

SIERRA COUNTY
Department of Transportation
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SOLID WASTE TASK FORCE
AGENDA

Committee Membership

Paul Roen
Board of Supervisors' Representative
Joy Markum
Mayor of the City of Loyalton
Tim Beals
Member of the Public at Large

Terry LeBlanc
Board of Supervisors' Representative
Bryan Davey
Director of Transportation
Richard Ross
Private Refuse Hauler Operating in County

The Sierra County Solid Waste Task Force will meet at 10:00 a.m. on September 10, 2025 at the Sierraville School, 305 South Lincoln, Sierraville, CA. This meeting will be open to in-person attendance and available to the public via teleconference. The public may observe and provide public comments by using the Teams options below:

By Phone: 1-323-892-2486
Access Code: 863 191 031#
Meeting ID: 218 811 287 441
Passcode: 4SXbzJ

By PC: <https://tinyurl.com/SW-Task-Force>

In compliance with Section 202 of the Americans with Disabilities Act of 1990, and in compliance with the Ralph M. Brown Act, anyone requiring reasonable accommodation to participate in the meeting, including auxiliary aids or services, should contact the Public Works office at (530) 289-3201 at least 72 hours in advance of the meeting.

Matters under the jurisdiction of the Committee, and whether or not on the posted agenda, may be addressed by the general public during the Public Comment Opportunity time. No action may be taken, or substantive discussion pursued, on matters not on the posted agenda.

1. Call to Order, Roll Call and Introductions – 10:00 a.m.
2. Pledge of Allegiance
3. Public Comment Opportunity
4. Green Waste/Burn Piles
5. Status of Recycling Programs
6. Scrap Metal Disposal

7. Franchise Policy
8. Sierra Disposal Contract
9. Plumas County Disposal Agreement
10. Fee Administration
11. Solid Waste Ordinance Revisions
12. Adjournment

Chapter 8.04 SOLID WASTE SERVICES

Sections:

Article I. General Provisions

- 8.04.010 Definitions.
- 8.04.015 Findings and purpose.
- 8.04.020 Use by Sierra County residents and authorized personnel.
- 8.04.022 Days of operation of ~~landfill and~~ transfer stations.
- 8.04.025 Method and manner of providing solid waste handling services.
- 8.04.030 *Repealed.*
- 8.04.035 Collection permit required.
- 8.04.040 Collection services.
- 8.04.045 Containers – Weight limits – Placement.
- 8.04.050 Owner or responsible party to maintain premises free of litter and solid waste.
- 8.04.055 Unlawful acts.
- 8.04.060 Scavenging prohibited.
- 8.04.065 Disposal sites and authorized solid waste facilities.
- 8.04.070 Records.
- 8.04.075 Categories.
- 8.04.080 Household hazardous waste collection.
- 8.04.085 Right of person and responsible party to dispose of solid waste.
- 8.04.090 Ownership of solid waste placed for collection.
- 8.04.095 Ownership of recyclables placed for collection.
- 8.04.100 Compliance with regulations.
- 8.04.105 Bonds, indemnification and insurance.
- 8.04.110 Collector spills.
- 8.04.115 Authority of Solid Waste Administrator.
- 8.04.120 *Reserved.*

Article II.

Regular Solid Waste Handling Services

- 8.04.205** Licensing of regular residential and commercial solid waste collection.
- 8.04.210** Regular solid waste handling services.
- 8.04.215** Civil action by authorized recycling contractor.
- 8.04.220** Financial reports.
- 8.04.225** Authority to levy collection and transfer fees.
- 8.04.230** Authority to regulate collection rates.
- 8.04.235** Liability for fees.
- 8.04.240** Minimum standards for collection trucks.
- 8.04.245** Maintenance of collection trucks.
- 8.04.250** Identification of collection trucks.
- 8.04.260** Noise during compaction process.
- 8.04.265** Collector's equipment.
- 8.04.270** Containers – Leakproof – Transportation.
- 8.04.300** *Repealed.*
- 8.04.310** *Repealed.*
- 8.04.320** *Repealed.*
- 8.04.330** Financial reports.
- 8.04.340** *Repealed.*
- 8.04.350** *Repealed.*
- 8.04.360** *Repealed.*
- 8.04.370** *Repealed.*

Article III.

Fees for Use of County-Owned and/or County-Operated Solid Waste Facilities

- 8.04.410** Options and rates.
- 8.04.420** Board to adjust fees.
- 8.04.430** Receipt to be given – Fee schedule to be posted.
- 8.04.440** Site monitor to collect fee – Protest and appeal.
- 8.04.450** Late charges.

Article IV.

Liquid, Toxic, and Hazardous Wastes

- 8.04.510** Liquid, toxic and hazardous waste disposal.

**Article V.
Enforcement and Penalties**

- 8.04.610 Authorization.**
- 8.04.615 Litter control officer.**
- 8.04.620 Citations for nuisances.**
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- 8.04.635 Referral for legal action.**
- 8.04.640 Civil remedies and penalties.**
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- 8.04.650 Separate and distinct violations.**
- 8.04.655 Remedies cumulative.**
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**Article VI.
Health and Safety Prohibitions**

- 8.04.710 Shooting prohibited.**
- 8.04.720 Dumping prohibited.**
- 8.04.730 Solid decaying matter prohibited.**
- 8.04.740 Prohibited dumping.**

Prior legislation: Ords. [162](#), [231](#), [277](#), [345](#), [347](#), [351](#), [454](#), [794](#).

Article I. General Provisions

8.04.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings set forth in this section, and words and phrases not ascribed a meaning herein shall be interpreted consistent with the definitions set forth in [California Public Resources Code](#), commencing with Cal. Pub. Res. Code § [40100](#), the [California Health and Safety Code](#), commencing with Cal.

Health & Safety Code § [25110](#), and California Code of Regulations Title [14](#), commencing with § [17225](#), as these sections may be amended from time to time:

“Act” means the California Integrated Waste Management Act of 1989, and all regulations adopted under that legislation, as they may be amended from time to time.

“Agricultural solid waste” means waste resulting from the production and processing of farm or agricultural products, including but not limited to manures, bedding straw, pruning’s and crop residues.

“Authorized recycling contractor” means a collector authorized by license, permit or contract by the county to collect and transport recyclables in the unincorporated area of the county.

“Authorized solid waste facility” means any site, facility, location, or premises permitted by law to be used for the processing and/or disposal of solid waste, including but not limited to a solid waste transfer or processing station, a landfill, a composting facility, a transformation facility, or a disposal facility.

“Board” means the Sierra County Board of Supervisors.

“Citizens Solid Waste Committee” means that committee established and appointed by the Board to make findings and recommendations to the Board on solid waste handling issues within the county.

“Collection” or “collect” means the act of collecting solid waste for transportation to an authorized solid waste facility by any person, firm or entity who is not the generator of the solid waste and may include the separate collection of recyclables and/or compostables.

“Collector” means the county, another local agency, a person, persons or other entity authorized by the county by license, contract, or permit to provide solid waste handling services within the unincorporated area of the county.

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

“Commercial premises” means all premises in the county other than residential premises, including but not limited to premises owned and operated by governmental entities and not-for-profit corporations, where solid waste is generated or accumulated.

“Compostables” means solid waste which is subject to being converted to compost, and which is source separated from the solid waste stream or separated at a centralized facility, and includes vegetable, yard, paper, and wood wastes which are not hazardous waste.

“Container” means any bin, vessel, can, or receptacle approved by the Solid Waste and Utilities Division to be used for collecting solid wastes for removal, whether owned by the collector, property owner or tenant.

“County” means the unincorporated area of Sierra County.

“Department” means the Department of Public Works of Sierra County.

“Designated recycling collection location” means the place where the Board of Supervisors has designated an authorized recycling contractor to pick up recyclables and will customarily be the curbside of residential premises and the service alley of commercial premises.

“Director” means the Director of the Department of Public Works or any person in the department authorized by the Director or the Board to act in his or her capacity.

~~“Disposal site” means the place, location, tract of land, transfer station, area, or premises in use, intended to be used, or which has been used for the landfill of solid wastes. “Disposal site” includes solid waste landfill, as defined in Cal. Pub. Res. Code § 40195.1.~~

Commented [SS1]: Landfill is closed.

“Environmental Health Officer” means the Health Officer of Sierra County.

“Farm” or “ranch” means property that is devoted primarily to commercial agricultural purposes, including but not limited to the feeding and raising of livestock or poultry.

“Green waste” means tree trimmings, grass cuttings, dead plants, leaves, branches, dead trees, and bedding straw.

“Gross revenues” shall have the meaning as defined in the license or contract between the county and a collector, or as otherwise determined by the Board.

~~“Landfill” means the county solid waste facility located one mile east of the city of Loyalton on Garbage Pit Road, Sierra County, California.~~

Commented [SS2]: Landfill is closed.

“License” means the right and privilege pursuant to a duly executed written agreement, license or permit to collect and transport to a permitted transfer station, landfill or other authorized recycling, mulching or composting facility, as determined by the county, all solid waste kept,

generated and/or accumulated within the county, or a designated portion thereof, and may include the separate collection of recyclables, mulching and/or compostables.

“Licensee” means a person who possesses a right granted by the county to collect, haul, and/or transport solid waste in the county, and includes any continuing rights which are recognized by the Board or by a court as preexisting the adoption of this chapter and which cannot be wholly extinguished by the adoption of this chapter.

“Litter” means solid waste which is dumped, thrown, deposited or left on or about any street, highway, alley, road, right-of-way, park or other public place, or any lake, stream, watercourse, or other body of water, or private property.

“Person” means every **natural** person residing in Sierra County and any firm, partnership, association or corporation with an established place of business within Sierra County.

Commented [SS3]: This seems offensive.

“Place” or “premises” means every dwelling house, dwelling unit, apartment house or multiple dwelling unit, trailer or mobile home park, store, restaurant, rooming house, hotel, motel, office building, department store, manufacturing, processing, or assembling shop or plant, and every other place or premises where any person resides, or any business is carried on or conducted within the county or any other site within the county upon which solid waste is produced or accumulates.

“Putrescible solid waste” means waste that is capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisances because of odors, gases or other offensive conditions, and includes but is not limited to materials such as food wastes, offal and dead animals.

“Recyclables” means solid waste, which is subject to recycling as determined by the Solid Waste and Utilities Division.

“Regular solid waste handling services” means those services for the prearranged and scheduled collection of solid waste provided by a collector who has an exclusive license or contract with the county and may include the collection and transportation of recyclables.

“Residential” means single-family residences and multifamily residences, including apartments and condominiums, but does not include hotels or motels.

“Responsible party” means every owner, tenant, lessee, occupant or other person responsible for the day-to-day operation or otherwise in charge of any residential, commercial or other premises in Sierra County, including the proprietor or manager of any commercial premises.

“Roll-off container” means a container which is designed to be loaded and unloaded from a truck, supported on casters, used to collect and transport solid waste from residential or commercial premises, and approved by the Solid Waste and Utilities Division.

“Single-family residential” means single-family residences and any other residences that do not require commercial bin services.

“Site monitor” means a county employee or an employee of a private contractor designated by the Solid Waste Administrator to determine and collect fees at a county-owned and/or county-operated solid waste facility.

~~“Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, papers, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, manure, vegetable or animal solid or semisolid wastes, and other discarded solid and semisolid wastes. As used herein, solid waste does not include medical waste, hazardous waste, low-level radioactive waste or sewer sludge, whether combustible or noncombustible, or any other toxic or hazardous substance which federal and/or state law prohibit from disposal in landfills such as that operated by Sierra County. Depending upon the context in which it is used, solid waste may include~~

~~recyclables.~~ 40191. (a) Except as provided in subdivision (b), “solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes.

~~(b) “Solid waste” does not include any of the following wastes:~~

~~(1) Hazardous waste, as defined in Section 40141.~~

~~(2) Radioactive waste regulated pursuant to the Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code).~~

Commented [SS4]: Per Craig Morgan, edited to be consistent with California’s definition of solid waste under CA Pub Res Code § 40191.

40191. (a) Except as provided in subdivision (b), “solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. (b) “Solid waste” does not include any of the following wastes:

(1) Hazardous waste, as defined in Section 40141.

(2) Radioactive waste regulated pursuant to the Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code).

(3) Medical waste regulated pursuant to the Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a solid waste landfill, as defined in Section 40195.1.

Medical waste that has been treated and deemed to be solid waste shall be regulated pursuant to this division. (Amended by Stats. 1996, Ch. 1041, Sec. 9. Effective January 1, 1997.)

(3) Medical waste regulated pursuant to the Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a solid waste landfill, as defined in Section 40195.1. Medical waste that has been treated and deemed to be solid waste shall be regulated pursuant to this division.

(Amended by Stats. 1996, Ch. 1041, Sec. 9. Effective January 1, 1997.)

“Solid Waste Administrator” is the Director of Public Works.

“Solid waste enterprise” means any individual, partnership, joint venture, unincorporated private organization, or private corporation regularly engaged in the business of providing solid waste handling services.

“Solid waste enterprise fund” means the county fund maintained by the Auditor on a segregated basis from all other county revenues and appropriations for the sole purpose of reflecting the revenue and expenses and operating Sierra County solid waste system.

“Solid waste fee administrator” means Sierra County public official designated with the authority to administer the Solid Waste Benefit Assessment Fee system and other solid waste fees as provided by this chapter.

“Solid waste handling service” means the collection, transportation, storage, transfer, or processing of solid wastes.

“Source separated” means the separation, at the place of generation, production, or disposal, of solid wastes for separate collection, processing, recycling, reuse, recovery or disposal into those categories as established by the Act or the Board of Supervisors, including but not limited to the categories of glass, plastic, aluminum, paper, liquid waste, hazardous waste, white goods, tires, putrescibles, wood waste, and agricultural waste.

“Transfer ~~site~~-station” means any one or all of the facilities owned or leased by the county for the collection of solid wastes, which are subsequently transported to ~~the~~ a landfill or processing facility.

“Truck” means any truck, trailer, semi-trailer, conveyance, or vehicle approved by the County Solid Waste and Utilities Division used to collect, hold, or transport solid waste, including

recyclables and/or compostables upon and along the streets, roads, and highways of the county.

