of this ordinance shall be published once within fifteen days after its adoption, in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on October 6, 2009, by the following vote:

AYES: SUPERVISORS Kondylis, Reagan, Seifert, Spering, and Chair Vasquez

NOES: SUPERVISORS None

EXCUSED: SUPERVISORS None

ATTEST:

Michael D. Johnson, Clerk
Board of Supervisors

By: Patricia J. Crittenden, Chief Deputy Clerk

Additions indicated by underscore and italics; deletions by strikeouts

Introduced: September 22, 2009
Adopted: October 6, 2009
Effective: November 6, 2009