ORDINANCE NO. 405
AN ORDINANCE FOR THE REGULATION OF GARBAGE AND
REFUSE COLLECTION, TRANSPORTATION AND DISPOSAL

THE BOARD OF SUPERVISORS OF THE COUNTY OF SOLANO, STATE OF CALIFORNIA, DO ORDAIN
AS FOLLOWS:

ARTICLE I

This Ordinance shall be known and cited as the Refuse Disposal Ordinance of Solano County.

ARTICLE II

It is the purpose of this Ordinance to institute within the County of Solano an orderly program for the collection, transportation, and disposal of refuse in order to promote the community welfare, convenience, health and safety.

ARTICLE III

SECTION 1. Definitions.

Congested Area. As used in this Ordinance, the term "congested area" shall mean any area outside of an incorporated city and within the County of Solano, where there are six (6) or more houses or buildings, suitable for occupation by, or used by, human beings as a place of abode, within an area of three (3) adjacent acres.

Disposal Area. The term "disposal area" shall mean any site, location, tract of land, area, building, structure or premises used or intended to be used for garbage, rubbish, swill or refuse disposal except animal rendering plants, hog-raising ranches, alcohol distilleries utilizing waste raw material, and salvage depots receiving only waste paper and waste paper products to be used as a raw material in manufacturing.

Garbage. The term "garbage" shall mean and include that refuse resulting from preparation, cooking and consumption of edible foodstuffs or resulting from the decay, dealing in or storage of meat, fish, fowl, fruit or vegetables.

Person. The term "person" shall mean any institution, public or private corporation, governmental unit or jurisdiction, individual, company, form, association, partnership, or other entity.

Refuse. The term "refuse" shall mean and include any solid or semi-solid waste product other than domestic sewage or other human body waste, including but not restricted to garbage, swill, trash, rubbish, construction waste, industrial and domestic solid and semi-solid waste, tree or shrub trimmings, grass clippings.

Refuse collector. The term "refuse collector" shall mean the person, firm, agency, or public body or employee or agent thereof who is or intends to be engaged in the collection or transportation of refuse in the unincorporated area of the County of Solano.

Rubbish. The term "rubbish" shall include but not be restricted to non-putrescible solid wastes consisting of both combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding crockery, rubbish tires, and similar materials.

Swill. The term "swill" shall mean that particular garbage which is wholly, or nearly so, edible and usable as food and having food value for animals or fowl accumulating from animal, vegetable or other matter wasted from clubs, hospitals, hotels, restaurants, and public eating places.
ARTICLE IV

SECTION 1. Except as otherwise provided in this Ordinance, it shall be unlawful for any person, firm, corporation, municipality, public agency or institution to collect or to transport for commercial purposes any refuse within the unincorporated area of the County of Solano unless possessing a permit to do so from the Health Department of Solano County and paying the permit fee required to be paid by this Ordinance.

SECTION 2. The application for an operating permit to collect or transport refuse shall be made in writing to the Health Department on forms provided. Upon receipt of such application, if the Health Department determines that the application can comply with the provisions of this Ordinance and the rules and regulations of the Health Department of the County of Solano, and not otherwise, the Health Department shall issue, upon payment of the permit fee in the amount provided hereinafter, a revocable permit for the conduct of the refuse collection or transportation service. Such permit shall be issued only to the applicant and shall not be transferable. Such permit shall continue in effect at the pleasure of the Board of Supervisors, or until the Board of Supervisors grants an exclusive franchise to an individual or firm pursuant to the laws of the State of California now or then in effect, or, if for a violation or violations of this said Ordinance, until such time as the Board of Supervisors have held a public hearing on the charge or charges of violation of this said Ordinance brought against the permit holder by the said Health Department.

SECTION 3. A permit fee in the amount hereinafter provided shall be established for the conducting of a refuse collection or transportation service for the inspection and supervision required in connection with all operations of refuse collection or transportation thereof. The permit fee for conducting a refuse collection or a transportation service, shall be Five and 00/100 Dollars ($5.00) per collection or transportation vehicle per annum. A refuse collector who transports vehicular loads of refuse within the unincorporated area of the County of Solano, no part of which is collected within the unincorporated area of the County of Solano, is exempted from the payment of the permit fee specified in this section for those vehicles used in transporting such refuse.

