# CITY OF SAN DIEGO
## WASTE MANAGEMENT REGULATION

| SUBJECT | NUMBER | EFFECTIVE DATE |
|---|---|---|
| ELIGIBILITY, STANDARDS OF SERVICE, AND SET-OUT REQUIREMENTS FOR CITY FORCE PROVIDED RESIDENTIAL REFUSE COLLECTION SERVICES | **R-009-10** | **7/26/2010** |

### INTENT AND PURPOSE

The People's Ordinance, codified as San Diego Municipal Code §66.0127, provides in part that "Residential Refuse" shall be collected, transported, and disposed of by the City at least once each week, that the City shall not enter upon any private property to collect any refuse except in the case of public emergency or pursuant to a hold harmless agreement in effect on November 4, 1986, and that the City shall not collect "Non-Residential" Refuse except from certain small business enterprises if authorized by the City Council.

The purpose and intent of this Waste Management Regulation is to set forth the criteria for determining whether a residential facility is eligible to receive City Force provided Collection Services, to establish standards for Collection Services provided by City Forces, to regulate the placement of refuse, recycling, and greenery containers for collection, and to provide limitations on City Force Collection Services to any location which would require the violation of any federal, state or local statute, regulation or ordinance including but not limited to the California Vehicle Code.

### AUTHORITY

Section 66.0127(d) of the San Diego Municipal Code (SDMC) provides that pursuant to an ordinance adopted by the City Council, the City Manager (Mayor) may promulgate such rules and regulations as are appropriate to provide for the collection, transportation, and subsequent disposal of refuse.

Pursuant to SDMC Section 66.0124, the City Council delegated control and supervision of refuse collection and its subsequent transportation and disposal to the City Manager (Mayor) and authorized the City Manager (Mayor) to promulgate rules and regulations for the collection and subsequent transportation and disposal of refuse. Such rules and regulations may include, but are not limited to:

a. Collection routes, scheduling and designation of disposal sites.
b. Service standards and collection (pick up) locations.

## DEFINITIONS

For the purposes of this Waste Management Regulation, the following definitions shall apply:

a. AB 939 means the California Integrated Waste Management Act of 1989 (California Public Resources Code § 40000 et seq.), as it may be amended from time to time.

b. City means the City of San Diego, a municipal corporation.

c. City Council means the elected City Council of the City of San Diego.

d. City Forces means employees of the City's Environmental Services Department (or its successor) assigned to collect refuse, recyclable materials, and green materials from eligible residential properties and/or eligible small business enterprises within the City of San Diego.

e. Collection Services means the collection of Refuse, Recyclable Materials, and Green Materials and/or the delivery and servicing of automated collection containers by City Forces under the People's Ordinance.

f. Construction and Demolition Debris means the waste building materials, packaging, and rubble resulting from construction, remodeling, repair, alteration, and/or demolition operations on pavements, houses, commercial buildings, and other structures and may include, but is not limited to, concrete, asphalt, wood, metals, bricks, dry wall, dirt, rocks, and other inert materials.

g. Department means the Environmental Services Department of the City of San Diego (or its successor).

h. Director means the Director of the Environmental Services Department of the City of San Diego (or its successor) or duly authorized representative.

i. Green Material or Yard Waste means any plant material that is separated at the point of generation from residential refuse to minimize contamination. Green material includes, but is not limited to, yard trimmings, plant wastes from food processing, manure, untreated wood wastes, paper products, and natural fiber products. Green material does not include treated wood waste, mixed demolition or mixed construction debris.

j. Manager means the City Manager or Mayor of the City of San Diego or duly authorized representative.

k. Mixed Use Facility means a development consisting of two or more land uses combined in a single structure or located on a single site with a functional

interrelationship between uses and a coherent design. This includes a single structure with ground floor retail/commercial and the floors above used for residential or office use or a single structure with retail/commercial fronting a public or private street and with attached or detached residential and office uses located behind or to the side on a single site.

l. Non-Residential Refuse means all refuse that is not Residential Refuse including, but not limited to, refuse generated at a commercial, industrial, institutional or transient occupancy facility, including but not limited to business facilities, hotels, motels, inns, bed & breakfast establishments, churches, non-profit organizations, and non-City government/public facilities.

