

# ORDINANCE

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## Proposed Ordinance

### DISPOSITION OF REFUSE

An ordinance proposed by the Board of Supervisors for the licensing of refuse collectors by the Director of Public Health and fixing maximum rates for collection of refuse, and providing for the repeal of the initiative ordinance passed June 12, 1927.

Referring to the Voters, to Be Voted Upon at the General Election to Be Held on November 8, 1932, a Proposed Ordinance Providing for the Collection and Disposition of Refuse in the City and County of San Francisco; Providing for the Licensing of Refuse Collectors by the Director of Public Health; Fixing the Maximum Rates or Charges for the Collection of Refuse by Licensed Refuse Collectors From Homes, Apartment Houses, Stores, Etc.; Dividing the City and County of San Francisco Into Collection Routes; Providing Penalties for the Violation of the Provisions of This Ordinance; and Providing for the Repeal of the Initiative Ordinance Passed by the People of the City and County of San Francisco on June 14, 1927.

(Code No. 17.08)

Resolution No. 399, as follows:

Resolved, That at the general election to be held on November 8, 1932, there be submitted to the electors a proposed ordinance providing for the collection and disposition of refuse in the City and County of San Francisco; providing for the licensing of refuse collectors by the Director of Public Health; fixing the maximum rates or charges for the collection of refuse

by licensed refuse collectors from homes, apartment houses, stores, etc.; dividing City and County of San Francisco into collection routes; providing penalties for the violation of the provisions of this ordinance; and providing for the repeal of the initiative ordinance passed by the People of the City and County of San Francisco on June 14, 1927.

Bill No. ———, Ordinance No. ———, as follows:

Providing for the collection and disposition of refuse in the City and County of San Francisco; providing for the licensing of refuse collectors by the Director of Public Health; fixing the maximum rates or charges for the collection of refuse by licensed refuse collectors from homes, apartment houses, stores, etc.; dividing City and County of San Francisco into collection routes; providing penalties for the violation of the provisions of this ordinance.

Be it ordained by the People of the City and County of San Francisco as follows:

Section 1. The term "refuse" as used in this ordinance shall be taken to mean all waste and discarded materials from dwelling places, households, apartment houses, stores, office buildings, restaurants, hotels, institutions and all commercial establishments, including waste or discarded food, animal and vegetable matter from all kitchens thereof, waste paper, cans, glass, ashes, and boxes and cuttings from trees, lawns and gardens.

Section 2. It shall be unlawful for any person, firm or corporation to dispose of refuse as defined in this ordinance except as herein provided, save that the provisions of this ordinance shall not include refuse which may be incinerated by an owner of a building for himself or for his tenants on the premises where produced; provided, however, that such incineration shall be subject to inspection and control by the Director of Public Health and the Fire Department.

Section 3. Refuse consisting of waste or discarded food, animal and vegetable matter, discarded containers of food, animal and vegetable matter, and ashes shall be collected and placed in suitable metal cans of sufficient capacity by the producer or landlord who by reason of contract or lease with an occupant is obligated to care for such refuse, and delivered to a refuse

collector to be disposed of as herein provided. Waste paper and boxes and other refuse materials not subject to putrefaction, or decay, and cuttings from trees, lawns and gardens may be placed in any suitable container and delivered by the producer or landlord, who by reason of contract or lease with the occupant is obligated to care for such refuse and deliver same to a refuse collector, to be disposed of as herein provided; provided, however, that it shall be optional with the producer or landlord to deliver waste paper or other refuse having a commercial value to a refuse collector, and the producer or landlord may dispose of the same in any manner he may see fit. If the producer or landlord elects to deliver waste paper or other refuse having a commercial value to a refuse collector, the collector shall receive the same and no additional charge shall be made for its removal. Refuse which under the provisions hereof must be deposited in a metal can of suitable capacity shall be removed daily from the place where the same is created and either delivered to a refuse collector or deposited in a non-combustible container in some room or place not used for human habitation, to be delivered therefrom to the refuse collector.