“Unscheduled solid waste handling services” means those services that are not regular solid waste handling services and which are provided by a collector who ~~has been granted a permit by the county~~ the county has granted a permit.

“Wood waste” means solid waste consisting of wood pieces or particles which are generated from the manufacturing or production of wood products, harvesting, processing or storage of raw wood materials, or construction and demolition activities.

“Zone” means a geographic territory established by the county pursuant to the provisions of this chapter for the collection, disposal, regulation, and control of solid waste. (Ord. 1048, eff. 10/19/13; Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.015 Findings and purpose.

Solid waste handling services, including the collection, transportation, storage, transfer, and processing of solid wastes, recyclables and compostables are so closely intertwined with the protection of the health, safety and welfare of the residents of Sierra County that the Board of Supervisors finds that such solid waste handling services provided by private solid waste enterprises require government regulation and monitoring. The Board further finds it is in the public interest to foster and encourage solid waste enterprises so that, at all times, there will continue to be competent enterprises willing and financially able to furnish needed solid waste handling services. The purpose of this chapter is to ~~insure~~ ensure that solid waste handling services are continuously provided to the public in a safe, adequate, reliable and efficient manner. (Ord. 844, eff. 10/1/96)

8.04.020 Use by Sierra County residents and authorized personnel.

The facilities of the solid waste program, including the transfer stations ~~and sanitary landfill site~~

Commented [SS5]: Landfill is closed.

authorized personnel subject to the provisions of this chapter and the posted regulations of the Public Works Department not inconsistent herewith. (Ord. 1048, eff. 10/19/13; Ord. 844, eff. 10/1/96)

8.04.022 Days of operation of ~~landfill and~~ transfer stations.

The Board of Supervisors shall establish and may from time to time amend the hours and days of public access to the county ~~landfill and~~ transfer stations by adoption of a resolution of the Board. ~~Until changed by the Board by adoption of a resolution, the landfill and transfer stations shall be open on _____.~~ Notwithstanding the foregoing, the ~~landfill and~~ transfer stations shall be closed on all county holidays and Easter Sunday. (Ord. 1048, eff. 10/19/13)

Commented [SS6]: Unnecessary to have in the Ordinance. Fees change.

8.04.025 Method and manner of providing solid waste handling services.

A. The Board reserves the right to establish the method and manner and all other aspects by which solid waste handling services are provided within the unincorporated areas of the county, including but not limited to the hours, days and frequency of collection, means of collection and transportation, level of services, charges and fees, and nature, location, and extent of providing solid waste handling services.

B. It is the intention of the county to assure the provision of solid waste handling services within the unincorporated area of the county in accordance with this chapter, and with such rules, regulations and specifications for solid waste handling services as may be adopted by the Board, the provisions of any resolution of the Board of Supervisors, any condition and term of any collection contract, permit or license granted by the county to a collector pursuant to this chapter, and all other applicable laws.

C. A license to collect, transport and/or dispose of solid waste shall be granted on such terms and conditions as the Board shall establish in its sole discretion. In issuing any license, the county reserves the right to designate where the solid waste shall be taken for disposal and this right shall be deemed to be a condition to all licenses for solid waste services within the county, whether or not expressly set forth therein.

D. The collector authorized by any license may be required to assist the county in performing designated tasks in connection with solid waste generation studies, waste stream audits, preparation of state mandated documents and to implement measures and record keeping to achieve the county's integrated solid waste management goals as mandated by the Act. Such assistance shall be deemed to be required as a provision of the granting of any license whether or not expressly stated in any such document.

E. All collectors shall keep records of the solid waste collected by them in Sierra County showing the amount of solid waste collected (in terms of the weight and/or volume in cubic yards) for each business and each parcel of real property serviced by the Collector, in a manner that readily identifies the amount of solid waste collected from each business and property within the county. Records shall be kept on a calendar year basis and shall be retained by each hauler for a minimum of three years. All records or summary information therefrom, as may be requested by the county, shall be provided to the county solid waste fee administrator, or such other person or office as the county may from time to time direct, on or before March 1st of each year. (Ord. 939, eff. 3/20/03; Ord. 880, eff. 3/4/99)

8.04.030 Rights and duties of licensees.

Repealed by Ord. 939.

8.04.035 Collection permit required.

A. ~~Effective April 1, 2003, no~~ person, firm, company, corporation or entity or agency shall collect, haul or transport solid waste which has been generated by any other person or business or taken from the property or business of any other person, nor shall they provide solid waste handling services within the unincorporated areas of the county without possession of a valid solid waste license issued by the county.

Commented [SS7]: Unnecessary to have an effective date at this time.

~~B. The April 1, 2003, deadline shall be extended to June 30, 2003, as to any company which has filed an application with the county, pursuant to the provisions of SCC 8.04.205(B).~~

~~C.B.~~ A solid waste collection license shall not be required for any person or business engaged in the following activities, which persons or ~~business-businesses~~ shall be registered and approved by the county:

1. Transports large appliances (including but not limited to refrigerators, freezers, washing machines, dryers and ~~similar-sized~~ similar-sized appliances) not otherwise the property of the business, to the county ~~landfill~~ transfer site, as part of its contracted service when selling new or used appliances. Any such transportation and the disposal of large appliances at the county ~~landfill~~ transfer site shall otherwise comply with all requirements of law;
2. Is a licensed contractor working on a job on property within Sierra County for which a building permit has been issued and transports only construction debris from said property to be disposed of at the county ~~landfill~~ transfer site;
3. Is engaged in a business relating to landscaping or property maintenance and removes and transports from the property green waste to be disposed of at the county ~~landfill~~ transfer site.

~~D.C.~~ Any person or business engaging in the transportation and disposal of any of the items under subsection ~~(C)~~ (B) of this section shall keep records of all such activities and shall pay a special waste gate fee for the disposal of such items at the ~~landfill~~ transfer site, as may from time to time be established or modified by the Board of Supervisors. Any such person or business shall comply with the indemnification and insurance requirements contained in SCC ~~8.04.105(A)~~ and (B) and shall be deemed to be a licensed collector for purposes of that section. Prior to transporting any wastes as described under subsection ~~(C)~~ (B) of this section, any such business shall register with the county solid waste fee administrator, on a form to be provided by the county. Registration shall be accompanied by the payment of a fee as may from time to time be established by the adoption of a resolution of the Board of Supervisors. (Ord. 943, eff. 7/17/03; Ord. 939, eff. 3/20/03; Ord. 880, eff. 3/4/99)

8.04.040 Collection services.

A. Real property which is developed or otherwise used or occupied exclusively for a residence or residences for one but not more than four ~~(4)~~ family units or residences (including single-family residences, duplexes, triplexes or fourplexes, or combination thereof with guest houses or granny houses not to exceed four ~~(4)~~ units, all of which is collectively referred to in this chapter as "residential properties") and properties as to which an unpatented mining claim has an active plan of operation issued by the United States Forest Service shall not be required to subscribe to a solid waste collection service provided by a solid waste collector or company

licensed by the county. Such residential properties may, in conformance with the provisions of this chapter, source separate and deposit their household or business solid wastes directly in the transfer stations ~~or landfill~~. In the event that they desire to utilize a solid waste collection service, they may privately subscribe or contract with any county-licensed solid waste collector.

B. All real property, excepting residential properties as defined in subsection (A) of this section and properties as to which an unpatented mining claim has an active plan of operation issued by the United States Forest Service, which is developed and/or used in a manner that customarily generates, creates or disposes of solid waste (which other real property is referred to herein as “nonresidential properties”) shall subscribe to a solid waste collection service provided by a solid waste collector or company licensed by the county, if such service is available. All such real property shall use a solid waste collection service to dispose of the refuse from the property, except that the property owner or business or tenant thereon may self-haul material to the ~~County landfill or~~ transfer stations the following items of special wastes (as set out in SCC 8.05.040). No property owner or business or entity shall be prosecuted for failure to comply with the requirement for mandatory service, without the county first determining the availability of service from a licensed collector and the issuance of a written notice by the county to the property owner, business or entity regarding the availability of the service and the requirement for mandatory collection (subscription) to such service. Thirty days following any such notice, failure to subscribe to a licensed collection service shall constitute a violation of the provisions of this section.

A collector who is licensed to provide solid waste handling services shall be required to provide such service to all residents, businesses, entities and property owners within the authorized collection area, in a nondiscriminatory manner, and in conformity with the rates and charges as may from time to time be approved by the Board. (Ord. 1053, eff. 8/7/14; Ord. 958, eff. 6/16/04; Ord. 939, eff. 3/20/03; Ord. 880, eff. 3/4/99)

8.04.045 Containers – Weight limits – Placement.

A. It is the duty of every responsible party who contracts for solid waste collection service to keep solid waste collection containers in good condition and in a suitable place readily accessible to the collector for removing and emptying the same. Excepting placement at the curbside pickup site on scheduled collection day(s), such containers shall be maintained on the

responsible party's property out of public view and not placed within the limits of any street, public right-of-way or other public place in the county or in such a place or manner as to constitute a nuisance.

B. No container shall be placed adjacent to a street or public right-of-way for collection service more than 24 hours prior to the normal collection time, and shall be removed from said location within 12 hours after collection.

C. Unless otherwise authorized by this chapter or by the terms of a license issued by the county, in areas where the responsible party supplies the containers, no container shall exceed 32 gallons gross capacity or 60 pounds when filled. Liquid, toxic, or hazardous waste shall not be disposed of in any container. Liquid, toxic or hazardous waste shall only be disposed of in compliance with SCC [8.04.510](#).

D. Every responsible party shall deposit all solid waste generated on the premises in containers or commercial bins with covers that fit tightly to keep flies, ~~and other insects,~~ ~~and other animals (bear, coyote, racoon, etc.)~~ out and as otherwise approved by the Solid Waste Administrator and/or the collector.

E. All persons occupying multifamily residences must mark their containers so that the ownership thereof will be known.

F. The collector shall maintain in good repair and replace, as necessary, any containers and commercial bins furnished to customers.

G. Unless otherwise expressly authorized by this chapter or by the terms of a license or contract between the county and collector, no person shall place in a commercial bin any liquid, toxic or hazardous waste, or any object which weighs more than 150 pounds or which prevents the closing of its cover, or a load in excess of 500 pounds per cubic yard.

H. All commercial bins must display "NO LIQUID, TOXIC OR HAZARDOUS WASTE" in letters at least four inches high, or a comparable display approved by the Solid Waste Administrator, clearly visible to any user. The required warning hereunder must be maintained in a legible condition at all times.

I. Notwithstanding any language to the contrary in this chapter, the county reserves the right and authority to determine and impose appropriate terms and conditions upon collectors of regular residential and commercial solid waste in order to facilitate the implementation of solid

waste collection services throughout all or portions of the unincorporated area of the county. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

Cross reference: See also SCC [8.04.270](#), Containers – Leakproof –Transportation.

8.04.050 Owner or responsible party to maintain premises free of litter and solid waste.

The owner and any other responsible party in control of any commercial or residential premises shall at all times maintain the premises free of litter and solid waste; provided, however, that this section shall not prohibit the storage of litter and solid waste in authorized containers or commercial bins. (Ord. 844, eff. 10/1/96)

8.04.055 Unlawful acts.

It shall be unlawful for any person to:

- A. Place solid waste in, or otherwise use the containers of another person, without the permission of such other person.
- B. Remove any solid waste from any container, or move the container from the location in which it was placed for storage or collection, without prior approval of the responsible party. This subsection shall not apply to the generator of the solid waste or the authorized collector.
- C. Place or keep any solid waste on any premises except in containers as provided in this chapter; nor shall any person deposit any solid waste in any county sewer or plumbing fixture or pipe connected thereto, except through a mechanical device which shreds and grinds putrescible solid waste, the operation of which is incidental to the occupancy of any residence or business.
- D. Except as permitted by this chapter, residential or commercial solid waste shall not be placed in any receptacle or container located in any public place owned or maintained by the county or by any other public agency without the express written consent of the public agency.
- E. Throw or deposit litter on any open or vacant property, or private property within the county except that the owner or person in control of private property may maintain containers, commercial bins or roll-off boxes as provided in this chapter.

- F. Place, or allow to be placed, any animal carcass in a container.
- G. Bury any solid waste on any property within Sierra County. This subsection shall not apply to the operation of any duly licensed or permitted landfill.
- H. Collect, transport and/or dispose of solid waste within Sierra County for commercial purposes or for any remuneration without first securing a license for such activity from Sierra County.
- I. Notwithstanding the foregoing, this section is not intended to authorize the disposal of solid waste generated on one property at or through the waste collected or disposed of from any other property. It is the intent of this chapter (8.04) and of Chapter 8.05 SCC that all properties within Sierra County on which solid waste is generated or collected from, pay for the use of or right to use of the county solid waste system for waste generated from or reasonably expected to be generated from such properties. (Ord. 1048, eff. 10/19/13; Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.060 Scavenging prohibited.

- A. No person shall prowl through, search, sort, sift or examine any solid waste deposited at a county-owned and/or county-operated solid waste facility or remove from such solid waste facility any solid waste deposited therein without specific written authorization from the Solid Waste Administrator.
- B. A collector authorized to engage in regular solid waste handling services pursuant to this chapter shall be required to transport, process and dispose of the solid waste pursuant to the requirements of this chapter and any other applicable laws and the terms and conditions of the license. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.065 ~~Disposal sites-Transfer Stations~~ and authorized solid waste facilities.

- A. The county may, but shall not be required to, provide ~~disposal site transfer station~~(s) for the disposal of solid waste. The Board may, by resolution or ordinance, establish regulations

governing the use of any ~~disposal site transfer station~~ and the schedule of fees to be paid by persons using the ~~disposal site transfer station~~.

B. The operation of an authorized solid waste facility shall be governed by the provisions of the Act, the corresponding regulations adopted in California Code of Regulations Title 14, the provisions of this chapter, and all other applicable provisions of law.

