

ORDINANCE NO. 9437 (NEW SERIES)

AN ORDINANCE ADDING SECTION 68.551 OF THE SAN DIEGO COUNTY CODE OF THE REGULATORY ORDINANCES RELATING TO FEES FOR SOLID WASTE PLANNING ACTIVITIES AT THE DEPARTMENT OF PUBLIC WORKS AND DECLARING URGENCY THEREOF

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 68.551 of the San Diego County Administrative Code is added to read as follows:

68.551 Solid waste planning fees - All solid waste handlers shall remit \$0.02 per ton of solid waste handled. This fee pays the costs of preparing, adopting, and implementing a countywide integrated waste management plan and fulfilling the state mandated countywide reporting requirements including but not limited to countywide disposal reporting. the authority to levy the fee is contained in Public Resources Code section 41901, which says the fee will be levied pursuant to Government Code Section 66016.

- (a) Exclusion: The fee shall not be assessed to solid waste handlers if it can be demonstrated to the satisfaction of the Local Enforcement Agency (LEA) that the waste was recycled and/or diverted from the solid waste stream. Additionally, this fee will not be assessed to solid waste handlers for each ton of waste for which it can be demonstrated to the satisfaction of the LEA that the fee was collected at a disposal site within the County of San Diego.

Section 2. Operative Date. This ordinance is operative as of July 1, 2001.

Section 3. Urgency Clause. This ordinance is necessary for the protection of the public health, safety and welfare and shall take effect immediately. The reason for the urgency is that the inadvertent repeal of the fee listed in San Diego County Code of Regulatory Ordinances could interfere with the County's ability to provide adequate regulation of solid waste disposal and planning, both of which are needed to protect public health and safety.

PASSED, APPROVED AND ADOPTED this 6th day of March, 2002.