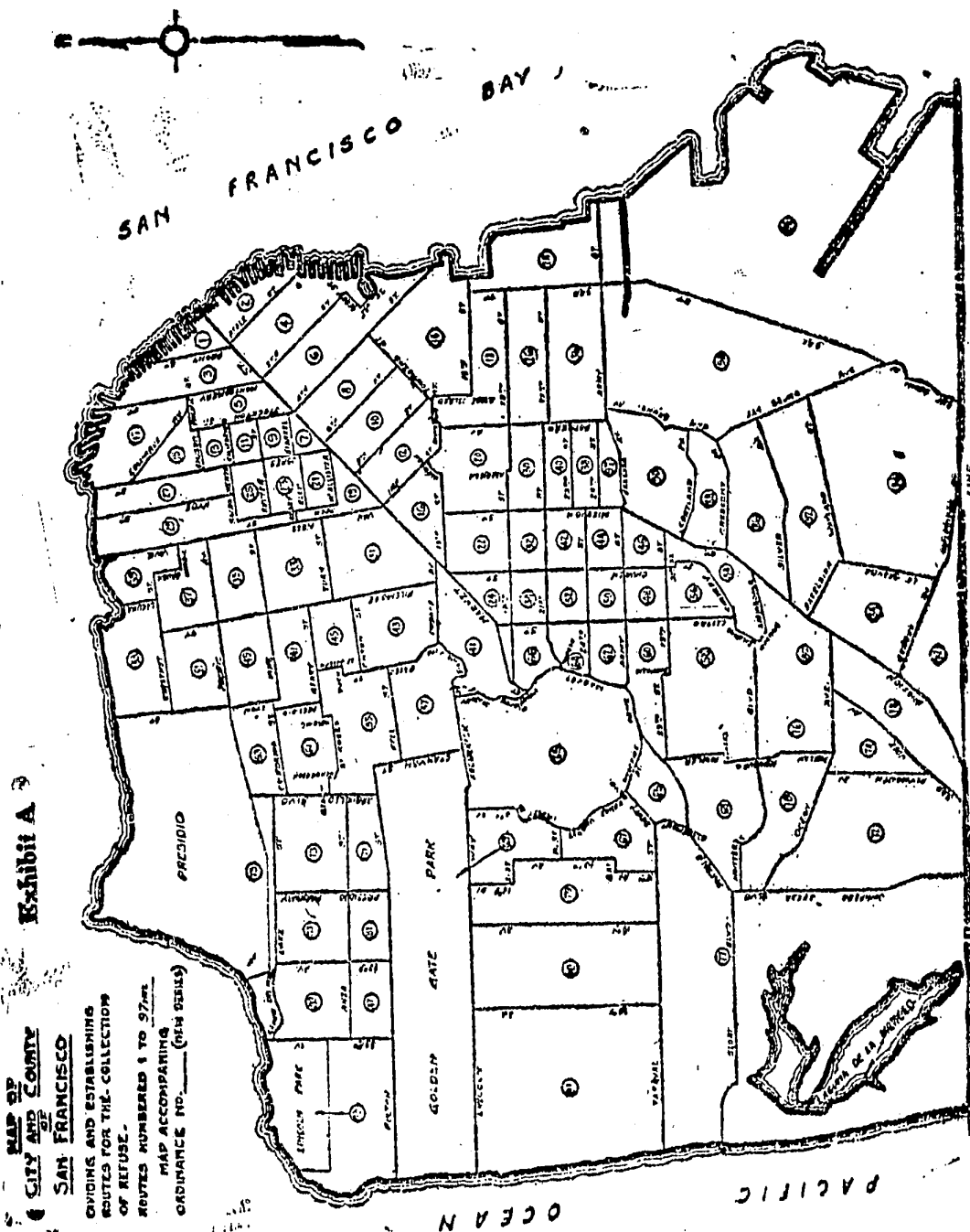
Section 4. It shall be unlawful for any person, firm or corporation, other than a refuse collector licensed by the Director of Public Health as in this ordinance provided, to transport through the streets of the City and County of San Francisco any refuse as in this ordinance defined, or to collect or to dispose of the same, except waste paper, or other refuse having a commercial value. It is provided, however, that a license for a refuse collector, as provided in section 8 hereof, shall be distinguished from a permit to operate, in the City and County of San Francisco on a certain designated route, as hereinafter provided.

Upon the conviction of any person, firm or corporation for any violation of the provisions of this ordinance, the permit of such person, firm or corporation issued under the provisions of this ordinance, shall be forthwith and immediately terminated and canceled as of the date of conviction.