C. Nothing in this section shall be construed to preempt, limit or affect in any way the authority of the Board to regulate solid waste facilities consistent with all other applicable provisions of law.

D. The hours of operation of the county's solid waste facilities shall be as established by the Board of Supervisors. ~~Upon the adoption of the ordinance codified in this chapter, the hours shall be as set forth below; provided, however, that the~~ The Board may change the hours of operation for any of the facilities through the adoption of a resolution.

~~E. *Public Access Hours for Solid Waste Disposal.* County solid waste transfer stations, located in Alleghany, Ramshorn, Sattley and Sierra City, shall be open to receive solid wastes 18 hours per week on Saturday, Sunday and Monday, 10:00 a.m. to 4:00 p.m.~~

~~The landfill site, located on Garbage Pit Road, Loyalton, shall be open to receive solid wastes 24 hours per week on Friday, Saturday, Sunday and Monday, 10:00 a.m. to 4:00 p.m. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)~~

8.04.070 Records.

All collectors shall keep and maintain such operating records as is prudent in keeping with good business practices. In addition all collectors shall keep and maintain such records as the Solid Waste Administrator may require or as required by a Board-issued permit, license or contract to ascertain the extent of compliance with this chapter and shall, if requested by the Solid Waste Administrator, submit periodic reports of such operation. All such records shall be available to the county during the term of the license and for four years following the termination of any such license for review, copying and audit, by county employees or by its independent agents, during normal business hours. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.075 Categories.

The Board may determine and establish solid waste handling categories, including but not limited to residential, single-family residential, multifamily residential, commercial, county government, industrial, special, or household hazardous waste, and may make or impose collection requirements and fees which vary among such categories. (Ord. 844, eff. 10/1/96)

8.04.080 Household hazardous waste collection.

The Board may award, with or without competitive bidding, one or more separate exclusive or nonexclusive contracts or licenses for household hazardous waste collection from residential properties. The contract or license shall be granted on such terms and conditions, including fees and method of collection, as the Board shall establish in its sole discretion. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.085 Right of person and responsible party to dispose of solid waste.

- A. Every person and responsible party shall have the right to dispose of ~~his or her~~ their own solid waste only at an authorized solid waste facility.
- B. Material that is suitable for recycling or composting as determined by the county may be disposed of at approved recycling or composting facilities. Solid waste shall not be deposited, left, dumped, dropped, placed or otherwise disposed of upon any street, alley, waterway, roadside, canyon or other unauthorized location within the county. No person or responsible party shall dispose of the solid waste from their property or business in any public bins provided for the convenience of the general public, including without limitation refuse bins placed on public streets, public rights-of-way, public parks, public campgrounds or other public facilities and at the Bassetts public convenience area (at the intersection of Gold Lake Road and State Highway 49). In transporting solid waste any such person shall take any and all necessary and reasonable steps to guarantee that solid waste is not scattered or spilled at any point between the place of collection and the place of disposal, including but not limited to securely

tying and covering the load, and shall cause the cleanup of any solid waste spilled or scattered during collection or transport. (Ord. 1048, eff. 10/19/13; Ord. 844, eff. 10/1/96)

8.04.090 Ownership of solid waste placed for collection.

Upon placement of appropriate solid waste in a transfer ~~station site, landfill~~, container or commercial bin for regular solid waste handling services, the solid waste shall become the property of the county, which ownership may be assigned in whole or in part by the county to a third party pursuant to duly authorized written agreement. (Ord. 844, eff. 10/1/96)

8.04.095 Ownership of recyclables placed for collection.

Upon placement of recyclables by a responsible party at a designated recycling collection location for collection by an authorized recycling contractor, the recyclables shall become the property of the county, which ownership may be assigned by the county to a collector or other third party pursuant to a duly authorized written agreement. 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. (Ord. 844, eff. 10/1/96)

8.04.100 Compliance with regulations.

Any collector authorized by this chapter to provide solid waste handling services shall collect, haul and dispose of all such solid waste and household hazardous waste in strict compliance with all federal, state, and county health laws, ordinances, rules and regulations, and under the supervision and to the satisfaction of the Solid Waste Administrator and the Board. (Ord. 844, eff. 10/1/96)

8.04.105 Bonds, indemnification and insurance.

A. Each collector providing solid waste handling services shall appear and defend, indemnify and save the county, its officers, employees and agents harmless of and from all claims, demands, actions, or causes of action of every kind and description resulting directly or indirectly, arising out of, or in any way connected with activities of the collector or its employees, agents and subcontractors, or arising or resulting from the failure of collector or its employees, agents and subcontractors to comply in all respects with the provisions and requirements of this chapter, and all applicable laws. If the county is required to provide its own defense against any such action or suit, the collector shall reimburse the county for all attorneys' fees and other costs incurred by the county. The county shall have the right to select its own counsel for such defense.

B. Each collector providing solid waste handling services shall obtain and keep in force during the term of the license, contract, or permit single limit or equivalent public liability insurance for bodily injury or death and property damage arising or resulting from the operations of the collector, its employees, agents and subcontractors in conducting services covered by such license, permit or contract in an amount not less than \$1,000,000 and workers' compensation insurance covering all employees of the holder. Copies of such policies, or certificates evidencing such policies, shall be approved by the County Counsel and filed with the County Risk Manager, and the county shall be named thereon as an additional insured. All policies shall contain provisions requiring a 60-day notice to be given to the county prior to cancellation, modification or reduction of limits or failure to renew such insurance, whether by the insurer or the insured, and whether by nonpayment of insurance, false certification or otherwise. No license shall be granted under the provisions of this chapter, nor shall any such license be valid after issuance, unless there is at all times in full force and effect such described liability insurance.

C. Each collector providing solid waste handling services shall obtain and keep in force during the term of the license, contract, or permit, environmental liability insurance covering damages for the pollution, contamination, remediation and any injury or death and property damage arising or resulting from the operations of the collector and any acts or omissions by the collector, its employees, agents and subcontractors, in an amount not less than \$1,000,000 and workers' compensation insurance covering all employees of the holder. Any such policy of insurance shall not have a deductible in excess of \$1,000. Copies of such policies, or certificates

evidencing such policies, shall be approved by the County Counsel and filed with the County Risk Manager, and the county shall be named thereon as an additional insured. All policies shall contain provisions requiring a 60-day notice to be given to the county prior to cancellation, modification or reduction of limits or failure to renew such insurance, whether by the insurer or the insured, and whether by nonpayment of insurance, false certification or otherwise. No license shall be granted under the provisions of this chapter, nor shall any such license be valid after issuance, unless there is at all times in full force and effect such described liability insurance. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.110 Collector spills.

A collector transporting solid waste for appropriate disposal shall take all necessary and reasonable steps to ensure that solid waste is not scattered or spilled at any point between the place of collection and the place of disposal, and shall clean up any solid waste scattered or spilled during collection or transport. The collector shall immediately report any spills or scattered material to the County Director of Environmental Health so that appropriate reporting obligations under state law may be satisfied. (Ord. 844, eff. 10/1/96)

8.04.115 Authority of Solid Waste Administrator.

The Solid Waste Administrator is authorized to make all necessary and reasonable rules and regulations, subject to the approval of the Board of Supervisors, regarding all aspects of solid waste handling services as necessary for the effective and reasonable administration and enforcement of this chapter and all applicable laws. (Ord. 844, eff. 10/1/96)

8.04.120 Reserved.

Article II. Regular Solid Waste Handling Services

8.04.205 Licensing of regular residential and commercial solid waste collection.

A. The Board hereby finds and declares that it is necessary for the protection of the public health, safety, and welfare to make available through private sector providers residential and commercial solid waste handling services, which may include the collection and transportation of recyclables, by means of exclusive or nonexclusive license, within the unincorporated area of the county. The Board further finds it necessary and appropriate to limit the number of collectors authorized to provide residential and commercial solid waste collection service within the unincorporated area of Sierra County.

B. Except as provided for in SCC [8.04.035\(C\)](#), all solid waste handling services shall be provided by a collector under a license issued by the county which shall be subject to the terms and conditions contained therein and the other requirements set out in this chapter. Solid waste handling services may include the collection and transportation of recyclables.

C. Applicants for a license to provide solid waste handling services shall file with the solid waste fee administrator and pay such application fees as may from time to time be established by the Board by resolution a verified application in writing on a form furnished by the solid waste fee administrator which shall give the following information:

1. Full name of applicant;
2. Permanent home and business address of the applicant;
3. Trade and firm name;
4. If a joint venture, partnership or limited partnership, the names of all joint venturers or general partners, their percentage of participation and permanent addresses. If a corporation, the names and permanent business addresses of all of the directors and officers, and if a corporation with out-of-the-county headquarters, the name and permanent address of the local manager;
5. Facts showing applicant has arranged for the disposal of all solid waste collected or transported at an authorized solid waste facility of the applicant's choosing where the same may be legally accepted and disposed;
6. The location of the authorized solid waste facility;
7. Facts showing that the applicant is qualified to render efficient unscheduled solid waste handling services;

8. A list of all collection equipment and such other facts showing that the applicant owns or has under ~~his or her~~ **their** control, in good mechanical condition, sufficient equipment to adequately conduct unscheduled solid waste handling services;
9. Other facts or information as the solid waste fee administrator may require.

D. Upon receipt of a complete application the solid waste fee administrator shall schedule a public hearing before the Board of Supervisors at which time the Board shall entertain public input on the question of the issuance of a license to the applicant. Notice of the hearing shall be by publication in the newspaper within 15 days of the date of the hearing and by mail to the applicant. From the information presented, the Board shall, in its sole discretion, decide if it is in the public interest to issue a license for solid waste collection services in the county or for any portion of the county. Any license issued by the Board shall be valid for a period of no more than three years. The issuance of a license by the Board shall not constitute the granting of any contractual right, property interest or vested right to engage in solid waste collection in Sierra County and any license shall be subject to review and revocation by the Board based on the Board's determination that it is no longer in the public interest to license the collector to provide solid waste collection services. In issuing any license the Board reserves the absolute right to enact new and/or modify any existing ordinance or other provisions pertaining to solid waste services and collection; and the cost of compliance by any collector shall not be a county charge or legal responsibility.

The Board may charge fees for the issuance of a solid waste collection license as the Board may deem appropriate to offset the cost to the county in the issuance of the license and the administration and operation of the solid waste system.

E. A collector issued a license to provide collection and transportation of recyclables may also be designated as an authorized recycling contractor.

1. In the event the Board does not include the collection and transportation of recyclables in any license, the Board may, by resolution, determine whether such recycling services shall be provided, and whether the services are to be provided by means of exclusive, semi-exclusive or nonexclusive license either with or without competitive bidding.
2. Nothing in this section is intended to revoke, modify, amend, or affect any right or duty of any person who has a valid license issued by the Board, to collect and transport recyclables in the county.

F. No person, other than an authorized recycling contractor, shall remove recyclables, which have been placed at a designated recycling collection location. Any and each such collection in violation hereof shall constitute a separate and distinct offense punishable in accordance with this chapter.

1. Nothing in this chapter 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.

2. Nothing in this chapter shall limit the right of a business or other commercial enterprise which maintains its own recycling operation to transport recyclables generated by such business or commercial enterprise to the location of such recycling operation, or to sell its recyclables to a third party who may then transport same from the business.

G. A collector providing solid waste handling services shall comply with the requirements of SCC [8.04.105](#) at all times during the term of the license or contract.

H. All fees received by the county pursuant to this section shall be deposited to the solid waste enterprise fund or to such other fund as the Board may designate.

I. Notwithstanding any language to the contrary in this section, the Board may authorize another collector or any other solid waste enterprise to provide emergency solid waste handling services for a period not to exceed 180 days when the Director determines there is a danger to the public health, safety, or welfare. (Ord. 939, eff. 3/20/03; Ord. 880, eff. 3/4/99)

8.04.210 Regular solid waste handling services.

For a reasonable and appropriate fee, collectors shall, if requested, provide to all residents and business within their authorized service areas regular solid waste handling services as follows:

A. Solid waste shall be collected from regular residential and commercial premises not less frequently than once a week.

B. Solid waste shall be collected from commercial premises which involve food preparation not less frequently than once a week.

C. Subject to the limitations of subsections (A) and (B) of this section, the Board shall have sole authority to determine the frequency of collection of solid waste created, produced, or brought upon commercial, residential, or multifamily residential premises, and the size and number of bins required.

D. Except as provided under subsection (E) of this section, residential collection shall be made only between the hours of 6:00 a.m. and 6:00 p.m. of any day, Monday through Saturday, except that collection at commercial premises may begin at 5:00 a.m. on any day. An earlier or later collection time may be authorized only upon prior written approval of the Solid Waste Administrator which shall include requirements for the collector to notify the affected customers prior to implementing the change.

E. In order to prevent problems of traffic, noise, wear and tear on the highway, or other problems having the potential to adversely affect health, safety, or the environment which may develop in any specific area as a result of solid waste collection, the Board or its designee may regulate the routes, intervals, delivery points, and times for collection by collectors operating within the unincorporated area of the county. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.215 Civil action by authorized recycling contractor.

Nothing in this chapter shall be deemed to limit the right of an authorized recycling contractor to bring a civil action against any person who violates SCC [8.04.225](#), nor shall a conviction for such violation exempt any person from a civil action brought by an authorized recycling contractor. (Ord. 844, eff. 10/1/96)

8.04.220 Financial reports.

The county may require, and upon request by the county, a collector shall provide such financial records and reports to the county as pertain to the collector's business and operation in Sierra County, which records and reports shall include information concerning the total costs and profitability of the solid waste operations when the collector uses all or a portion of its equipment, administrative facilities and/or overhead for operation in Sierra County and any other jurisdiction. The County Auditor shall have the right to conduct an audit of collector's

books and records pertaining to collector's Sierra County solid waste operations upon a 10-day prior written notice to collector. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.225 Authority to levy collection and transfer fees.