m. Non-Transient Occupancy means occupancy through ownership, lease or rental for periods of one month or more.

n. Reasonable Access means the Residential Facility is located immediately adjacent and contiguous to a designated collection point at the curb line of a City dedicated public right-of-way which is directly accessible from the Residential Facility property and does not require moving the collection container across a private street, private alley, private communal driveway, or other private property aside from the Residential Facility property.

o. Recyclable Material means source separated refuse components or byproducts of some potential economic value, set aside, handled, packaged, or offered for collection in any manner different from refuse.

p. Refuse means waste material of any nature or description generated within the City limits, excluding hazardous or toxic chemicals, wastes, materials or substances as defined now or hereafter by federal or state law or regulation.

q. Residential Facility means a single family or multi-family residential structure used and occupied for Non-Transient Occupancy that is addressed and located on and can be serviced from a dedicated public street or dedicated public alley within the City. Residential Facility does not include hotels, motels, Single Room Occupancy hotels, inns, bed & breakfast establishments, or mixed use facilities.

r. Residential Refuse means Refuse, as defined above, normally generated from a Residential Facility which is placed in a City approved container at the curb line of a dedicated public street or dedicated public alley on the designated Collection Services day during the designated Collection Services hours. Residential Refuse includes recyclable materials and green materials. It does not include construction and demolition debris.

## POLICY

The City provides one time per week Refuse Collection Services under the People's Ordinance, SDMC § 66.0127. Such services may also include the separate curbside collection of Recyclable Materials and Green Materials for diversion from landfill disposal to comply with AB 939 and the City's environmental stewardship goals.

In the provision of Collection Services, the City will not collect, deliver and/or service collection containers if the provision of such services would violate any federal, state or local law, statute, regulation or ordinance including, but not limited to, the California Vehicle Code.

The City will not enter onto private property or use private streets, alleys or driveways to provide Collection Services, except in the event of a public emergency or pursuant to a valid, existing hold harmless agreement in effect on November 4, 1986.

The City will not provide Non-Residential Refuse Collection Services, except for limited service to eligible small business enterprises if authorized by the City Council and in accordance with eligibility criteria established by the City Manager (Mayor).

## SCOPE

This Waste Management Regulation applies to Collection Services provided by City Forces to Residential Facilities located within the corporate limits of the City of San Diego and to Refuse Collection Services provided by City Forces to City public facilities.

This Waste Management Regulation does not apply to Refuse collection services provided by City franchised solid waste collection companies providing residential or other refuse collection services in full compliance with the terms of their franchise granted by the City Council.

## RULES AND REGULATIONS

The following rules and regulations for the collection of Residential Refuse by City Forces under the People's Ordinance are hereby established and shall govern the eligibility for and provision of such services.

# I. General

### A. Authority of Environmental Services Director

The administration and implementation of this Waste Management Regulation is under the direction of the Director, who has the authority to determine eligibility to receive City Force provided Collection Services, days and hours of collection, placement of containers for collection, required spacing between containers placed out for collection, adequate

storage area for containers, and to require compliance by City customers, as necessary, in order to implement the intent of these regulations.

**B. Failure to Comply**

Any resident or generator who fails to comply with these regulations shall be subject to such administrative action as specified by the City Manager (Mayor) and authorized by the San Diego Municipal Code.

**C. Effective Date**

These regulations shall be in full force and effect as of July 26, 2010.

## II. Eligibility for City Force Residential Refuse Collection Services

A. Eligibility for Residential Refuse Collection Services.

In order to be eligible to receive City Force provided Residential Refuse Collection Services, a Residential Facility must meet **all** of the following criteria:

1. The Residential Facility must be located within the corporate limits of the City.
2. The Residential Facility property must be located on, addressed on and contiguous to a dedicated public street or dedicated public alley with Reasonable Access to a City designated collection point and safe access for City Force collection vehicles. The dedicated public street or dedicated public alley must have adequate space for the proper placement and separation of all containers for collection, as prescribed in these regulations, without obstructing the safe and normal flow of traffic, violating any laws or creating other unsafe conditions.
3. The Residential Facility property must have adequate on-site storage space to store the number of approved Refuse, Recyclable Material, and Yard Waste collection containers needed to contain the amount of Refuse, Recyclable Material, and Yard Waste ordinarily accumulated during the interval between collections.

