

ORDINANCE NO. 2010-4

AMENDING SECTIONS 7.32.100, "REMOVAL FROM RESIDENTIAL PROPERTY," 7.32.110, "REMOVAL FROM NON-RESIDENTIAL PROPERTY," AND 7.32.160, "COLLECTION RATES" OF CHAPTER 7.32, "GARBAGE," OF THE SAN MATEO MUNICIPAL CODE

WHEREAS, the City's Municipal Code currently states that the City Council sets waste collection charges; and

WHEREAS, in fact, the City's practice is to set the maximum charges for solid waste collection; and

WHEREAS, the actual charges are set by the City's solid waste collection franchise; and

WHEREAS, the City's Municipal Code currently provides that owners of property with vacant structures on the property must contract for solid waste collection services; and

WHEREAS, the City wishes to amend the Municipal Code to provide that only owners of properties generating waste are required to contract for solid waste collection services; and

WHEREAS, the Municipal Code should be amended to clarify the City's practice with regard to solid waste collection charges.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, ORDAINS AS FOLLOWS:

**Section 1.** Section 7.32.100, "Removal From Residential Property", of the San Mateo Municipal Code is amended to read:

**7.32.100 REMOVAL FROM RESIDENTIAL PROPERTY.** The owner of residential property that is generating waste shall be responsible for the collection and removal of all solid waste and house solid waste from that property and shall be required to contract with the company(s) authorized by City for collection and removal. The City council shall establish a minimum service level.

**Section 2.** Subsection (a) of Section 7.32.110, Removal from Non-Residential Property," subsection (a), of the San Mateo Municipal Code is amended to read:

(a) The owner of non-residential property that is generating waste shall be responsible for the collection and removal of all solid waste and house solid waste from that property and shall be required to contract with the company(s) authorized by City for collection and removal. The

City Council shall establish a minimum service level provided that the health officer may require greater service if deemed appropriate or necessary for health or safety reasons.

**Section 3.** Section 7.32.160, "Collection Rates," of the San Mateo Municipal Code is amended to read:

**7.32.160 COLLECTION RATES.** Maximum rates for services to be charged by solid waste collectors for the collection of solid waste shall be fixed from time to time by resolution of the city council.

**Section 4. CEQA.** In accordance with CEQA Guidelines Section 15061(c)(3), this Ordinance is not a project in that there is no possibility that it will have a significant effect upon the environment.

**Section 5. PUBLICATION.** This Ordinance shall be published in summary in the Examiner Peninsula Edition, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the Charter and shall be effective 30 days after the date of adoption.

I hereby certify this to be a correct copy of Ordinance 2010-4 of the City of San Mateo, California, introduced on January 4, 2010 and adopted on January 19, 2010, by the following vote of the Council:

AYES: Council Members LIM, MATTHEWS, GROTTTE, ROSS and LEE

NOES: NONE

ABSENT: NONE

(SEAL) /s/ NORMA GOMEZ, City Clerk