

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 17 OF THE SANTA BARBARA COUNTY CODE ENTITLED "SOLID WASTE SERVICES" TO MAKE IT UNLAWFUL TO CAUSE OR ALLOW TO BE CAUSED THE PLACEMENT OF INDOOR FURNITURE OUTSIDE OR BEYOND THE EXTERIOR WALLS OF ANY RESIDENTIAL OR COMMERCIAL STRUCTURES IN MANDATORY SERVICE AREAS AND TO MAKE OTHER MINOR AMENDMENTS TO CHAPTER 17

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA ORDAINS AS FOLLOWS:

SECTION 1.

"Sec. 17-1. Definitions."

The definition of "Solid waste" in Section 17-1 is hereby amended by **adding the following paragraph**:

"In mandatory service areas, "solid waste" shall also include all indoor furniture and mattresses that are temporarily or permanently placed outside or beyond the exterior walls of any residential or commercial structures unless such furniture or mattress is placed in a lawful storage bin. For purposes of this section, "indoor furniture" means any upholstered couch, sofa, chair, footrest, ottoman or similar furniture and "mattress" means any bed, mattress, foam pad or box spring that is comprised in whole or in part of cloth, leather or synthetic coverings, springs, cushions or padding."

The definitions of "Commercial bin" and "Container" in Section 17-1 are hereby amended by **adding the words "or recyclables"** so that the definitions, as amended, read as follows:

""Commercial bin" means a bin provided by a collector, usually two cubic yards or greater capacity, for the deposit of solid waste or recyclables for collection at commercial or multifamily residential premises.

"Container" means any bin, vessel, can, or receptacle approved by the solid waste and utilities Division to be used for collecting solid wastes or recyclables for removal, whether owned by the collector, property owner or tenant.""

SECTION 2.

"Sec. 17-10. Unlawful acts."

Section 17-10(b) is hereby amended to read as follows:

"(b) Remove or scavenge any solid waste or recyclables from any container or commercial bin."

Section 17-10(j) is hereby added:

“(j) Remove any container or commercial bin from the location in which it was placed for storage or collection of solid waste or recyclables, without the prior approval of the owner or person in control of the private property or the authorized collector.”

SECTION 3.

"Sec. 17-18. Ownership of recyclables placed for collection."

The title and text of Section 17-18 are hereby amended to read as follows:

"Sec. 17-18. Ownership of recyclables."

“Nothing in this section 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 before they are deposited in a container or a designated recycling collection location for collection by an authorized recycling contractor. Once recyclables are deposited in a container or commercial bin or a designated recycling collection location, the recyclables become the property of the authorized recycling contractor.”

SECTION 4.

"Sec. 17-34. Liability for fees."

The first sentence of Section 17-34(a) is hereby amended by **adding the words, "Except as provided in Section 17-7,"** so that the first sentence, as amended, reads as follows:

"(a) Except as provided in Section 17-7, every person or responsible party receiving services of an authorized collector for solid waste handling services shall be liable for all fees and charges for such collection."

SECTION 5.

"Sec. 17-44. Nonexclusive permit for unscheduled solid waste handling services."

The last sentence of Section 17-44(i) is hereby amended by **deleting the reference to subsection (e)(3) and adding subsection (e)(2)** so that the last sentence, as amended, reads as follows:

"In the event the director does not renew the permit, the collector shall have the right to a hearing pursuant to subsection (e)(2) of this section."

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2006, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

Clerk of the Board

By: _____

Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK

COUNTY COUNSEL

APPROVED AS TO FORM:

ROBERT W. GEIS

AUDITOR-CONTROLLER

By: _____

Deputy Counsel

By: _____

Deputy