. All requests to initiate Residential Refuse Collection Services must be made in writing to the Environmental Services Department on a form approved by the Director.

B. Limitations on Services.

1. The City will not provide Residential Refuse Collection Services to any Residential Facilities in gated communities, located on private streets, addressed on public streets if any of the Residential Facilities in the gated community do not

have Reasonable Access to a dedicated public street or dedicated public alley designated as suitable for City Force collection vehicles.

2. The City will not provide Residential Refuse Collection Services to Multi-family Residential Facilities without adequate storage space on the property for the number of approved refuse, recyclable material, and yard waste collection containers needed to contain the amount of refuse, recyclable material, and yard waste ordinarily accumulated during the interval between collections.

3. The City will not provide Residential Refuse Collection Services to any Residential Facilities, even if addressed on a dedicated public street, that are located on a private street or private alley and do not have Reasonable Access to a designated collection location on a dedicated public street or dedicated public alley and/or which require City Forces to travel across a private street or private alley to deliver, maintain or repair an automated collection container.

4. The City will not initiate Collection Services to multi-family residential units in a Mixed-Use Facility in which the retail/commercial units within the complex receive commercial refuse collection services from a City-franchised solid waste collection company.

## III. Initiation of City Force Refuse Collection Services

A. General

1. The City will initiate Collection Services to a new Residential Facility after receipt of a written application from the resident, documentation of a certificate of occupancy, a determination by City staff that the Residential Facility is eligible to receive City-provided Collection Service, and the payment of any applicable fees. Containers delivered to an eligible Residential Facility are subject to a pre-paid delivery fee.

2. The resident shall initiate the application for Collection Service process by contacting Environmental Services Department Customer Services. An application form will be sent to the resident. After receipt of a completed application form, City staff will review the information provided and inspect the property to determine if it meets the requirements of these rules and regulations and the standards for safe Collection Services.

3. Owners/managers of multi-family Residential Facilities seeking to transfer from privately contracted collection services to City Force provided Collection Services shall follow the same procedure described in C. 2. above. The criteria for determining the eligibility of a Multi-family Residential Facility to receive

City Force provided Collection Services are shown on Attachment 1. All of the criteria must be met or the facility will be deemed ineligible to receive City Force provided Collection Services.

4. Requests for the initiation of City Force provided Collection Services for multi-family complexes, apartments, condominium projects, etc., will be approved or disapproved based on the ability of the entire complex to meet the standards in these rules and regulations, provided that a residential unit, within a multi-family complex, which has Reasonable Access as defined herein and meets and complies with the other rules and regulations herein may receive City Force provided Refuse Collection Services at the Director's discretion. Service will not be provided to a single unit or multiple units within a complex unless adequate on-site storage and curb side or alley frontage set out space is available for all units and all Refuse, Recyclable Material, and Yard Waste containers.

5. The decision of the Director regarding eligibility for City-provided Collection Services shall be final.

B. Provision and Use of Automated Collection Containers

1. The City will provide an initial automated collection container for Refuse, Recyclable Materials, and Yard Waste (if automated Yard Waste collection is provided) to a new Residential Facility at a new address for its initial occupancy after receipt of a completed application, documentation of a "Certificate of Occupancy," a determination that the Residential Facility is eligible for City-provided Collection Services, and the payment of any required fees. Automated yard waste collection containers will be provided only in areas receiving automated yard waste Collection Services.

2. All Residential Facilities must provide a replacement automated Refuse collection container at the customer's expense when the initial automated Refuse container provided to that property is lost, stolen, or no longer serviceable.

3. Additional or replacement black automated Refuse collection containers may be obtained from the City upon the payment of a one-time user fee plus a delivery charge. Additional or replacement blue automated Recyclable Material or green automated Yard Waste collection containers may be obtained from the City for a delivery charge. The delivery charge may be avoided if the customer picks-up the container at the Environmental Services Operations Station. Alternatively, residents may purchase approved automated Refuse collection containers from any private source which offers City-approved automated Refuse collection containers.