The City and County of San Francisco is herewith divided and established into routes for the collection of refuse, as designated on a map of the City and County of San Francisco, attached hereto, each said route to include only the side of the

street or streets bounding each route as designated by a number on said map, said routes being numbered one to ninety-seven, inclusive, and said map and said routes are marked Exhibit A, and attached hereto and made a part of this ordinance.

Any person, firm or corporation desiring to transport through the streets of the City and County of San Francisco any refuse as herein defined, or to collect or dispose of the same, shall make



application to the Director of Public Health for permission so to do. Said application for such permit shall contain the name of the person, firm or corporation, any of the particular route or routes, designated in said map of routes, proposed to be served by said person, firm or corporation, and a statement that said person, firm or corporation will abide by all the provisions of this ordinance, and will not charge a greater rate for the collection and disposition of said refuse than that fixed in this ordinance.

The Director of Public Health shall grant such application for a permit, but may refuse the same when the route proposed is already adequately served by a licensed refuse collector. An application for a permit must be granted, however, by the said Director of Public Health, and it is mandatory on said Director to grant the same, when it shall appear in any said application for a route or routes by a person, firm or corporation, that twenty per cent or more of the householders, business men, apartment house owners, hotel keepers, institutions or residents in said route or routes, using refuse service, and paying for same, or obligated to do so, have signed a petition or contract in which they have stated that they are inadequately served by any refuse collector who is then collecting refuse on said route. That inadequate service is herein defined as the failure, on the part of any refuse collector to properly collect refuse on said route, or the overcharging for the collection of same, or for insolence towards persons whose refuse has been collected, or the collection by any refuse collector whose license has been revoked as provided in Section 9 hereof. Such permit so granted by the Director of Public Health shall not be exclusive, however, and one or more persons, firms or corporations may be given a permit to collect on the same route.

Persons, firms or corporations desiring to transport through the streets of the City and County of San Francisco only waste paper or other refuse having a commercial value, and to collect and dispose of same need not obtain a permit therefor under the provisions of this ordinance from the Director of Public Health as for the collection of other refuse.

Section 5. All refuse collected by any refuse collector shall be incinerated at the San Francisco incinerator, located in the

block bounded by Alameda, Fifteenth, Rhode Island and DeHaro streets, or at some other incinerator, hereafter designated by the Board of Supervisors of the City and County of San Francisco, or shall be disposed of by any other method designated by the Board of Supervisors, except dumping at sea. It is provided, however, that metals may be melted at places other than at said incinerator.

That said incinerator shall be placed under the control of some person, firm or corporation designated by the Board of Supervisors, and said person, firm or corporation, shall incinerate in said incinerator all refuse received, as herein provided, or the Board of Supervisors may provide for the disposition of refuse by any other means, except dumping at sea, as provided by law or ordinance of the City and County of San Francisco, and said person, firm or corporation incinerating, or otherwise disposing of said refuse as herein provided, may charge the refuse collector for such disposition, a charge which may be agreed upon between the refuse collector and said person, firm or corporation for so disposing of said refuse. Provided, however, that if such charge cannot be agreed upon, such charge shall be fixed and determined by the Board of Supervisors, but in no event shall the charge exceed the maximum of one dollar and fifty cents per ton. Should any dispute arise between the refuse collector and the person, firm or corporation having control of said incinerator, or other disposition of refuse, as provided for by law, concerning the amount of such charge, pending the determination thereof by the Board of Supervisors as herein provided, the person, firm or corporation having charge and control of said incinerator or other disposition of said refuse, shall continue such disposition until the matter of such charge will have been determined by the Board of Supervisors, and upon such determination, the refuse collector shall pay to the said person, firm or corporation the amount fixed by said person, firm or corporation in charge of said incinerator for all refuse incinerated or otherwise disposed of pending said dispute.

Section 6. The maximum rates or charges for the collection and disposition of refuse, as herein defined, by the refuse collectors are hereby fixed as follows:

Monthly rates from residences and flats. Made from the ground floor:

No. Rooms	Collections per Week			
	(1)	(2)	(3)	(4)
1 to 4, inclusive.....	\$ .40	\$ .60	\$ .90	\$1.15
5 .....	.45	.65	.95	1.20
6 .....	.45	.65	.95	1.25
7 .....	.60	.90	1.05	1.30
8 .....	.65	1.00	1.15	1.40
9 .....	.70	1.05	1.20	1.45
10 .....	.75	1.10	1.30	1.55
11 .....	.80	1.15	1.35	1.60
12 .....	.85	1.25	1.45	1.70