A. Pursuant to the provisions of the Act and applicable provisions of state law, including but not limited to Cal. Gov't. Code § 25830 et seq., the county may levy fees upon collectors, persons, responsible parties, and real property within the county that benefit from the solid waste disposal system in the county, for solid waste handling services, including but not limited to solid waste collection and transfer, and the collection and transfer of recyclables and/or compostables. Such fees may include charges for the costs of preparing, adopting and implementing source reduction and recycling elements and integrated waste management plans and for providing solid waste disposal sites for the collection and disposal of solid waste and recyclables. The county may determine to collect all or part of such charges on the tax roll, or by such other means as the Board may elect.

Commented [SS8]: Per Craig Morgan, Broader definition allows for charging fees for all solid waste operations (including collection, transfer, and disposal) and not just providing transfer stations.

B. Notwithstanding any other provision to the contrary, the Board may waive any applicable fees for authorized recycling contractors and collectors of compostables.

C. The county may charge a fee as established by the Board of Supervisors for the receipt of solid waste at the transfer stations, ~~and/or the landfill~~ which is not "source separated."

D. The county may charge a fee for solid waste with origin into the solid waste stream from outside the county, which fee may include a component or components for infrastructure costs which are otherwise borne by county real property owners and holders of possessory interest through solid waste benefit assessments not paid by out-of-county residents.

E. All fees received pursuant to this section shall be deposited to the solid waste enterprise fund. (Ord. 844, eff. 10/1/96)

8.04.230 Authority to regulate collection rates.

A. In issuing licenses for solid waste handling services, the county expressly reserves the right to approve and to limit the rates for collection and disposal, which may include establishment of categories, such as single-family, residential, multifamily residential and various commercial

rate categories. The county's rate regulation authority may be exercised at the time of the issuance of a license and/or at any time thereafter that the Board determines that, due to the lack of appropriate competition, rate regulation is necessary for the protection of the residents and businesses within the county.

B. In the event that the Solid Waste Administrator believes that there is a reasonable basis to believe that the rates should be regulated, the Administrator shall report same to the Board and upon the Board's election, the Board shall notify the collector of the time and date at which time the Board shall conduct a hearing to consider whether the collector's rates should be regulated. Any proceedings under this subsection shall not occur any more frequently than once a year.

1. In establishing rates or in considering rate increases or decreases, the Board must find that the rates will be just, fair, reasonable and sufficient to provide proper service to the public. The Board may consider the rates charged by other persons performing the same or similar services in similar areas, and may, where justified, allow for disparity of costs of providing services in the locality served. No collector may charge rates for any service in excess of those specifically approved by the Board. A collector is free to charge rates less than what are authorized by the Board; provided, that such charges are applied uniformly within the service area.

2. Factors to be considered shall include the investment in facilities; the services of management; local wage scales; the concentration of customers in the zone serviced; methods of storage, collection, transportation and disposal; the length of haul to disposal facilities; the cost of disposal; a reasonable return to the owner of the business; the future service demands of the area or site which must be anticipated in equipment, facilities, personnel or lands; extra charges for special collections or collections on days when service is not normally provided on a route; extra charges where the type or character of solid waste requires special handling or service; and other pertinent factors as the Board may deem necessary to protect the public health, interest, and welfare. In determining the reasonableness of the rate of return of the collector the Board is expressly authorized to and shall consider the nature of solid waste collection and whether the collector is operating with or without competition and whether there is a monopoly or quasi-monopoly for the collector.

3. The Solid Waste Administrator or the solid waste fee administrator may make or may be required by the Board to make an investigation of any proposed rate increases or decreases. Upon completion of this investigation, the solid waste fee administrator shall make recommendations to the Board regarding the proposed rate.

4. After considering the recommendation of the Solid Waste Administrator, the Board may establish uniform rates throughout the county or may establish uniform rates within areas based on the length of haul or other factors which may, in the opinion of the Board, justify establishment of rate differentials.

C. No collector subject to rate regulation hereunder shall give any rate preference to any person, locality or type of solid waste stored, collected, transported or deposited; nor shall any collector deny any person service for any reason other than for failure to pay for the service, or for the continued failure of the person to comply with the provisions of this chapter regarding the use of appropriate containers.

D. Nothing in this section is intended to prevent the reasonable establishment of uniform classes of rates based upon length of haul, type of solid waste stored, collected, transported or deposited, or the number, type and location of customers served, or upon other factors as long as such rates are reasonably based upon costs of the particular service and are approved by the Board.

E. If the county acts so as to regulate solid waste collection rates, the affected licensee shall thereafter be entitled to request an amendment to the rates, not more frequently than once per year. Any request by a collector for an amendment to the solid waste rates shall be submitted by the collector, if at all, on or before July 1st of each year. Notwithstanding anything to the contrary, the maximum amount that the rates may be raised in any single year may not exceed 10 percent.

F. Rates to be charged for unscheduled service shall be arranged with the customer and shall not be subject to regulation by the county. Notwithstanding the foregoing, the county reserves the right to regulate rates if Board finds that the rates are, using the criteria set out above regarding rates for regular service, excessive. The Board shall notify any collector of its intent to consider regulation of unscheduled rates and shall conduct a public hearing thereon prior to regulating unscheduled service rates.

G. Neither the county nor any of its officers or employees shall be liable for or in any way responsible for the payments of any service rates or charges due the collector for performing services for any person or entity other than the county. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.235 Liability for fees.

A. 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. If such collection fees and charges (and any applicable interest or penalties) are not paid as required, the responsible party and the owner of the premises each shall be jointly and severally liable for their payment.

B. All charges or fees for service by an authorized collector shall be uniform for the same services as fixed and approved by the Board of Supervisors, except as otherwise provided in this chapter. Any person or responsible party contending that he or she has been required to pay an unauthorized charge for any service may file a written complaint with the solid waste fee administrator, setting forth the facts of such alleged unauthorized charge. The solid waste fee administrator shall then notify the collector of such complaint and shall investigate the matter of the complaint and conduct a hearing, if necessary, to determine whether the allegations of the complaint are true. The decision of the solid waste fee administrator may be appealed pursuant to Sierra County solid waste fee administration appeals system. (Ord. 844, eff. 10/1/96)

8.04.240 Minimum standards for collection trucks.

Any trucks used for the collection or transportation of solid waste shall be leakproof and equipped with a close-fitting cover or other mechanism which shall be affixed in a manner that will prevent spilling, dropping, or blowing of any solid waste upon the public right-of-way during collection or transportation. Any such trucks shall comply with the regulations as set forth in the California [Vehicle Code](#) and this chapter. Where applicable, the county may require such trucks to accommodate source separated solid wastes. (Ord. 844, eff. 10/1/96)

8.04.245 Maintenance of collection trucks.

All trucks used for collection or transportation of solid waste shall be maintained in a clean and sanitary condition, neatly and uniformly painted, shall carry a shovel, broom, and fire extinguisher, and shall be washed, cleaned, and disinfected both on the inside and outside at least weekly, or more frequently, if necessary to protect public health. The outside of all such trucks shall be kept free from solid waste at all times. (Ord. 844, eff. 10/1/96)

8.04.250 Identification of collection trucks.

Each collector shall ensure that each truck used for collection or transportation of solid waste shall have the collector's or owner's name, telephone number, and truck number printed on each side of all trucks in letters and numbers not less than three inches high. (Ord. 844, eff. 10/1/96)

8.04.260 Noise during compaction process.

The noise level for the collection trucks during the stationary compaction process shall not exceed 75 decibels at a distance of 25 feet from the collection truck and at an elevation of five feet from the horizontal base place of such trucks. (Ord. 844, eff. 10/1/96)

8.04.265 Collector's equipment.

Each collector shall provide sufficient collection equipment in accordance with the terms of the franchise or contract with the county authorizing such collector to provide solid waste handling services. Failure to provide sufficient collection equipment shall provide an express basis for the revocation or termination of any permit, license franchise or contract for solid waste handling services. (Ord. 844, eff. 10/1/96)

8.04.270 Containers – Leakproof – Transportation.

A. All containers provided by solid waste collectors shall be leakproof and transported in a manner that will prevent spilling, dropping, or blowing of any solid waste upon the public right-of-way during collection or transportation and otherwise comply with the provisions of SCC [8.04.045](#). All containers shall be marked pursuant to the safety standards as established by ANSI (American National Standards Institute) for containers that are placed in public access areas as such standards may be amended time to time.

B. All containers used for the provision of unscheduled solid waste handling services shall be maintained in a clean and sanitary condition, neatly and uniformly painted and cleaned as frequently as necessary to protect public health. The outside of all such containers shall be kept free from solid waste at all times.

C. All containers shall have the collector's or owner's name, telephone number, and bin number printed on each side of the container in letters and numbers not less than three inches high. (Ord. 939, eff. 3/20/03; Ord. 844, eff. 10/1/96)

Cross reference: See also SCC [8.04.045](#), Containers – Weight limits – Placement.

8.04.300 Unscheduled solid waste handling services.

Repealed by Ord. 939.

8.04.310 Nonexclusive permit for unscheduled solid waste handling services.

Repealed by Ord. 939.

8.04.320 Unscheduled solid waste handling services.

Repealed by Ord. 939.

8.04.330 Financial reports.

In the event that the county determines that it is necessary to regulate the rates that are charged by any collector, in accordance with the authority of SCC [8.04.230](#), then the accounting of a collector shall be conducted as an independent entity, and the assets, liabilities, revenues, expenses and net worth shall not be combined, consolidated or in any way incorporated with those of any other operation. A collector may be required to provide the County Auditor an annual notarized statement of the collector's manager, or other responsible officer of the collector, showing in detail the gross revenues arising from operations pursuant to the license for the previous year. Nothing in this section shall be construed to require a collector to establish a separate legal business entity in order to comply with the accounting requirements of this section. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

8.04.340 Operation without a license.

Repealed by Ord. 939.

8.04.350 Minimum standards for containers.

Repealed by Ord. 939.

8.04.360 Maintenance of containers.

Repealed by Ord. 939.

8.04.370 Identification of containers.

Repealed by Ord. 939.

Article III. Fees for Use of County-Owned and/or County-Operated Solid Waste Facilities

8.04.410 Options and rates.

The county retains the option in all cases (except as otherwise provided herein) to charge a fee for use of county-owned and/or county-operated solid waste facilities on either a yardage or tonnage basis, or both, as shall be prescribed from time to time in writing by the solid waste fee administrator so as to recover the cost to the county in disposing of the material or items. Car bodies, stumps, large trees, lumber, concrete and any other type of material which by its inherent nature creates unusual disposal problems and non source separated solid waste shall be charged by the yardage or tonnage rates as the Solid Waste Administrator shall designate. (Ord. 844, eff. 10/1/96)

Commented [SS9]: Per Craig Morgan, Stumps and concrete are charged as special waste too. Not sure why they are deleted.

Commented [SS10R9]: Resolution 2022-100 states stumps and concrete are NOT accepted at any County Transfer Station.

8.04.420 Board to adjust fees.

Notwithstanding any other provision in county ordinances to the contrary, the Board of Supervisors may by resolution change, adjust or otherwise alter the prices and fees and alter any regulations listed in this chapter as the Board may deem necessary. (Ord. 844, eff. 10/1/96)

8.04.430 Receipt to be given – Fee schedule to be posted.

All persons when using county-owned and/or county-operated solid waste facilities shall pay a fee as established in this chapter. Upon payment of fees, the person paying same shall be furnished a receipt therefor. Fee rates shall be conspicuously posted at all such solid waste facilities. (Ord. 844, eff. 10/1/96)

8.04.440 Site monitor to collect fee – Protest and appeal.

It shall be the duty of the Site Monitor on duty to designate the fee to be charged in accordance with this chapter.

A. Should a person allege the fee charged is not the correct posted fee, such person may pay the fee under protest. The Site Monitor shall designate the location where the solid waste should be unloaded and shall then attempt to contact the solid waste fee administrator or ~~his or her~~their authorized representative. The solid waste fee administrator or ~~his or her~~their designee shall appraise the load and fee charged, and this decision on the fee shall be final except by appeal, as provided in subsection (B) of this section.

B. Any person who is dissatisfied with the decision or ruling of the solid waste fee administrator under this section may appeal the decision pursuant to Sierra County uniform appeals procedure. (Ord. 844, eff. 10/1/96)

8.04.450 Late charges.

Any person or collector who has established a charge account with the county for payment of fees required of this section shall be assessed a finance charge on all delinquent accounts of one and one-half percent per month or 18 percent per year. An account shall be delinquent if not paid in full within 30 days from its designated due date. (Ord. 844, eff. 10/1/96)

Article IV. Liquid, Toxic, and Hazardous Wastes

8.04.510 Liquid, toxic and hazardous waste disposal.

Liquid, toxic or hazardous wastes shall only be disposed of by a duly county-licensed waste disposal service. Any person disposing of any such waste in violation of any provision of this chapter shall be liable to the county and/or to any other person or entity for the cost incurred in the disposal and/or clean up resulting from the illegal disposal of the waste. (Ord. 844, eff. 10/1/96)

Article V. Enforcement and Penalties

8.04.610 Authorization.

The Solid Waste Administrator is hereby authorized to investigate all reported or apparent violations of any of the provisions of this chapter. If a violation is determined to exist, the Solid Waste Administrator is hereby authorized to enforce and secure compliance with the provisions of this chapter. The Solid Waste Administrator may request, and shall receive, the assistance and cooperation of other officials of the county to assist in the discharge of these duties. (Ord. 844, eff. 10/1/96)

8.04.615 Litter control officer.

Pursuant to Cal. Penal Code § [830.12](#), there is hereby created the position of litter control officer, which position shall be filled as specified below in this section, by one or more individuals as the Board of Supervisors may from time to time appoint by resolution.

A. *Authority.* The authority of duly appointed litter control officers shall be as specified in Penal Code § [830.12](#) to issue citations involving violations of this chapter and laws pertaining to littering and abandoned vehicles.

B. *Eligibility for Appointment.* To be eligible for appointment to the position of litter control officer, an individual shall be:

1. Approved by the Sierra County Sheriff and the Director of Public Works at the latter's sole discretion respectively;
2. Have satisfactorily completed an approximately 24-hour course of study as specified by the Sierra County Sheriff drawn in whole or in part from the law enforcement curriculum provided in Penal Code §[832](#).