4. The City will provide up to three blue automated Recyclable Materials collection containers to a single Residential Facility after a determination by City staff that there is a demonstrated need for the additional containers, and there is adequate storage space and set out frontage for the additional containers. There is no cost for up to three automated Recyclable Materials collection containers if picked up at the Environmental Services Operations Station. Containers delivered by the City to a Residential Facility are subject to a pre-paid delivery charge.

5. Damaged Refuse containers which are not repairable must be replaced at the customer's expense. City-provided containers which are still under warranty will be replaced for a pro-rated user fee.

6. Customers must pay the full cost user fee for the replacement of lost or stolen automated Refuse collection containers plus a delivery fee, if applicable. City-provided containers which are still under warranty will be replaced for a pro-rated user fee.

7. The user fee for additional or replacement automated Refuse containers and applicable delivery fees are posted on the City's public web site (www.sandiego.gov/environmental-services)

8. City-provided containers are available in three sizes: 32, 64, or 96 gallon capacity.

9. Residents may purchase **black** automated Refuse collection containers from sources other than the City for collection by City Forces subject to the following conditions:

   - Containers must be compatible with City collection vehicles.
   - Containers must be black and have a capacity of 32, 64 or 96 gallons.
   - Containers must be one of the following makes and models.
     - Rehrig Pacific – ROG-35, ROG-65, or ROG-95U.
     - Shafer Systems International – USD-35B, USD-65B or USD-95B.
     - Toter, Inc. – EVR Universal Cart – 32, 64 or 96 gallon capacity.

10. Automated collection containers acquired from sources other than the City shall be subject only to the vendor's warranty, if any, and will not be repaired or maintained by the City. The City will not be responsible for damage to containers during the collection process.

11. The City will collect Refuse only in City-provided or City approved **black** automated collection containers. The City will not collect materials placed out for collection in bags, boxes or non-approved containers.

12. The City will collect residential Recyclable Materials only in the **blue** City-provided automated collection containers. The City does not provide commercial recycling services.

13. City-provided automated collection containers are the property of the City and must not be removed from the address to which they are assigned. Payment of a one-time user fee for an additional black container does not entitle the customer to remove that container without the prior written approval of the City when/if the customer moves to another location. This approval will be given only if the customer is moving to another property within the City that is eligible for and receives City Force provided Collection Services. Residents must leave the initial City provided automated collection container for use by subsequent residents.

## IV. Conditions of Service

A. Residential Refuse Collection Services.

The City provides weekly Residential Refuse Collection Services to eligible Residential Facilities and bi-weekly collection of Recyclable Materials and/or Yard Wastes from designated, eligible Residential Facilities under the following conditions of service:

1. City Force Residential Refuse collection services are provided one-time per week and collected Monday – Friday from 6:00 a.m. to 5:00 p.m. The Director shall establish days of collection for the various areas of the City. To the extent possible, all collection routes will be collected in the same order so that collection times will be consistent (e.g., morning or afternoon). Specific collection times are not guaranteed; however, all Refuse placed out for collection prior to 6:00 a.m. on the scheduled collection day in compliance with these rules and regulations will be collected.

2. Refuse, Recyclable Material, and Yard Waste collection schedules will be posted on the City's public website (www.sandiego.gov/environmental-services).

3. When a City Forces observed holiday falls on a scheduled collection day, no Refuse, Recyclable Materials or Yard Waste will be collected on the holiday and all Refuse, Recyclable Materials, and Yard Waste will be collected one day later for the remainder of the week.

   When the actual holiday falls on a Saturday but is observed on the preceding Friday, Collection Services will be provided on the Friday as normally scheduled.

4. City Forces observed holidays impacting collection schedules are:

   - New Years Day
   - Memorial Day
   - Independence Day
   - Labor Day
   - Thanksgiving Day
   - Christmas Day

   The date of each City Forces observed holiday and the post holiday collection schedule are posted on the City's public website (www.sandiego.gov/environmental-services).

5. Residents must use City provided or approved automated collection containers for Refuse and Recyclable Materials collection. City Forces will not collect Refuse or Recyclable Materials placed out for collection in any container except the City-provided or approved automated collection containers. The weight of Refuse or Recyclable Materials placed in automated collection containers may not exceed three hundred (300) pounds per container.