Monthly rates from residences and flats. Made from second floor, one stairway above ground floor or basement:

No. Rooms	Collections per Week			
	(1)	(2)	(3)	(4)
1 to 4, inclusive.....	\$ .45	\$ .70	\$ .95	\$1.20
5 .....	.50	.75	1.05	1.30
6 .....	.50	.80	1.15	1.40
7 .....	.65	.95	1.20	1.45
8 .....	.75	1.10	1.30	1.50
9 .....	.80	1.15	1.35	1.55
10 .....	.85	1.20	1.40	1.65
11 .....	.90	1.25	1.45	1.70
12 .....	.95	1.35	1.55	1.80

Monthly rates from residences and flats. Made from third floor, two stairways above ground floor or basement:

No. Rooms	Collections per Week			
	(1)	(2)	(3)	(4)
1 to 3, inclusive.....	\$ .50	\$ .70	\$1.00	\$1.25
4 .....	.50	.70	1.20	1.30
5 .....	.50	.70	1.35	1.40
6 .....	.50	.70	1.45	1.50
7 .....	.75	1.15	1.50	1.60
8 .....	.80	1.25	1.60	1.65
9 .....	.85	1.35	1.70	1.75
10 .....	.90	1.40	1.80	1.85
11 .....	.95	1.45	1.90	2.00
12 .....	1.00	1.55	2.00	2.10

Monthly rates from residences and flats. Made from fourth floor, three stairways above ground floor or basement:

No. Rooms	Collections per Week			
	(1)	(2)	(3)	(4)
1 to 3, inclusive.....	\$ .55	\$ .80	\$1.20	\$1.45
4 .....	.55	.80	1.40	1.65
5 .....	.70	.95	1.50	1.75
6 .....	.75	1.00	1.60	1.85
7 .....	.85	1.30	1.70	1.95
8 .....	.90	1.40	1.80	2.05
9 .....	.95	1.50	1.90	2.15
10 .....	.95	1.60	2.00	2.25
11 .....	1.00	1.70	2.10	2.35
12 .....	1.10	1.80	2.20	2.45

Monthly rates from apartment houses:

No. Rooms	Collections per Week				
	(6)	(4)	(3)	(2)	(1)
10 .....	\$ 2.40	\$ 1.90	\$1.70	\$1.50	\$1.40
20 .....	4.50	3.90	3.50	3.10	2.90
30 .....	6.30	5.10	4.70	4.10	....
40 .....	7.80	6.90	5.90	....	....
50 .....	9.00	8.15	6.90	....	....
60 .....	10.00	9.20	....	....	....
70 .....	11.00	10.30	....	....	....
80 .....	12.00	11.20	....	....	....
90 .....	13.00	12.10	....	....	....
100 .....	14.00	12.90	....	....	....
110 .....	15.20	.....	....	....	....

No. Rooms	Collections Per Week (6)	No. Rooms	Collections Per Week (6)
120 .....	\$16.30	190 .....	\$24.00
130 .....	17.40	200 .....	25.10
140 .....	18.50	210 .....	26.00
150 .....	19.60	220 .....	27.00
160 .....	20.70	230 .....	28.00
170 .....	21.80	240 .....	29.00
180 .....	22.90	250 .....	30.00

Monthly rates from apartment houses (cont'd):

No. Rooms	Collections Per Week (6)	No. Rooms	Collections Per Week (6)
260 .....	\$31.00	440 .....	\$50.50
270 .....	32.00	450 .....	51.60
280 .....	33.00	460 .....	52.70
290 .....	35.00	470 .....	53.80
300 .....	36.00	480 .....	54.90
310 .....	37.00	490 .....	56.00
320 .....	38.00	500 .....	57.10
330 .....	39.00	510 .....	58.20
340 .....	40.00	520 .....	59.30
350 .....	41.00	530 .....	60.40
360 .....	42.00	540 .....	61.50
370 .....	43.00	550 .....	62.60
380 .....	45.00	560 .....	63.70
390 .....	46.00	570 .....	65.80
400 .....	47.00	580 .....	65.90
410 .....	47.20	590 .....	67.00
420 .....	48.30	600 .....	68.00
430 .....	49.40		

The rates for more than 600 rooms in any one apartment house shall be subject to contract between the owner or lessee of the apartment house and a duly licensed refuse collector.