SECTION 4. The Board of Supervisors reserves the authority and right to establish, by resolution, a schedule of maximum rates to be charged any person for the collecting and hauling of garbage, rubbish, and other refuse within the County of Solano and such schedule, when adopted, shall become and thereafter be a part of this Ordinance. A copy of any schedule so established by resolution of the Board of Supervisors shall, at all times, be kept on file in the Office of the Clerk of the Board of Supervisors and in the Office of the Health Department and be open to public inspection.

SECTION 5. A refuse collector under permit must provide garbage pick-up service to all residents or establishments within congested areas within the area served as specified in his permit.

SECTION 6. Refuse collectors under permit must make rubbish collection service available in areas served.

SECTION 7. An industrial, commercial, or business establishment operating its own collection service entirely for the benefit of such establishment under one ownership and for no other establishment shall not be required to have an operating permit for the disposing of
of refuse so collected on the premises or at a disposal area operated under a permit, but shall comply with all sanitary requirements for collection and transportation and/or disposal of refuse. The Health Department may require the submission of a monthly report giving tonnage or yardage of refuse and place or method of disposal.

SECTION 8. A person collecting dead animals, bones or meat scraps for tallow plants, and waste paper and waste paper products to be used as a raw material in manufacturing to be disposed of at a place or places other than a disposal area operating under permit, is exempted from the permit requirement provided in this Ordinance but shall comply with all sanitary requirements for collection and transportation of refuse. The Health Department may require the submission of a monthly report giving tonnage or yardage of refuse and place or method of disposal.

SECTION 9. The owner of a farm collecting refuse entirely from the premises so owned and disposing of such refuse on the premises so owned or at a refuse disposal area under permit is exempted from the permit requirement, but shall comply with all health requirements for collection and transportation and/or disposal of such refuse.

ARTICLE V

SECTION 1. All garbage created, produced or accumulated in or about dwelling houses within a congested area and within the County of Solano shall be disposed of or removed from the premises at least once a week. In congested areas served by refuse collectors under permit, disposal or removal of garbage shall be by the refuse collector. All garbage created, produced or accumulated at hotels, restaurants, boarding houses, or other business houses where garbage is accumulated, situated anywhere in the County of Solano, shall be disposed of or removed from the premises at least twice each week, or oftener if necessary. The Health Department after investigation and with adequate justification may make specific exception to the requirements of this section.

SECTION 2. Burning of rubbish in any congested area may be done only on written permit from the Fire Warden of Solano County.

SECTION 3. It shall be unlawful for any person maintaining any premise or premises within a congested area within the County of Solano or any resort, industrial, commercial or business establishment where garbage or refuse is produced, created or accumulated upon such premise or premises to fail or neglect to procure suitable and sufficient water tight cans or receptacles or galvanized metal or other acceptable material of equal fly, rodent and rust resistant qualities, with suitable bails or handles and with tightly fitting covers of the same material. There shall be sufficient containers to hold without leakage or escape of odors, all the garbage which would ordinarily accumulate on said premises between regular collections and such cans or receptacles shall be of not greater capacity than thirty (30) gallons.

Container storage racks when use, shall be son constructed that all residue can be cleaned from the rack and surrounding area and shall be so placed and cleaned so that it will not be a private or public nuisance or in any degree offensive. All persons shall deposit all such garbage in such a container and all such containers shall be kept in a sanitary condition at all times.
SECTION 4. No person, owner, agent or occupant of a lot or premise whereon a building of any kind may exist or of a vacant lot within a congested area shall allow any collection of garbage, rubbish, waste matter or filth of any description to remain on such lot or premises.

ARTICLE VI

SECTION 1. It shall be unlawful for any person, firm, corporation, municipality, public agency, or institution to operate a refuse disposal area in the County of Solano, State of California, unless possessing a permit to do so from the Health Department, except as hereinafter provided.