6. Residents with amounts of Refuse greater than the capacity of their automated container may refill the container for collection under the following conditions:
   - The additional Refuse is bagged at the designated collection point and ready to be placed in the automated container immediately after the initial load of Refuse is dumped into the collection vehicle.
   - The resident shall place the additional Refuse into the automate container immediately after the initial container load is dumped into the collection vehicle so as not to delay the driver from continuing his/her collection route.
   - The driver will not reload the container or wait for the resident to bring Refuse from the yard or garage to the designated collection point.
   - A maximum of two reloads will be accepted on any scheduled collection day.
   - Refuse in excess of the capacity of the resident's automated collection container capacity may be refilled only one time per month. If excess Refuse is generated on a regular basis, the resident must obtain additional approved black automated collection containers.

7. In areas with automated Yard Waste collection, residents must use City-provided or approved automated collection containers. The weight of Yard Waste placed in automated collection containers may not exceed three hundred (300) pounds per container. Bundled shrub clippings will not be collected in areas with automated Yard Waste collection services.

8. In areas with manual Yard Waste collection, residents are responsible for providing standard 32 or 45 gallon containers, with no attached lids or wheels, at their own expense. Shrub clippings less than four feet long and six inches in diameter may be tied in bundles weighing less than forty (40) pounds for collection.

9. The collection of Yard Waste shall be limited to wastes generated as a result of normal yard maintenance activities. Large quantities of Yard Waste generated as the result of a canyon clean-up, major tree trimmings or the replacement of landscaping, etc., are not eligible for City Force provided Collection Services. Residents are responsible for hauling Yard Wastes from such activities to an approved disposal facility or recycling center as appropriate at their own expense.

10. Residents who receive Recyclable Material Collection Services by City Forces must participate in the City's curbside recycling program by separating Recyclable Materials from other Refuse and depositing the Recyclable Materials in a City-provided blue recycling container and placing the container at the designated collection point on the scheduled collection date. It is unlawful for any person to deposit Refuse, hazardous substances, hazardous waste, medical waste, or Yard Waste in containers designated for Recyclable Materials.

11. Collection containers must be placed at the City designated collection point no earlier than 6:00 p.m. on the day prior to the scheduled collection day or later than 6:00 a.m. on the scheduled collection day.

12. Containers must be placed at the curb line of a dedicated public street or dedicated public alley with the wheels against the curb and at least three feet from other automated collection containers, parked cars, lamp posts, telephone poles and guy wires, mail boxes or any other obstruction. Containers must be placed side-by-side, not one in front of another, and must not be placed directly under a tree, low utility wire, basketball hoop, building overhang or other overhead obstruction.

13. All collection containers must be removed from the designated collection point by 6:00 p.m. on the scheduled collection day and returned to an appropriate storage area on the Residential Facility property.

14. Acceptable waste materials for City Force Collection Services include: normal household Refuse; ashes or sawdust that are thoroughly wet and contained in a sealed plastic bag; broken glass wrapped securely in multiple layers of newspaper; animal waste wrapped in newspaper or in a plastic bag; and empty and dry hazardous materials containers of five gallons or smaller in size.

15. Collection containers that are over flowing, overweight, dilapidated or otherwise determined to be uncollectable will not be collected and will be tagged as such by

the City Force crew. It is the resident's responsibility to replace such uncollectable containers inclusive of paying any applicable costs.

16. Waste materials **not** acceptable for City Force Collection Services include: liquids of any type; hot coals, ashes, or lit cigarettes; furniture, appliances or auto parts; oil, paint, batteries, or other household hazardous wastes or materials; sharps including needles, syringes, lancets, and other self-injection devices. Medical waste from home health care services may require special disposal. Please contact your health provider for disposal instructions.

17. Construction and Demolition debris (C&D), other than incidental amounts resulting from minor repair projects, is **not** acceptable for City Force Collection Services. C&D materials acceptable for collection include only light materials such as small amounts of molding, small pieces of drywall less than two square feet in size, small amounts of wood, etc. Heavy materials such as concrete, bricks, stones, pavers, ceramic tiles, lumber, plumbing fixtures, dirt/rocks, tree trunks, carpets or large scraps of carpet, etc., are not acceptable for City Force collection.