In determining the number of rooms of any household, building or apartment in order to ascertain the rate for the collection and disposition of refuse therefrom, halls, alcoves, storerooms, bathrooms, closets and toilets shall not be considered as rooms, nor shall basements or attics be considered as rooms unless the same be occupied as living quarters.

Any collection and disposition charges not specifically set forth herein shall be subject to contract between the producer and a duly licensed refuse collector.

Section 7. It shall be unlawful for any refuse collector to charge a greater rate for the collection and disposition of refuse than that fixed in section 6 of this ordinance.

Nothing herein contained shall be taken or construed as preventing a refuse collector from charging a less rate or charge for the collection of refuse than that fixed in section 6 of this ordinance.

\* Section 8. Each licensed refuse collector shall be assigned a number by the Director of Public Health. The Director of Public Health shall furnish each collector a metal badge on which is marked the number assigned the collector, who at all times while collecting refuse shall wear said badge in plain view. The Director of Public Health shall collect from each collector for the expenses of providing said badge and the issuance of said license the sum of \$5. Each vehicle or wagon in which refuse is transported through the streets shall be assigned a number by the Director of Public Health and the number thereof shall be plainly marked thereon.

Section 9. The license, as distinguished from a permit herein, of any refuse collector, may be revoked by the Director of Public Health for failure on the part of the refuse collector to properly collect refuse, or for overcharging for the collection of same, or for insolence towards persons whose refuse he is collecting, and it shall be unlawful for any person whose license is so revoked to collect refuse in the City and County of San Francisco.

No license of a refuse collector shall be revoked except upon a hearing of which the refuse collector has been given a notice of at least three days.

Section 10. Upon the payment of the rate fixed in this ordinance for the collection and removal of refuse, the person paying the same shall be entitled to, and there shall be delivered to him a receipt on which shall be shown the amount paid, the premises for which it is paid, the name and number of the collector, the number of the vehicle or wagon, the schedule of rates herein set forth, and on the back of said receipt there shall be printed the following words:

"The rates for the collection of refuse are fixed by ordinance of the Board of Supervisors. Complaints as to service should be made to the Director of Public Health."

Section 11. Disputes over charges made by collectors or as to the character of the service performed shall be decided by the Director of Public Health.

Section 12. A refuse collector shall be entitled to payment for the collection of refuse at the end of each month from each householder or landlord served by him and from whom the payment is due.

Section 13. The initiative ordinance passed by the People of the City and County of San Francisco on June 14, 1927, providing for the collection and disposition of refuse in the City and County of San Francisco; providing for the licensing of refuse collectors by the Board of Health; fixing the maximum rates or charges for the collection of refuse by licensed refuse collectors from homes and apartment houses; dividing City and County of San Francisco into collection routes; and providing penalties for the violation of the provisions of this ordinance, and all other ordinances in conflict herewith, are herewith repealed.

Section 14. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred (500) dollars, or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

Section 15. This ordinance shall take effect ten days after the declaration of the official count of the votes cast therefor; provided, however, that for the purpose of issuing licenses to refuse collectors, application may be filed and the licenses issued during the period between the final approval of this ordinance and the date of its taking effect.

Section 16. During the month of January each year the Controller of the City and County of San Francisco shall survey and examine into the rates to the producer for the collection and disposition of refuse, with a view to a reduction in such rates, and upon completion thereof shall report his conclusions to the Board of Supervisors. The Board of Supervisors may by a two-thirds vote reduce the rates upon receipt of said report when found to be justified, and may increase said rates, but not to exceed the rates herein set forth. The Board of Supervisors shall have no other right to amend this ordinance.

Section 17. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. It is hereby declared that this act, and each section, subsection, sentence, clause and phrase thereof, would have been passed irrespective of the fact that any one or more

other sections, subsections, sentences, clauses or phrases had been declared unconstitutional.

**Adopted** by the Board of Supervisors, September 20, 1932.

Ayes—Supervisors Breyer, Colman, Havenner, Hayden, Miles, Peyser, Power, Roncovieri, Spaulding, Stanton—10.

No—Supervisor McSheehy—1.

Absent—Supervisors Brown, Canepa, Gallagher, Shannon—4.

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

**Approved**—San Francisco, September 21, 1932.

ANGELO J. ROSSI, Mayor.