C. *Appointment.* Applicants for the position of litter control officer who meet the eligibility requirements set forth in subsection (B) of this section shall become litter control officers upon appointment by the Board of Supervisors and shall serve in that capacity at the will and pleasure of the Board of Supervisors.

D. *Implementation.* The further implementation of the Litter Control Program shall be as set forth by administrative regulation of the Sierra County Department of Public Works, the Sierra County Sheriff and/or resolution of the Board of Supervisors. (Ord. 844, eff. 10/1/96)

8.04.620 Citations for nuisances.

A Litter Control Officer shall have the authority to issue citations to persons violating the provisions of this chapter. The citation shall state a time and date and place at which the person shall appear in court in order to answer the charges stated in the citation. (Ord. 844, eff. 10/1/96)

8.04.625 Failure to sign citation.

Notwithstanding the provisions of Cal. Penal Code § [853.5](#), the Litter Control Officer shall not attempt to take anyone into custody for refusing to sign a citation. In such cases, the Litter Control Officer shall seek the issuance of an arrest warrant from the appropriate court for any such person. Upon the issuance of an arrest warrant, the Litter Control Officer shall present the warrant to the Sheriff, who shall serve same and shall take the violator into custody. (Ord. 844, eff. 10/1/96)

8.04.630 Liability.

The Solid Waste Administrator, Litter Control Officer or any other person acting under authorization of the Solid Waste Administrator, if acting in good faith and within the course and scope of his or her employment, shall not thereby be liable personally, and shall be relieved from all personal liability for any damage that may accrue to persons or property as the result of or by reason of any act or omission occurring in the good faith discharge of such duties. Any suit brought against the Solid Waste Administrator and/or Litter Control Officer or ~~his or her~~ [their](#) agents or employees because of such act or omission performed in good faith in the enforcement of any provision of this chapter shall be defended by Sierra County. (Ord. 844, eff. 10/1/96)

8.04.635 Referral for legal action.

If unable to otherwise enforce the terms of this chapter, the Solid Waste Administrator shall refer the matter to the District Attorney and/or the County Counsel of Sierra County for appropriate legal action.

A. Any activity which is in violation of the provisions of this chapter, and any use of any lands, building or premises conducted, operated or maintained in violation of the provisions of this chapter, shall be and the same is hereby declared to be unlawful and a public nuisance.

B. Whenever, in the judgment of the Solid Waste Administrator, any person, firm or corporation is engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of any provision of this chapter, and at the request of the Solid Waste Administrator, the District Attorney or County Counsel of the county may make application to the Superior Court for an order enjoining such act or practice, or for an order directing compliance, and upon a showing by the department that such person, firm or corporation has engaged in or is about to engage in any such act or practice, a permanent or temporary injunction, restraining order or other order may be granted. (Ord. 844, eff. 10/1/96)

8.04.640 Civil remedies and penalties.

A. Any person, whether acting as principal, agent, employee, or otherwise who willfully and/or persistently violates any provision of this chapter shall be liable for civil penalties not to exceed \$5,000 for each day the violation continues to exist.

B. Any person, whether as principal, agent, employee, or otherwise, who willfully and/or persistently violates any provision of this chapter shall further be liable to Sierra County, to any other public entity and/or to any third party who is directly damaged as the result of any violation, for the cost incurred and the damages suffered as a result of such violations.

C. In determining the amount of the civil penalties to impose, the court shall consider all relevant circumstances, including but not limited to revenue or other monetary expenses or losses suffered by the county, the extent of the harm caused by the conduct constituting a violation, the nature and persistence of such conduct, the length of time over which the conduct occurred, the assets, liabilities, and the net worth of the violator, whether corporate or individual, and any corrective action taken by the defendant.

D. Any person who disposes of any toxic or hazardous material or any solid waste that is inappropriate for disposal of in the county's [landfill transfer stations](#) or through the county's solid waste disposal system shall be liable to the county and/or to any other party or entity who issues any injury or expense, including but not limited to the cost of cleanup. (Ord. 844, eff. 10/1/96)

8.04.645 Criminal actions and penalties.

A. Except where other penalties are provided for by law for the illegal disposal of hazardous and/or toxic materials, any person, firm or corporation, whether as principal, agent, employee or otherwise, who violates any provision of this chapter, shall be guilty of an infraction and upon conviction thereof shall be punished by (1) a fine not exceeding \$100.00 for a first violation; (2) a fine not exceeding \$200.00 for a second violation of the same provision within one year; and (3) a fine not exceeding \$500.00 for each additional violation of the same provision within one year.

B. Any such infraction may, at the discretion of the District Attorney, be filed as a misdemeanor if the defendant has been convicted of two or more violations of any of the provisions of this chapter within the 12-month period immediately preceding the commission of the offense, or has been convicted of three or more violations of any of the provisions of this chapter within the 24-month period immediately preceding the commission of the offense. Upon conviction of a misdemeanor, the punishment shall be a fine of not less than \$500.00, nor more than \$1,000, or imprisonment in the county jail for a period not to exceed 60 days, or by both such fine and imprisonment, except that where such prior convictions are alleged in the accusatory pleading, and either admitted by the defendant in open court, or found to be true by the jury trying the issue of guilt, or by the court where guilt is established by pleas of guilty, or nolo contendere, or by trial by the court sitting without a jury, the punishment shall be a fine of no less than \$1,000, nor more than \$25,000, or by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment. (Ord. 844, eff. 10/1/96)

8.04.650 Separate and distinct violations.

It shall be deemed a separate and distinct offense for each and every day during which any violation of the provisions of this chapter is committed, continued or permitted by any person, firm or corporation. (Ord. 844, eff. 10/1/96)

8.04.655 Remedies cumulative.

The remedies provided for herein shall be cumulative to each other and to the remedies or penalties available under all other laws of this state. (Ord. 844, eff. 10/1/96)

8.04.660 Recovery of costs and fees.

A. This section establishes procedures for the recovery of administrative costs, including staff and attorney time, expended to enforce the provisions of this chapter by any of the procedures set forth in this chapter. The intent of this section is to recoup administrative costs reasonably related to enforcement.

B. The Solid Waste Administrator and all **litter control officers** shall maintain records of all administrative costs incurred associated with the processing of violations and enforcement of this chapter and shall recover such costs from the property owner as provided herein. Staff time, including attorney time, shall be calculated at an hourly rate as established and revised from time to time by the Board of Supervisors by resolution.

C. Upon investigation and a determination that a violation of any of the provisions of this chapter is found to exist, the Solid Waste Administrator or any person authorized by the Solid Waste Administrator shall notify by mail the record owner or responsible party having possession or control of the subject property, as the case may be, of the existence of the violation, the Solid Waste Administrator's intent to charge the property owner for all administrative costs associated with enforcement, and of the owner's right to a hearing on objections thereto. The notice shall be in substantially the following form:

NOTICE

The Solid Waste Administrator has determined that conditions exist at the property located at:

Which violate Section(s) of the County Code.

Description of Violation(s):

Notice is hereby given that at the conclusion of the case, you will receive a "Summary of Administrative Costs" associated with processing of this violation at an hourly rate as established and adjusted from time to time by the Board of Supervisors.

The hourly rate presently in effect is \$___ per hour for staff time and \$___ per hour for attorney time.

You will have the right to object to these charges by filing a request for hearing with the Solid Waste Administrator within 10 days after service of the summary of charges.

Dated: _____
Solid Waste Administrator

By:

D. At the conclusion of the case, the Solid Waste Administrator shall send a Summary of Costs associated with enforcement to the owner and/or person having possession or control of the subject property, by certified mail. Said summary shall include a notice in substantially the following form:

NOTICE

If you object to these charges, you must file a Request for Hearing on the enclosed form within 10 days of the date of this Notice. If you fail to timely request a hearing, your right to object will be waived and you will be liable to the county for these charges, to be recovered in a civil action in the name of the County in any court of competent jurisdiction within the County.

Dated: _____
Solid Waste Administrator

By:

E. In the event that no request for hearing is timely filed, or after a hearing the Solid Waste Administrator affirms the validity of the costs, the property owner or person in control and possession shall be liable to the county in the amount stated in the summary or any lesser amount as determined by the Solid Waste Administrator. These costs shall be recoverable in a civil action in the name of the county and thereafter shall become a lien against your real and personal property.

F. Any property owner or other person having possession and control thereof, who receives a summary of costs under this section shall have the right to a hearing before the Solid Waste Administrator on his objections to the proposed costs in accordance with the procedures set forth herein:

1. A request for hearing shall be filed with the Solid Waste Administrator within 10 days of the service by mail of the Solid Waste Administrator's summary of costs on a form provided by the Solid Waste Administrator.
2. Within 30 days of the filing of the request, and on 10 days' written notice to the owner, the Solid Waste Administrator shall hold a hearing on the owner's objections and determine the validity thereof.
3. In determining the validity of the costs, the Solid Waste Administrator shall consider whether total costs are reasonable in the circumstances of the case. Factors to be considered include but are not limited to the following: whether the present owner created the violation; whether there is a present ability to correct the violation; whether the owner moved promptly to correct the violation; and the degree of cooperation provided by the owner.
4. The Solid Waste Administrator's decision shall be appealable pursuant to Sierra County solid waste appeals procedure.

G. Whenever the Board of Supervisors deems it appropriate to do so, the Board may appoint such other official or person to conduct the hearings provided for by this chapter in lieu of having the Solid Waste Administrator conduct same. (Ord. 844, eff. 10/1/96)

8.04.665 Suspension, revocation, amendment or termination of solid waste licenses.

In addition to any other remedy or power reserved to the county under the provisions of this chapter, the county may suspend, revoke, amend or terminate a solid waste license, permit, or contract for noncompliance with the provisions of this chapter, or any other action by the collector which adversely affects or could adversely affect the public health and welfare in accordance with the following procedures:

A. The County Health Officer and/or Solid Waste Administrator shall submit a report concerning any violations to the Board of Supervisors with a request for a hearing. Upon receipt of any such report the Board shall hold a public hearing on whether the license, permit, or contract should be revoked and/or the bond or bonds of the collector forfeited.

The public hearing shall be held after at least 30 days' written notice to the collector setting forth the charges of the Health Officer and/or the Solid Waste Administrator and setting forth the time and place of such public hearing and the reason for such public hearing. The Board, at such public hearing, after hearing and receiving all evidence and testimony relevant and material on each issue offered at such public hearing, shall determine whether the collector has violated subsections (A), (B) and/or (C) of this section and shall make appropriate findings supporting such a determination. The Board may require the collector to provide such records or other documentation that is deemed to be relevant and may require the collector and any employees or other persons to testify, and may, if deemed necessary, issue subpoena for such purposes. At the conclusion of the hearing the Board may terminate the permit, license, or contract and forfeit any bond or bonds provided thereunder. The decision of the Board in this matter shall be final, unless appealed to a court in accordance with the provisions of Cal. Civ. Proc. Code §§ [1094.5](#) et seq., within 30 days of the conclusion of the Board's decision.

B. In the event the collector shall at any time during the term of permit, license, or contract become insolvent or if proceedings in bankruptcy shall be instituted by or against the collector, or if the collector shall be adjudged bankrupt or insolvent by any court, or a receiver or trustee in bankruptcy or a receiver of any property of the collector shall be appointed in any suit or proceeding brought by or against the collector, or if the collector shall make an assignment for the benefit of creditors, then the Board shall hold a public hearing on whether the license, permit or contract and all rights and privileges of the collector thereunder should be revoked and/or the bond or bonds of the collector forfeited.

C. A collector shall not assign or transfer his or her interest in any permit, license, or contract to any other person without the express approval of the Board by a resolution duly adopted by the Board. Any effort to make an assignment without obtaining the prior approval of the Board shall terminate all the rights of the collector. For the purposes of determining an assignment under such permit, license, or contract, any changes in more than 50 percent of stock ownership in corporations, changes in general partnerships or general partners in limited partnerships or percentage of participation therein, or transfer of more than 50 percent interest in the operating company, whether voluntary or involuntary, shall constitute an assignment. In the event of an allegation of an attempt of any collector to assign any rights under such permit, license, or contract without the permission of the Board, the Board shall hold a public hearing on whether the permit, license, or contract and all rights and privileges of

the collector thereunder should be revoked and/or the bond or bonds of the collector forfeited. (Ord. 880, eff. 3/4/99; Ord. 844, eff. 10/1/96)

Article VI. Health and Safety Prohibitions

8.04.710 Shooting prohibited.

It is unlawful and punishable as a misdemeanor for any person to discharge any firearm from, on, in or into any transfer station ~~or the sanitary landfill site~~. (Ord. 844, eff. 10/1/96)

8.04.720 Dumping prohibited.

The dumping of any metal, refuse, household garbage, brush or other forms of solid waste shall be prohibited at the "Old First Divide Public Metals Dump" located in a portion of the West ½ of Section 24, Township 20 North, Range 11 East, M.D.B. and M. (Ord. 844, eff. 10/1/96)

Commented [SS11]: Per Craig Morgan, Might want to consider this a general statement that dumping of waste at any unauthorized location is prohibited.

8.04.730 Solid decaying matter prohibited.

It shall be unlawful for any person, firm, corporation or entity to dump, place, deposit, leave, dispose of, or otherwise cause to be placed or disposed of, any solid decaying matter of any kind upon or along any public highway, street, thoroughfare or right-of-way thereof, or upon any lane, alley, park, campsite, public ground or into any stream, lake, reservoir or other watercourse or the banks thereof. (Ord. 844, eff. 10/1/96)

8.04.740 Prohibited dumping.

A. It shall be unlawful for any person, firm, corporation or entity to deposit at any county solid waste transfer station the following materials:

1. Group 1 wastes or hazardous wastes as defined by state law;

2. Liquid wastes, including petroleum products, dewatered sewage or water treatment sludge, or septage;
3. ~~Automobiles, automobile bodies, automobile frames, engines or engine blocks;~~
4. Animal bodies or portions thereof except for dogs, cats or other small animals on an individual basis;
5. Hot ashes or burning material;
6. Wood waste from sawmill operations in quantities exceeding ~~four~~ three cubic yards;
7. ~~Construction or demolition debris, tree stumps or limbs;~~
8. Any material or substance determined to be inappropriate by the Site Monitor.