SECTION 2. The application for a permit to operate a refuse disposal area shall be made in writing to the Health Department on forms provided. Upon receipt of such application, if the Health Department determines that the applicant can comply with the provisions of this Ordinance and the rules and regulations of the Health Department of the County of Solano, and not otherwise, the Health Department shall issue a revocable permit at no charge for the conduct of the refuse disposal area. Such permit shall be issued only to the applicant and shall not be transferable. Before any permit shall be issued for a refuse disposal area, the site shall be referred to the County Planning Commission for review and recommendation. No permit shall be issued for a refuse disposal area which would be located in an area where such land use is prohibited by the County Zoning Ordinance. Such permit shall continue in effect at the pleasure of the Board of Supervisors, or until the Board of Supervisors grants an exclusive franchise to an individual or firm pursuant to the laws of the State of California now or then in effect, or, if for a violation or violations of this Ordinance, until such time as the Board of Supervisors have held a public hearing on the charge or charges of violation of this said Ordinance brought against the permit holder by the said Health Department.

SECTION 3. An inspection fee in the amount hereinafter provided shall be established for the operation of a refuse disposal area for the inspection and supervision required in connection with the operations of the refuse disposal area thereby. Every person operating a refuse disposal area under permit shall pay to the County of Solano, State of California, on or before August 1st of each year, an annual inspection fee of Twenty and 00/100 Dollars ($20.00) for each refuse disposal area. Non-payment of any delinquent inspection fee when due shall constitute cause for suspension or revocation of any permit issued under this Ordinance. Every inspection fee as required by this section which becomes delinquent shall have added thereto a penalty equal to ten per cent (10%) of the delinquent fee. Each such person, at the time of remitting such inspection fee, shall transmit on forms provided by the Health Department the name of each refuse collector from which he received refuse during the preceding year.

SECTION 4. All refuse disposal shall be by means of sanitary landfill and shall be operated in accordance with the following standards:

(a) The garbage, rubbish, swill or refuse, except in the working area, shall be covered with not less than two (2) feet of compacted dirt fill. The working area shall be covered with six (6) inches of earth within 48 hours from the end of the day's operation. The faces of said dumps shall be covered with six (6) inches of dirt fill whenever dumping operations at that point are suspended. Nothing contained herein shall bar the Solano County Health Department from prescribing longer hours of uncovered storage, up to 72 hours from the end of the day's operation, where it is apparent that said longer hours of uncovered storage will not result in a menace to public health.
(b) Routine rat and fly control measures shall be undertaken by the permittee at all garbage, rubbish and refuse dumps as prescribed by the Solano County Health Department.

(c) The burning of tree, shrub and lawn trimmings and other rubbish may be done only upon written permit from the Solano County Fire Warden. No burning shall be permitted in the area where garbage is being disposed of, provided, however that combustible rubbish may be burned if at a safe distance from the garbage disposal area and if the burning will not create a nuisance to surrounding areas.

(d) Sufficient water supply, as determined by the Solano County Fire Warden shall be available at all dumps so that any fires can be controlled and so that burning, which tends to become objectionable because of smoke nuisance, may be extinguished.

(e) Except as otherwise provided herein, no animal feeding, chicken raising or other similar commercial enterprise shall be permitted on any garbage, rubbish or refuse dumps.

SECTION 5. Any person responsible for the feeding of swine on garbage or swill produced at any other point than farm premises on which such swine are located shall construct and install feeding platforms of sanitary construction, and shall maintain the premise in a sanitary manner at all times, and shall dispose of the uneaten residue of garbage or swill within 24 hours of the original deposit of such refuse on feeding platforms in a manner complying with all provisions of this Ordinance.

SECTION 6. Vehicles used in the business of collecting and/or transportation of garbage, rubbish, swill or refuse shall have painted on the outside of each side wall of the hauling body, in letters of not less than four inches (4") in height and one inch (1") wide, the following information in a color contrasting to the body color:

(a) The name of the collector, transporter or company.
(b) Permit number issued by the Health Department.
(c) Number of vehicle, if more than one (1) is operated by the collector, transporter or company.

SECTION 7. A means of covering and containing the garbage, rubbish, swill or refuse securely within the hauling body of every vehicle, irrespective of whether a permit has been issued or not, collecting or transporting the same shall be provided and no said material shall be permitted to escape from the vehicle.

SECTION 8. The Health Department is hereby empowered to deny or withhold a permit for which an application has been made, if in its judgment the vehicles, area or other facilities for the establishing, maintaining, conducting or operating the refuse collection or transportation service or disposal area for which a permit is requested, is or are insufficient, unsafe or incapable of being used, maintained, or established to comply with this or any other ordinances of the County of Solano, or the rules and regulations of the Health Department, or laws of the State of California.