B. Americans with Disabilities Act (ADA) – Assisted Collection Program

1. The City will provide special assistance for individuals who are physically challenged and unable to meet normal container placement requirements for City Force provided Refuse, Recyclable Materials, and Yard Waste Collection Services.

2. ADA assisted collection will be provided only to residences where there is no able-bodied resident capable of moving the automated collection container from the storage location to the designated collection point.

3. City Force collection staff will move the collection container from an agreed upon storage location to the collection point, empty the container, and return it to the agreed upon storage location. The path from the storage location to the designated collection point must be safe for the City employee to access and efficient to service the automated collection container.

4. To be eligible for this service, residents must submit a "Request for Disability Accommodation" form completed by a medical provider to the Environmental Services Department. Each year, the resident must submit a statement signed by a medical provider verifying the need for continuing ADA assisted Collection Services. The Department will send a renewal application to all program participants at least thirty (30) days in advance of the ADA assisted Collection Services agreement's expiration date.

5. Residents who fraudulently obtain and use ADA assisted Collection Services will be denied further City provided ADA Collection Services and may be subject to such administrative, civil or criminal action as allowed by law.

## V. Responsibilities of Residents

A. Residents shall be responsible for compliance with the requirements of this regulation including, but not limited to, each of the following:

1. Providing a sufficient number of containers to store all the Refuse, Recyclable Material, and Yard Waste ordinarily accumulated at the Residential Facility between scheduled collection intervals.

2. Properly placing automated and manual collection containers at the designated collection point no earlier than 6:00 p.m. on the day prior to the scheduled collection day or later than 6:00 a.m. on the scheduled collection day.

3. Removing all collection containers from the designated collection point prior to 6:00 p.m. on the scheduled collection date.

4. Storing all collection containers in a secure location on the residential property not visible from the street, such as in the back yard, behind a fence or in a garage.

5. Participating in the City-provided residential Recyclable Material collection program by placing Recyclable Materials **only** in the City- provided blue automated collection container and placing the designated Recyclable Materials container out for collection on the scheduled collection day.

6. Placing only acceptable Refuse, Recyclable Material, and Yard Waste in their respective containers, keeping hazardous or other unacceptable materials such as liquids, Construction and Demolition debris, etc., out of the containers, and not exceeding the load limit of three hundred (300) pounds for automated collection containers or fifty (50) pounds for manual collection containers.

7. Keeping City collection containers clean and serviceable and contacting Customer Services in a timely manner when containers need repair or replacement.

8. Properly using City containers for the storage and collection of Refuse, Recyclable Material, and Yard W-wastes. City containers may not be used for any other purposes and may not be removed from the address to which they have been assigned except for the purpose of weekly or bi-weekly collection by City Forces.

9. Properly using City containers in a manner consistent with their individual capabilities. Residents not physically capable of safely moving collection containers may apply for Americans with Disabilities Act (ADA) special

assistance. Automated collection containers should **not** be pushed or pulled with the lids open since the containers may become unbalanced and may cause falls or injuries.

10. Timely reporting of missed collections to Customer Services, i.e., no later than 5:00 p.m. on the day following the scheduled collection day, in order to receive a call back collection service. If the container was not placed at the designated collection point prior to 6:00 a.m. on the scheduled collection day in compliance with the requirements of this regulation and a City collection vehicle serviced the other residences adjacent to the location of the "missed stop," or the report of the missed collection is made after 5:00 p.m. on the day following the scheduled collection day, a call back collection may not be provided.

11. Contacting Customer Services with any questions regarding City Force Collection Services, City provided automated collection containers or these rules and regulations.

## VI. Responsibilities of Small Business Enterprises

A. Small business enterprises serviced by the City also must comply with the rules and regulations set forth in sections III. IV.A, and V above for Residential Refuse Collection Services consistent with the People's Ordinance.

B. This Waste Management Regulation is not intended to address small business enterprise eligibility criteria, nor shall it be construed to do so. The City Manager (Mayor) reserves the right to address eligibility criteria for small business enterprises at a future date.