Commented [SS12]: Per Craig Morgan, These wastes are accepted as far as I understand.

Commented [SS13R12]: Construction/demolition at a fee.

~~B. It shall be unlawful for any person, firm, corporation or entity to deposit at any county solid waste landfill site any of the following:~~

- ~~1. Group 1 wastes or hazardous wastes as defined by state law;~~
- ~~2. Liquid wastes, including petroleum products, dewatered sewage or water treatment sludge or septage;~~
- ~~3. Animal bodies or portions thereof except for dogs, cats or other small animals on an individual basis;~~
- ~~4. Hot ashes or burning material;~~
- ~~5. Any material or substance determined to be inappropriate by the Site Monitor.~~

~~C.B.~~ All lawful solid waste accepted at the respective county solid waste transfer stations shall be deposited within the metal container bins provided within the fenced perimeter of each transfer station. It shall be unlawful for any person to deposit, leave, dispose, dump or otherwise place any solid waste or refuse of any kind whatsoever outside of the metal container bins located at ~~all County transfer stations, the Alleghany, Ramshorn, Sierra City and Sattley Transfer Stations.~~ (Ord. 844, eff. 10/1/96)

The Sierra County Code is current through Ordinance 1139, passed May 20, 2025.

Disclaimer: The clerk of the board's office has the official version of the Sierra County Code. Users should contact the clerk of the board's office for ordinances passed subsequent to the ordinance cited above.

[County Website: www.sierracounty.ca.gov](http://www.sierracounty.ca.gov)

[County Telephone: \(530\) 289-3295](tel:(530)289-3295)

[Hosted by General Code.](#)

Chapter 8.05

SOLID WASTE SYSTEM FEES AND CHARGES

Sections:

- 8.05.010** Solid waste system charges.
- 8.05.015** Charges for individuals using property within the county under entitlements.
- 8.05.016** Charges for property outside of the county using the solid waste system.
- 8.05.020** Exemptions.
- 8.05.025** Adjustments to solid waste fees.
- 8.05.030** Solid waste building permit fees.
- 8.05.040** Gate fees established.
- 8.05.050** Method of calculation of gate fees.
- 8.05.055** Waste excluded.
- 8.05.060** Identification of source.
- 8.05.070** Payment required.
- 8.05.080** Remedies.
- 8.05.090** Account billings.
- 8.05.100** License/franchise charges.
- 8.05.110** Incorporation of validation provisions – Statute of limitations.
- 8.05.120** Solid waste fees for prior years.

8.05.010 Solid waste system charges.

A. Pursuant to the provisions of Section [6](#) of Article [XIII D](#) of the California Constitution, Cal. Gov't. Code § [25830](#) and/or Cal. Health & Safety Code §§ [5470](#) et seq., the Board of Supervisors is authorized to establish a schedule of fees for solid waste services provided by the county to the residents, businesses, property owners and any others that may benefit from the use of the county solid waste disposal system or the immediate availability of such system for use by their properties. Revenue from the fees may be used only for the acquisition, operation, and maintenance of county waste disposal sites and disposal services. The Board is hereby authorized to establish such schedule of fees annually and may do so by enactment of either a resolution or an ordinance. It is the intent of this chapter to authorize the continued use of the

solid waste fees, and to authorize and direct that the actual schedule of fees for each year be established annually by the Board of Supervisors by the adoption of a resolution of the Board, based on the most recent waste generation information obtained by the county that fairly reflects the anticipated waste generation arising from each parcel, enterprise or activity.

B. Annually, on or before the first day of July of each calendar year, the Board of Supervisors may elect to continue or to adjust the fees for solid waste disposal based upon the refuse generation factors as established in a resolution to be adopted by the Board of Supervisors. Solid waste fees shall be imposed on the owners of property for the estimated use of the solid waste system by the property or the immediate availability of the solid waste system for use by the property. As used herein "immediate availability" or "immediately available" shall mean that the property is developed with a structure or otherwise used, the customary nature of which is that the use of the structure or the customary use of the property would normally generate solid waste or create a need to dispose of solid waste from the property and as to which the county solid waste system is available to the property owner for ~~his or her~~ their use. The election of a property owner not to use ~~his or her~~ their real property for any period of time does not negate the fact that the county solid waste system is available for the property owner's use. (Immediate availability shall be interpreted consistent with the court ruling in *Paland v. Brooktrails Township Community Services Dist. Bd. of Directors*, 176 Cal.App.4th 158.) In the event that the Board does not adjust the solid waste fees from the preceding year, the fees shall be deemed to remain at the level (amount) set forth in the preceding year.

C. In each fiscal year all real property, enterprises, entities or persons within the county that use the county solid waste system and all real property, which the county reasonably determines is developed or otherwise used in a manner, the nature of which development, structure or use would typically be expected to generate solid waste from the property and as to which the solid waste system is immediately available to the property to accept any waste or refuse generated therefrom, shall pay a solid waste fee based upon the volume of refuse generation from the property or estimated to or reasonably occur from the property based on the nature of the permitted use of the property, which generation factors shall be established in the most recently adopted resolution of the Board of Supervisors.

D. The fees may be billed and collected on a monthly or yearly basis. Alternatively, the fees may be billed and collected by the County Tax Collector as part of the regular county tax billing system at the same time and in the same manner as provided for real property taxes and shall incur the same penalties and interest thereon as provided for property taxes, and

delinquencies may be enforced and collected in the same manner as for property taxes. (Ord. 1048, eff. 10/19/13; Ord. 1022, eff. 7/15/10; Ord. 934, eff. 6/21/02; Ord. 918, eff. 6/30/01; Ord. 908, eff. 8/4/00)

8.05.015 Charges for individuals using property within the county under entitlements.

Individuals who hold entitlements (including but not limited to grazing permits) and who otherwise do not pay a solid waste fee for real property within Sierra County may, notwithstanding any provision in this code to the contrary, be allowed to use the county solid waste system (system) for disposal of their household refuse subject to compliance with the following provisions:

- A. Annually, persons or entities holding current permits or other entitlements for the use of property in Sierra County may make application to the county solid waste fee administrator, on a form to be provided by the Administrator, for a right to use Sierra County solid waste system during each fiscal year (July 1st to June 30th) or for any part thereof. The application shall list to the satisfaction of the Fee Administrator the specific property or properties that will generate the municipal solid waste (household refuse) that is to be disposed of through Sierra County system.
- B. Only municipal solid waste from dwelling units (including without limitation travel trailers) shall be allowed to be disposed of through the Sierra County solid waste system. Household hazardous waste, green waste, or refuse from agricultural, commercial or industrial operations on the property are expressly prohibited from being disposed of through the system.
- C. The property owners shall be assessed by the solid waste fee administrator and pay in advance for the fiscal year a solid waste fee based on the number of dwelling units on the property at the residential rate then in existence for properties within the county. The solid waste fee shall not be discounted or reduced based on use of the system for less than the full fiscal year.
 - 1. Upon approval of and payment of the fees by a property owner who is authorized to use the solid waste system under the provisions of this section, the solid waste fee administrator shall provide written notification to the Public Works Department, as the operators of the solid waste system, of the authorization for use and the Public Works staff

shall thereafter provide access to the [landfill transfer station](#) for such person(s) – but only for the disposal of customary residential waste – both in terms of the quantity and type of waste. (Ord. 1048, eff. 10/19/13)

8.05.016 Charges for property outside of the county using the solid waste system.

Notwithstanding any provision in this code to the contrary, the Board has determined that certain properties that may be within both Sierra and Plumas counties may be allowed to use the county solid waste system (system) for disposal of their household refuse subject to compliance with the following provisions:

- A. Annually, the owners of properties described above may make application to the county solid waste fee administrator, on a form to be provided by the Administrator, for a right to use Sierra County solid waste system during each fiscal year (July 1st to June 30th) or for any part thereof. The application shall list to the satisfaction of the Fee Administrator the specific property or properties that will generate the municipal solid waste (household refuse) that is to be disposed of through Sierra County system.
- B. Only municipal solid waste from residences shall be allowed to be disposed of through Sierra County solid waste system. Household hazardous waste, green waste, or refuse from agricultural, commercial or industrial operations on the property are expressly prohibited from being disposed of through the system.
- C. The property owners shall be assessed by the solid waste fee administrator and pay, in advance, for the fiscal year a solid waste fee based on the number of dwelling units on the property at the residential rate then in existence for properties within the county. The solid waste fee shall not be discounted or reduced based on use of the system for less than the full fiscal year.
- D. Upon approval of and payment of the fees by a property owner who is authorized to use the solid waste system under the provisions of this section, the solid waste fee administrator shall provide written notification to the Public Works Department, as the operators of the solid waste system, of the authorization for use, and the Public Works staff shall thereafter provide

access to the [landfill transfer station](#) for such person(s) – but only for the disposal of customary residential waste – both in terms of the quantity and type of waste.

E. Owners of property as described above may be allowed to dispose of refuse in addition to the customary residential waste from agricultural, commercial or industrial operations on the property, by contracting for hauling service of such waste from a solid waste haulers as otherwise authorized by this code. (Ord. 1048, eff. 10/19/13)

8.05.020 Exemptions.

Parcels within the following described tax rate areas or which are identified below are determined to be properties as to which no service is provided and no fee imposed and accordingly exempt from the solid waste system improved solid waste fees levied pursuant to SCC [8.05.010](#):

Refuse Generation Factor	In Residential Equivalent
Tax Rate Area 052-008, North and West of Canyon Creek	0
Tax Rate Area 052-015	0
Tax Rate Area 052-026	0
Tax Rate Area 052-035	0
Tax Rate Area 000-511	0
All real property located East of Township 21 North, Range 17 East, Sections 2, 11, 14, 23, 26, 35	0
Assessor's Parcel Number 023-070-011-0	0

(Ord. 1048, eff. 10/19/13; Ord. 1022, eff. 7/15/10; Ord. 958, eff. 6/16/04; Ord. 934, eff. 6/21/02; Ord. 918, eff. 6/30/01; Ord. 908, eff. 8/4/00)

8.05.025 Adjustments to solid waste fees.

A. Any solid waste fee shall be adjusted where, upon application filed by the property owner or upon discovery by the solid waste fee administrator, it is established that:

1. As to single-family residences, the property was erroneously classified (i.e., shown as some other type of use), or the solid waste system is not immediately available for use by the subject property.
2. As to mobile home parks and multifamily residential properties, the total number of units that are available for occupancy during the year (or any portion of the year) has been erroneously calculated.
3. As to all other uses or classes of property, the estimate, based on the information available as of April 1st of the preceding year, of the amount of refuse that is reasonably expected to be generated therefrom during the entire fiscal year (July 1st to June 30th), has been erroneously calculated.

B. The following procedures shall apply with regard to any request for adjustment:

1. Any property owner, business owner or other person or entity responsible for paying for the cost of solid waste disposal may seek an adjustment of solid waste fee as to ~~his or her~~ their property, enterprise or activity, on or before December 1st of the fiscal year in which the solid waste fee was imposed, by filing an application for adjustment (which shall constitute an appeal) with the solid waste fee administrator on the form to be provided by the county for that purpose. The application shall be executed under penalty of perjury but shall not require any filing fee, unless a filing fee is otherwise enacted by resolution of the Board of Supervisors. The application shall include information sufficient to identify the property, the type(s) and number of structures, the enterprise or activity and the nature of the use or uses occurring on the property. If the property contains multiple residential units, the applicant shall state the number of units that are or may be located on the property during the year. In addition, for all nonresidential properties for which an application for adjustment is filed, the application shall state the amount of refuse that the property (or business) owner or other person or entity responsible for the solid waste generation and/or disposal reasonably anticipated, based on the information available as of April 1st of the preceding year, to be generated during the ensuing fiscal year, together with a detailed explanation of the method and basis for calculating the projected refuse

generation for the property, enterprise or activity and shall include all supporting documentation.

2. Upon receipt of any such application, the solid waste fee administrator shall promptly review same to determine whether the appropriate solid waste fee was imposed in accordance with the provisions of this chapter and any implementing resolutions. The solid waste fee administrator shall be authorized to approve any adjustment upon a determination that the adjustment is in keeping with the provisions of this chapter.

3. The solid waste fee administrator shall also be directed to make adjustments to solid waste fees billed to any property owner, enterprise or person conducting an activity thereon, where it is determined that the owner, enterprise, person or entity has been undercharged for its actual or reasonably estimated use of the county solid waste system upon discovery of facts warranting an adjustment. Any correction of the solid waste fee to increase the solid waste fee shall be made on or before June 30th of the current fiscal year.

4. If the solid waste fee administrator adjusts the solid waste fee for any property, enterprise, or person or entity conducting an activity which generates solid waste, so as to lower or raise the solid waste fee, ~~he/she~~ they shall authorize a refund of the amount, which the solid waste fee administrator determines represents the overcharge. Any such refund shall be paid out by the Auditor only (a) upon certification by the solid waste fee administrator that ~~he/she has~~ they have verified that the full amount of the solid waste fee has previously been paid, or (b) if the solid waste fee has not been paid in full, then upon written request by the property owner or other responsible person, the Auditor shall issue a warrant representing the amount of the refund which shall be made payable to the Tax Collector and which shall be tendered by the Auditor to the Tax Collector only at the time the property owner or other responsible person tenders payment in full of the solid waste fees. Any such certification by the solid waste fee administrator shall identify the property (by Assessor's parcel number), or other location generating the solid waste, together with the property owner, enterprise or activity (and responsible person), the solid waste fee as imposed, the corrected amount and the amount to be refunded.

5. If the solid waste fee administrator adjusts the solid waste fee so as to raise the solid waste fee, a supplemental bill shall be issued by the solid waste fee administrator for any increase in the solid waste fee.