SECTION 9. Any person who is dissatisfied with any decision or ruling of the Health Department on applications for permits or rules, regulations, directives or decisions of the Health Department may appeal to the Board of Supervisors, who shall have the power to grant or deny said application. Said appeal is taken by filing with the Clerk of the Board of Supervisors a notice of appeal within ten (10) days after the date of said decision or ruling. The notice shall be signed by the appellant or his attorney and shall be sufficient if it states in substance that appellant appeals from a specified decision or ruling. A notice of
appeal shall be liberally construed in favor of its sufficiency. No later than thirty (30)
days after receipt of said notice of appeal, the Board of Supervisors shall set the matters for
public hearing and shall cause public notice of such public hearing to be given by causing one
notice thereof to be published in a newspaper of general circulation in the County at least
ten days before the date of said hearing. At said hearing, the appellant shall present a
statement and adequate evidence in such form as the Board of Supervisors may require.

SECTION 10. All operators of refuse collection or transportation or disposal services
shall keep and maintain such operating records as the Health Department may reasonably require
to ascertain the extent of compliance with this Ordinance and shall, if requested by the Health
Department, submit reasonable periodic reports on such operations.

SECTION 11. The Health Department is hereby authorized to make further necessary
rules and regulations covering the operation and maintenance of sanitary fill as may be
necessary to secure the proper sanitation of the service and for the proper and orderly ad­
ministration of this Ordinance.

All rules and regulations of the Health Department become effective upon the approval
of the Board of Supervisors of the County of Solano and the filing thereof with the Clerk of
said Board.

SECTION 12. Any refuse collector proposing to begin operation after the effective
date of this Ordinance and any refuse area proposed for starting after the effective date of
this Ordinance shall be governed by any and all definitions and sections of this Ordinance.
Existing operating refuse disposal areas shall be governed by this Ordinance on and after five
months from the effective date of this Ordinance. The refuse disposal area upon which burning
of garbage takes place is hereby designated a public health nuisance.

SECTION 13. The Board of Supervisors may acquire land to be used as County-owned
refuse disposal areas. The Health Department or such other County department as may be
designated by the Board of Supervisors may be responsible for the operation of such refuse
disposal areas. Operation may be either by County personnel or by an individual under con­
tact to the County for such service. The Board of Supervisors may lease refuse disposal
areas to persons for their operation as refuse disposal areas. These refuse disposal areas
shall be operated in conformance with the requirements of this Ordinance and with the rules
and regulations of the Health Department.

ARTICLE VII

Any person, firm or corporation or agent or employee of any person, firm or cor­
poration who violates any provision of this Ordinance, or any rules and regulations made
hereunder, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished
by a fine of not less than Twenty-five Dollars ($25.00) nor more than Five Hundred Dollars
($500.00), or by imprisonment for not more than six (6) months, or by both such fine and
imprisonment. Each such person shall be deemed guilty of a separate offense for each day
during any portion of which any violation of any of the provisions of this Ordinance is
committed.

ARTICLE VIII

All ordinances or parts of ordinances inconsistent or in conflict herewith are
hereby repealed.

If any section, subsection, paragraph, sentence, clause or phrase in this Ordinance
is, for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality
shall not affect the validity or constitutionality of the remaining portions of this Ordinance,
it being hereby expressly declared that this Ordinance and each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases be declared invalid or unconstitutional.

ARTICLE IX
This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and before the expiration of fifteen (15) days from and after its passage this Ordinance shall be published at least once with the names of the members voting for or against the same in the Benician, a newspaper of general circulation printed and published in said County of Solano.

ARTICLE X
It is expressly declared that the effective date of the provisions of this said Ordinance shall be February 1, 1957.

ATTEST:
LEWIS MORRILL
Clerk of said Board

I, LEWIS MORRILL, County Clerk of Solano County, and ex-officio Clerk of the Board of Supervisors of said County, do hereby certify that the above and foregoing Ordinance was regularly introduced, passed and adopted by said Board at a regular meeting thereof held December 3rd, 1956, by the following vote:

AYES: Supervisors Church, Kilby, Lopes, Mowers and Goheen.
NOES: Supervisors None.
ABSENT: Supervisors None.

WITNESS my hand and the Seal of said Board this 3rd day of December, 1956.

LEWIS MORRILL (SEAL)
Clerk