By: _____ Date: 7/22/10

Environmental Services Director

Authorized: _____ Date: 8.5.10

Mayor of the City of San Diego

WASTE MANAGEMENT REGULATION R-009-10 – July 10, 2010

ELIGIBILITY, STANDARDS OF SERVICE, AND SET OUT REQUIREMENTS FOR CITY FORCE PROVIDED RESIDENTIAL REFUSE COLLECTION SERVICES

Authority:

San Diego Municipal Code sections 66.0124, 66.0126, 66.0127, 66.0701 et seq. 142.0801 et seq.

City Manager's Report No.86-293 (June 13, 1986)

Sample Ballot for November 4, 1986 General Election, Proposition C

City Attorney MOL 2006-13 (July 9, 2006)

Automated Container Policy (ESD-001) (May 26, 2006)

California Public Resources Code Section 40059

## Eligibility Criteria for Multifamily Residential Facilities to Receive City Residential Refuse Collection Services

Large multi-family residential complexes are generally designed with one or more centralized refuse storage areas designed for 3 cubic yard trash bins rather than for each residential unit to have separate trash storage and collection containers. However, as private trash collection costs have increased, multi-family residential complex owners and managers have requested to convert to City Force provided Residential Refuse Collection Services which are currently provided at no cost to the customer. Since City services are provided using individual automated collection containers and are limited by the provisions of SDMC § 66.0127 and this Waste Management Regulation, any multi-family residential complex, and all units within the complex, seeking to use City Force provided Residential Refuse Collection Services must meet and be in full compliance with **all** of the following criteria in order to receive City Force provided Residential Refuse Collection Services.

1. The complex must be entirely located within the City of San Diego.
2. All units in the complex must be addressed and located (front) on dedicated public streets or dedicated public alleys which the City determines are suitable for City collection vehicles and safe for City-provided Collection Services. Complexes with units located on private interior streets, parking lots or driveways are not eligible for City Residential Refuse Collection Services.
3. The owner/manager of the complex must provide a sufficient number of City-provided or approved automated Refuse and Recyclable Materials containers to contain the quantity of Refuse and Recyclable Materials ordinarily accumulated by the residents of the complex between collection intervals.

The following table indicates the minimum size container for each unit in the complex:

| UNIT SIZE | REFUSE CONTAINERS | RECYCLABLES CONTAINERS |
|---|---|---|
| Studio | One 64 gallon container per unit or one 96 gallon container per two studio units. | One 64 gallon container per unit or one 96 gallon container per two studio units. |
| One Bedroom | One 64 gallon container per unit or two 96 gallon containers per three units. | One 64 gallon container per unit or two 96 gallon containers per three units. |
| Two Bedroom | One 64 gallon container per unit. | One 64 gallon container per unit. |
| Three or More Bedrooms | One 96 gallon container per unit. | One 96 gallon container per unit. |

4. The complex must have adequate storage areas for all of the containers for all of the Refuse and Recyclable Materials generated on the property on a weekly basis and the containers must be readily accessible to residents of the complex. Containers may be stored in one or more centralized locations or within the yards, carports or garages of individual units and must not be visible from a public street.

5. The owner/manager of the complex must provide documentation that the containers can be placed at designated collection points prior to 6:00 a.m. on the scheduled collection day and returned to the storage area(s) on the property by 6:00 p.m. on the scheduled collection day.

6. The dedicated public streets and/or dedicated public alleys which will serve as collection locations must have adequate space for the proper placement and separation of all Refuse and Recyclable Material containers without obstructing bike lanes, on-site parking, or the safe and normal flow of traffic; violating any laws; or creating safety hazards for the public, the collection vehicle or the collection crew. The amount of curbside or alley frontage available for container set out must be equal to or greater than five (5) linear feet for each container using the number of units in the complex and the minimum container requirements in 3. above.

7. Collection points must be free of any overhead obstructions such as, but not limited to, trees with low branches, building overhangs, basketball hoops, low wires, etc., that could interfere with the automated collection of the containers using side-load automated collection vehicles.

8. The entire complex and each unit within the complex must meet and comply with each of the criteria to receive City Residential Refuse Collection Services; provided that a residential unit, within a multi-family complex, which has Reasonable Access as defined herein and meets and complies with the other rules and regulations herein may receive City Force provided Refuse Collection Services at the Director's discretion.