6. If an application for adjustment is denied by the solid waste fee administrator, the property or business owner or other person or entity responsible for payment of the solid waste fee may, within 60 days of the mailing of written notification of the solid waste fee administrator's decision, file an appeal with the Board of Supervisors for further review on the application for adjustment. The application for review by the Board of Supervisors shall be on a form to be provided by the County Clerk, as the Clerk of the Board of Supervisors. The appeal shall be accompanied by a written statement of facts fully and fairly describing the basis for the appeal (demonstrating the misapplication of the solid waste fee to the property) and by copies of all relevant documents in support of the appeal. There shall be no charge for the filing of the appeal. The Board of Supervisors shall hear all such appeals, or the Board may establish such other hearing body or officer as it deems appropriate to hear and decide appeals filed under the provisions of this section. All references herein to the Board of Supervisors as the appeal body shall be deemed to mean such other hearing body or officer as the Board may subsequently establish.

7. Upon receipt of an application for review by the Board of Supervisors, the Clerk of the Board shall endeavor to schedule an appeal hearing within 120 days from the receipt of the application. The Clerk shall provide the applicant mailed notice no later than 10 calendar days in advance of the hearing date. A copy of the notice shall be promptly transmitted to the solid waste fee administrator.

8. At the appeal hearing the applicant may be allowed no more than 30 minutes to present his or her evidence concerning the waste generation occurring on the subject real property or from the subject enterprise or activity. The solid waste fee administrator shall have a representative present to provide a statement of the reasons for the solid waste fee administrator's decision regarding the adjustment request. Based upon the information submitted with the appeal application and received at the hearing, the Board shall determine the reasonable estimate of the refuse generation therefrom in order to impose the appropriate solid waste fees in accordance with the provisions of this chapter and the latest adopted resolution imposing solid waste fees (solid waste fees) for the present fiscal year.

9. The Board shall announce its decision at the conclusion of the hearing or within 21 days thereafter. If the Board does not orally announce its decision at the conclusion of the hearing, upon its subsequent announcement it shall direct the County Clerk to promptly mail written notice of the Board's decision to the applicant. If the Board orally announces

its decision at the conclusion of the hearing, the Clerk will not be required to provide the applicant with written notification of the Board's decision.

If the Board adjusts the solid waste fee for any property, enterprise, or person or entity conducting an activity which generates solid waste, so as to lower or raise the solid waste fee, the Board shall authorize a change in the amount of the solid waste fee. If the Board adjusts the solid waste fee so as to lower the fee, the Board shall authorize a refund of the amount that the Board determines represents the overcharge. No refund shall be made until the solid waste fee is paid in full. Any such refund shall be paid out by the Auditor only upon certification by the solid waste fee administrator that the full amount of the solid waste fee has been paid. The certification shall also identify the property (by Assessor's parcel number) or the location generating the solid waste, together with the property owner, enterprise or activity (and responsible person), the solid waste fee as imposed, the correct amount of the fee and the amount to be refunded. Upon certification, the Auditor shall issue a warrant representing the amount of the refund.

If the Board adjusts the solid waste fee so as to raise the solid waste fee, a separate bill shall be issued by the solid waste fee administrator for any increase in the solid waste fee. (This shall be a separate bill and shall not be a supplemental property tax bill.)

10. Any suit to attack, set aside, void or annul any decision of the Board of Supervisors regarding the classification, use, size of buildings or actual refuse generation of property for the purpose of solid waste fees shall be filed in the Sierra County Superior Court within 30 days of the Board's oral pronouncement of its decision or, if no oral decision is rendered at the hearing, within 30 days of the date of the mailing of the notification of the Board's decision. Any such suit shall be brought pursuant to the provisions of Cal. Civ. Proc. Code § [1094.5](#). (Ord. 1022, eff. 7/15/10; Ord. 958, eff. 6/16/04; Ord. 937, eff. 12/15/02; Ord. 934, eff. 6/21/02)

8.05.030 Solid waste building permit fees.

A fee for solid waste disposal shall be assessed at the time of the issuance of a building and/or demolition permit for any construction in Sierra County. The solid waste fee shall be based on the type of construction permit that is being issued or by the type of activity contemplated through the issuance of the building or demolition permit. ~~Fees shall be based on the following table:~~

Commented [SS1]: Fees change.

Activities Subject to County Construction Permits	Loose Cubic Yards Generated	Cost at \$9.60* per Loose Cubic Yard
Construction of Residence:		
Up to 600 square feet	7.5	\$72.00
601 to 1,200 square feet	15.0	\$144.00
1,201 to 2,000 square feet	22.5	\$216.00
2,001+ square feet	30.0	\$288.00
Construction of Garage/Carport	3.0	\$28.80
Construction of Light Commercial:		
Up to 600 square feet	7.5	\$72.00
601 to 1,200 square feet	15.0	\$144.00
1,201 to 2,000 square feet	22.5	\$216.00
2,001+ square feet	30.0	\$288.00
Construction of Multi-Residential	30.0	\$288.00/unit
Construction of Industrial Complex	As per building plans	\$9.60/loose cubic yard
Miscellaneous Construction/Demolition	As per building plans	\$9.60/loose cubic yard
Construction of Building Addition	3.0	\$28.80
Construction of Woodstove/Furnace or Air	1.0	\$9.60

Activities Subject to County Construction Permits	Loose Cubic Yards Generated	Cost at \$9.60* per Loose Cubic Yard
Conditioning/Mechanical Unit		
Construction of Miscellaneous Plumbing or Electrical Improvements	1.0	\$9.60
Construction of Remodeling:		
Small Remodeling Project	1.0	\$9.60
All Other Remodeling Projects without Demolition	3.0	\$28.80

~~* This cost/fee shall adjust periodically to the fee per loose cubic yard set by the Board of Supervisors pursuant to SCC [8.04.420](#).~~

(Ord. 942, eff. 6/20/03; Ord. 879, eff. 3/5/99; Ord. 868, eff. 6/15/98)

8.05.040 Gate fees established.

Disposal fees (as a form of user fees) for the use of Sierra County ~~landfill transfer stations and/or for any convenience (transfer) station~~ provided by the county are hereby established and shall be effective as of July 1, 1997.

A. Gate Fees.

1. *Property Paying Parcel Charges.* Except for special wastes and wood wastes, any person, firm or entity that brings refuse to Sierra County ~~landfill or to any county~~ transfer stations, the origin of which is from a residential property, as defined in SCC [8.04.040\(A\)](#), and which property has paid a parcel charge pursuant to the provisions of SCC [8.05.010](#), and which refuse is properly source separated as defined in SCC [8.04.010](#), and which refuse does not exceed the average waste generation from residents based on ~~17.18~~ loose cubic yards per year, shall not pay a gate fee. Any exception as to the amount or types of waste coming

from any such properties shall be subject to payment of the gate fees established hereunder.

2. *Waste from Other Sources.* Waste from any source other than included in subsection (A) of this section shall pay a gate fee for the disposal of solid wastes in accordance with the actual costs incurred by the county (including costs associated with the long term environmental and potential remediation of wastes), as may from time to time be established by the Board of Supervisors through the latest adopted resolution.

3. *Transfer Station Surcharge.* A surcharge for use of county transfer stations shall be charged for registered waste haulers transporting and disposing of items under SCC 8.04.035(C)(2) or (C)(3) at any county transfer station. Notwithstanding any other provision of this code, a person or business registered with the county under the provisions of SCC 8.04.035(D) may deliver no more than three loads per day of the waste as described under SCC 8.04.035(C)(2) or (C)(3), to any county transfer station in lieu of delivery to the landfill, if the waste is transported to the transfer stations in a vehicle or trailer whose cargo area is 96 cubic feet or less (i.e., an eight-foot by four-foot bed with side rails not greater than three feet in height), upon payment of a surcharge in the amount of \$1.70 per cubic yard, or such other amount as may from time to time be reasonably established by the Board of Supervisors by resolution. This subsection shall not apply to the delivery of greenwaste or unprocessed wood that is otherwise free of debris or dirt.

B. *Special Waste.* Fees shall be paid to the county for the disposal of ~~the following types~~ of special wastes when deposited with the county for disposal, ~~as shown herein or~~ as may be established by resolution of the Board of Supervisors.

Wastes	Status	Fee
Tires		
16.5 inch or less w/o rim	Accepted with fee	\$2.50
Larger than 16.5 inch w/o rim	Accepted with fee	5.00
Loader, Backhoe, Grader, etc., w/o rim	Accepted with fee	15.00
Tire with rim add the following	Accepted with fee	5.00

Wastes	Status	Fee
Vehicles (landfill only)		
Standard Vehicle-Light Truck	Accepted with fee	25.00
Large Truck-Heavy Equipment	Accepted with fee	50.00
Travel Trailer	Accepted with fee	RE/yard
Mobilehome	Accepted with fee	RE/yard
Camper-Camper Shell	Accepted with fee	25.00
Wood Wastes		
Stumps (landfill only)	Accepted with fee	10.00
Brush, Tree Limbs (landfill only)	Accepted with fee	RE/yard
Yard Clippings, Leaves, Organics	Accepted with fee	RE/yard
Unprocessed Dimension Lumber	Accepted with fee	RE/yard
Construction Demolition		
Asphalt (landfill only)	Accepted with fee	RE/yard [†]
Concrete (landfill only)	Accepted with fee	RE/yard
Rock, Dirt (clean) (landfill only)		N/C
Wood (processed and clean)	Accepted with fee	RE/yard
Wood (mixed with gypsum, etc.)	Accepted with fee	RE/yard
Miscellaneous Demolition	Accepted with fee	RE/yard
Appliances		

Wastes	Status	Fee
White Goods (washer, dryer, refrig.)	Accepted with fee	10.00 ²
Large Appliances (nonwhite goods)	Accepted with fee	15.00
Mattresses – (does not include small chaise lounge pads)	Accepted with fee	5.00
Sofas, Beds, Furniture	Accepted with fee	RE/yard
Small Appliances (mowers, microwaves)	Accepted with fee	5.00
Glass/Metal/Plastic		
Brown, Clear, Green Glass		N/C
Plastic Containers		N/C
CRV and Non-CRV Containers		N/C
Metal Drums (5-gallon and larger)	Accepted with fee	RE/yard
Wire/Fencing	Accepted with fee	RE/yard
Piping, Tubing	Accepted with fee	RE/yard
Metal Roofing	Accepted with fee	RE/yard
Paper Goods		
Newspaper and cardboard – baled		N/C
Newspaper and cardboard – unbaled		RE/yard
Miscellaneous		
Fire Demolition	Accepted with fee	RE/yard

Wastes	Status	Fee
Refuse from Special Events	Accepted with fee	RE/yard
Nonseparated	Accepted with fee	RE/yard
Loose Waste (nonseparated)	Accepted with fee	RE/yard
Loose Household Waste (separated)		N/C
Sharps Disposal	Accepted with fee	Contract
Waste generated out of county	Accepted with fee	24.00/yard
Motor Oils		N/C ³
Auto Batteries		N/C

¹ RE/yard = "residential equivalent/yard," which at the time of adoption of the ordinance codified in this chapter is \$11.00. The residential equivalent is set by the Sierra County Board of Supervisors, and may from time to time be changed by adoption of a resolution.

² Refrigerators and freezers will not be accepted unless doors have been removed. If Freon has not been properly removed from a refrigerator or freezer, a \$30.00 Freon removal fee will be assessed at time of disposal or the county may refuse to accept the appliance for disposal.

³ N/C = "no charge."

C. *Handling of Special Wastes.* The following categories of special wastes require specific regulations as set forth below. No specified solid waste will be accepted at the county solid waste sites without compliance with the following:

	Category	Regulation
3.1	Vehicles	All fluids must be removed from vehicle and vehicle engine before deposit at any solid waste site. All Freon must be removed, as evidenced by a certificate from a certified Freon removal facility, or the payment of a

~~\$30.00 scheduled fee.~~

3.2	Small appliances	All fluids must be removed from small appliances before deposit at any solid waste site.
3.3	Refrigerator/freezer Air conditioner	All doors must be removed. All Freon must be removed, as evidenced by a certificate from a certified Freon removal facility, or the payment of a \$30.00 scheduled fee.

(Ord. 1048, eff. 10/19/13; Ord. 949, eff. 11/20/03; Ord. 879, eff. 3/5/99; Ord. 859, eff. 11/20/97; Ord. 852, eff. 7/17/97)

8.05.050 Method of calculation of gate fees.

The volume of refuse brought to the County ~~landfill and/or to any~~ transfer station shall be estimated by the attendant or such other staff as may be available, based upon a conversion of 27 cubic feet to a cubic yard. The following criteria shall be used to estimate volumes of refuse:

32-gallon trash containers equal approximately 1/7 cubic yd.	= \$1.00
50-gallon trash containers equal approximately 1/5 cubic yd.	= \$1.50
Pickup trucks (large or small bed) and utility trailers (6 x 8 foot bed) equal approximately 1.5 cubic yd.	= \$8.00

(Ord. 852, eff. 7/17/97)

8.05.055 Waste excluded.

The following wastes are expressly excluded from Sierra County ~~transfer stations, landfill, any transfer or disposal site~~ and may not otherwise be disposed of in Sierra County in a manner contrary to state and/or federal law:

~~Wood waste greater than ten (10) inches in diameter.~~ Explosives, radioactive material, medical wastes, municipal sludge, industrial sludge, asbestos, animal carcasses, industrial ash, hazardous wastes of any type. In addition, the county reserves the right to refuse to accept for disposal any refuse or waste that is considered inappropriate for disposal and, to that end, the ~~landfill operators, attendants and~~ transfer station attendants may inspect any load of waste to determine if it is appropriate for disposal in Sierra County solid waste system. (Ord. 879, eff. 3/5/99)

8.05.060 Identification of source.

Any person delivering any refuse or material (including but not limited to recyclable materials) to ~~the landfill or to~~ any transfer station in the county, the source of which is from property that has not been assessed a solid waste parcel charge pursuant to the provisions of SCC [8.05.010](#), shall be required to announce the source of the refuse and material. Any person, firm or entity that fails to comply with the provisions of this section shall be guilty of a misdemeanor and shall be subject to the criminal penalties as provided for by law. In addition, any such person, firm or entity failing to comply herewith shall be subject to payment of an administrative penalty in the amount of ~~\$100.00 per violation.~~ (Ord. 852, eff. 7/17/97)

Commented [SS2]: Is this a correct fee?

8.05.070 Payment required.

Unless otherwise expressly authorized herein, no person, company or entity shall dispose of refuse at the ~~County landfill or any~~ transfer station without paying the fees as set out herein. Payment shall be in cash or by check (no ~~second-party second-party~~ checks shall be accepted) in accordance with policies as may be established by the County Treasurer-Tax Collector and/or County Auditor. Violation of the provisions of this section shall constitute a misdemeanor. (Ord. 852, eff. 7/17/97)

8.05.080 Remedies.

In the event that any person or entity fails to pay the appropriate fee, the Director of Public Works shall be and is hereby directed to bill such person or entity for the difference between

the appropriate fee (for all use of the facility under the terms of this section) and the fee which was actually paid and such delinquent fee shall be immediately due and owing. If any such fee is delinquent for more than 30 days, the Director shall take such legal steps as are required to enforce the obligation for payment. An administrative fee of 10 percent of the delinquent amount, with a minimum of \$10.00, shall be assessed for any such collection. (Ord. 852, eff. 7/17/97)

8.05.090 Account billings.

Any business or entity which is located within the county and which is a regular user of the facility may request to be placed on an account billing system for payment of fees. The Director of the Department of Public Works shall establish such an account billing system with the approval of the County Auditor. The account billing system shall require that payments are made on a monthly basis and shall be due within 30 days after the end of the billing period (i.e., July payments shall be due by August 31st). As a condition precedent to a business being placed on such an account billing system, the business or entity shall deposit security with the county in an amount equal to 30 days' use of the facility, as determined by the Director. Security may be in the form of a cash deposit. Failure to promptly pay any billing by the county or to maintain adequate security shall result in the immediate revocation of the account billing for any business or entity. The requirement to post security shall be waived as to any franchised waste hauler where the terms of the performance bond posted by the hauler as part of its franchise agreement is amended to reflect that the bond (in the amount required by the franchise agreement) will also serve as security pursuant to this section. The requirement to post security shall also be waived as to any public agency where the agency acknowledges in writing to the county that it will agree to timely pay the fees as imposed by this section upon the presentation of a bill or other request for payment by the county. In the event of the failure of any such business or entity to pay the fees within the 30 days after the end of the billing period, the Director of the Department of Public Works shall promptly submit a written demand for payment to the party. If the fees (as billed and due) are not paid within 15 days from the date of any such demand, the Director of the Department of Public Works shall take any such delinquencies from the security and thereafter place any such party on a cash only basis for use of the [landfill transfer station](#). (Ord. 852, eff. 7/17/97)

8.05.100 License/franchise charges.

A. Notwithstanding any other provision of county ordinance to the contrary or any contrary provision in the license issued by the county pertaining to a refuse disposal company authorized to provide solid waste disposal service in Sierra County, any such licensed hauler ("hauler") shall, to the extent that the county has regulated the rates to be charged for the collection and disposal of solid waste, be allowed to adjust the rates charged to their residential and commercial customers, within the unincorporated territory of the county, so as to pass on to their customers any increase or decrease in the fees at ~~the landfill and/or at any at any~~ transfer stations provided by the county, without securing the separate approval of the Board of Supervisors through a rate review application and hearing. Within 15 days of the date of adoption of any decrease in the fees charged by the county, any such franchised or licensed hauler shall change their rates to pass on to their customers the full amount of any such decrease, beginning on the first day that any such reduction was in effect. In the event that a licensed hauler adjusts its rates (or is required hereunder to adjust its rates due to a reduction in the fees charged by the county), the hauler shall notify the county by sending a written statement setting forth the amount of the rate adjustment, together with full and proper justification and documentation for same (clearly showing how the rate adjustment was calculated), to the Clerk of the Board of Supervisors and to the Director of the Department of Public Works. This notification shall be presented to the county no less than 10 days prior to the effective date of any such increase in the hauler's rate and no later than 15 days after the county reduces rates charged to the hauler (thereby requiring a decrease in the hauler's rates to its customers). Following receipt of any such notification, and upon the recommendation of the Director of the Department of Public Works, or upon its own initiative, the Board may, but shall not be required to, schedule a public hearing to review the new rates of the hauler. The Board's action in determining to set a public hearing shall be at the Board's sole discretion. The public hearing shall be scheduled no sooner than 15 days following the mailing of notification thereof to the hauler by the Clerk of the Board. At the time that the Board elects to call such a public hearing, the Board may direct the immediate suspension of the rate increase, in whole or in part, if the Director attests to the Board that the rate increase is either unwarranted or is in excess of that permitted by this subsection (as to any class of customers). The hauler shall attend any such hearing and shall within 10 days of the hearing provide to the Clerk of the Board of Supervisors and to the Department of Sanitation all relevant evidence used to calculate the rate increase or decrease. At the conclusion of the public hearing the Board may approve, disapprove, or modify any such rate increase or decrease, which action shall be

binding on the hauler. If the Board sustains the rate increase, either in whole or in part, and the Board had previously ordered the suspension of any increase, the Board may allow the increase to be retroactive to the date that it was originally to go into effect. If the Board disapproves or modifies the rate adjustment, it shall order the hauler to refund any payments made to it by its customers that are above the amounts of the adjustments as approved by the Board. Within 30 days of the date of the Board's decision, the hauler shall make full refunds as directed by the Board, or in any event, necessary to prevent the hauler from being unjustly enriched through the collection of fees or charges that were not commensurate with the fees paid to the county by the hauler.

B. It is the intent of the Board of Supervisors in the adoption of this section to allow the licensed haulers to be treated fairly and equitably by the county by allowing the haulers to promptly pass on to their customers the fees which the haulers have to pay to the county for refuse (waste) disposal, and nothing herein is intended to allow or provide any such hauler with any increase in income or profitability. (Ord. 879, eff. 3/5/99; Ord. 852, eff. 7/17/97)

8.05.110 Incorporation of validation provisions – Statute of limitations.

The provisions contained in Cal. Civ. Proc. Code §§ [860](#) through [870](#) shall be applicable to the adoption of solid waste fees pursuant to the provisions of this chapter and as to any resolution adopted by the Board of Supervisors establishing or amending the solid waste fees for any year. It is the express intent of the Board of Supervisors in adopting this chapter that any legal action contesting the validity of this chapter, any fee resolution adopted pursuant to this chapter or any other provision of state law, or contesting the validity of any fee or charge, shall be filed within 60 days from the date of the adoption of this chapter if contesting the validity of this chapter or any portion thereof, or within 60 days from the date of the adoption of any resolution establishing or changing the fees charged for use of the solid waste system if challenging any such fee(s).

In the event that a court should decide that the validation provisions are not applicable to the adoption of this chapter or as to any resolution or fee established under this chapter, the Board hereby separately declares its intent to and does hereby establish a statute of limitation in which a legal action, suit or proceeding may be initiated in court in which to attack, set aside,

void or otherwise annul this chapter or any portion or provision hereof, or any resolution establishing or changing the solid waste fees. Any such action shall be initiated and filed in the appropriate court within 60 days of the date of the adoption of the ordinance enacting, amending, or revising this chapter or any provision therein, or within 60 days from the date of the adoption of any resolution establishing or changing the fees charged for use of the solid waste system, otherwise any such suit shall be barred.

As used herein, the "date of the adoption" of any resolution shall mean the date of the vote by the Sierra County Board of Supervisors to adopt any such resolution. (Ord. 958, eff. 6/16/04; Ord. 934, eff. 6/21/02; Ord. 879, eff. 3/5/99; Ord. 852, eff. 7/17/97)

8.05.120 Solid waste fees for prior years.

The adoption, amendment or revision of the provisions of this chapter to authorize or to impose and to extend solid waste charges for any fiscal year shall not be construed to repeal or invalidate the imposition and levy of any such charge for any prior year. (Ord. 958, eff. 6/16/04; Ord. 934, eff. 6/21/02; Ord. 918, eff. 6/30/01; Ord. 908, eff. 8/4/00)

The Sierra County Code is current through Ordinance 1139, passed May 20, 2025.

Disclaimer: The clerk of the board's office has the official version of the Sierra County Code. Users should contact the clerk of the board's office for ordinances passed subsequent to the ordinance cited above.

[County Website: www.sierracounty.ca.gov](http://www.sierracounty.ca.gov)

[County Telephone: \(530\) 289-3295](tel:(530)289-3295)

[Hosted by General Code.](#)

**BOARD OF SUPERVISOR
COUNTY OF SIERRA, STATE OF CALIFORNIA**

**TRANSFER STATION GATE FEES
FOR CONSTRUCTION WASTE, DEMOLITION WASTE,
AND OTHER SPECIAL WASTE ITEMS**

RESOLUTION NO. 2022-100

WHEREAS, Section 8.05.010(b) authorizes adjustments of fees by resolution and the operative resolution for gate fees and construction waste is found in County Resolution 2022-079; and,

WHEREAS, the Board of Supervisors has determined that the Solid Waste fee shall be in effect until such time as the Solid Waste fee per loose (un-compacted) cubic yard shall change; and,

WHEREAS, any construction demolition or waste at any County Transfer Station shall be limited to 3 cubic yards per week per property that can be deposited in any County Transfer Station for waste associated with any issued building permit; for any violation with or without a building permit that is being abated; or any permitted or non-permitted demolition or construction waste; and,

WHEREAS, any person proposing to conduct cleaning of property or structures, including but not limited to cleaning out of a residence, garage, accessory structure commercial building, or open land or yard area, located on any parcel shall be limited to 3 cubic yards per week per property that can be deposited in any County Transfer Station; and,

WHEREAS, Contractors/Registered Haulers disposing of waste are assessed an additional handling fee and must pay this additional fee in lieu of mandatory commercial and business waste bin requirements. This additional handling fee is to be paid at all County Transfer Stations.

NOW THEREFORE BE IT RESOLVED, the Sierra County Board of Supervisors does hereby rescind County Resolution 2020-084 and adopts the following policy and schedule of fees:

Maximum Waste Allowed Per Parcel Per Week at all County Transfer Stations

All waste categories except for clean green waste	3 cubic yards
Clean green waste (no commercial truck loads)	No Quantity Restriction

Construction Waste

Waste from construction, with a valid building permit or for construction where no building permit is required	\$20.38/cu yard
Waste from any demolition of any structure or use located on a parcel, with a valid building permit or other demolition for which a building permit is not otherwise required	\$20.38/cu yard

Contractor/Registered Hauler Waste (Require Solid Waste Hauling Exemption)

Waste from Contractors/Registered Haulers deposited at the County Transfer Stations from construction and/or demolition for which a County building permit was not required (including but not limited to fixtures, electrical, flooring and carpet, insulation, roofing material, wood demolition, plumbing materials, mechanical material including wood stoves, and any similar building materials or demolition) limited to maximum quantities as allowed herein is \$20.38 + \$2.00 handling fee	\$20.38/cu yard
Waste From Contractor/Registered Haulers deposited at the County Transfer Stations for which a County building permit was issued and person depositing is making use of issued building permit "Solid Waste Card" is limited to the 3 cubic yard maximum quantity as described herein	

Other Special Waste Items

Refrigerator or compressor/refrigerant containing units not accompanied with evidence of a certificate of freon removal	\$ 42.00 ea.
Refrigerator or compressor/refrigerant containing units accompanied with evidence of certified freon/refrigerant free	\$ 17.00 ea.
Tires:	
Passenger tire w/o rim	\$ 5.00
Passenger tire with rim	\$ 10.00
Light truck tire w/o rim	\$ 9.50
Light truck tire with rim	\$ 14.50
Large truck tire (greater than 20") w/o rim	\$ 24.00
Large truck tire (greater than 20") with rim	\$ 29.00

Heavy equipment tires:

Loader, backhoe, grader, etc. w/o rim	\$ 55.00
Loader, backhoe, grader, etc. with rim	\$ 60.00

Vehicles: Accepted at Loyalton Transfer Station only, drained of all fluids

Standard vehicle or light truck	\$ 90.00
Large truck or heavy equipment	\$125.00

Vehicles or Attachments Not Accepted at any County Transfer Stations:

- Travel Trailer or like item (i.e., Fifth Wheel)
- Mobile Home
- Camper/Camper Shell
- Utility Trailer

Green Wastes (Clean and not mixed with rock and dirt) No Charge

Waste Not Accepted at any County Transfer Station:

- Stumps
- Concrete or asphalt demolition
- Rock, dirt, or manure
- Medical wastes
- Animal Carcasses

Out-of-County waste including loose household or construction waste @ 4x's \$20.38/cu yard \$81.52 cu/yard

All special waste is charged 4x's the In-County rate

Non-Residential and Mixed-Use Commercial Businesses:

White goods (washer, dryer)	\$ 16.00 ea.
White goods with freon (freezer, refrigerator, etc.)	\$ 42.00 ea.
White goods without freon (freezer, refrigerator, etc.)	\$ 16.00 ea.
(Certification Required) <u>Accepted only with door removed</u>	
Large appliances (non-white goods, i.e., woodstoves, heaters)	\$ 17.00 ea.
Mattress/box spring (per piece) (unless recyclable)	\$ 17.00 ea.
Any item too large to fit into a 2 cu/yard bin	\$20.38 cu/yard

ADOPTED by the Board of Supervisors of the County of Sierra, State of California on the 6th day of September 2022 by the following vote:

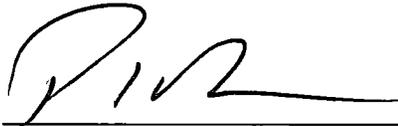
AYES: Supervisors Adams, Huebner, LeBlanc, Dryden, and Roen

NOES: None

ABSTAIN: None

ABSENT: None

COUNTY OF SIERRA



**PAUL ROEN
CHAIRMEN, BOARD OF SUPERVISORS**

ATTEST:

APPROVED AS TO FORM:



**HEATHER FOSTER
CLERK OF THE BOARD**



**DAVID PRENTICE
COUNTY COUNSEL**