AN ORDINANCE AMENDING THE MARIPOSA COUNTY CODE BY ADDING CHAPTER 8.36 TO TITLE 8 THERETO ENTITLED AN ORDINANCE RELATING TO PUBLIC
HEALTH AND PARTICULARLY TO THE COLLECTION, TRANSPORT, AND
DISPOSAL OF SOLID WASTE CLASSIFYING LAND AND ESTABLISHING
A SCHEDULE OF FEES AND PROVIDING FOR APPROPRIATE EXEMPTION FOR
COUNTY WASTE DISPOSAL.

The Board of Supervisors of the County of Mariposa, State
of California, does hereby ordain as follows:

The Mariposa County Code is hereby amended by adding
Chapter 8.36 thereto in order to establish regulations
governing the collection, transportation, and disposal of solid
wastes within the County of Mariposa and to further classify
land and establish a schedule of fees and provide for appropriate
exemption for County waste disposal. The following chapter and
sections to be numbered, entitled, and read as follows:

TITLE 8
HEALTH AND SAFETY

Sections:
3.36.010 Purpose
8.36.020 Definitions
8.36.030 Solid Waste Storage and Removal Standards
8.36.040 Collection and Transportation Equipment
8.36.050 Regulation of Collectors
8.36.060 Solid Waste Disposal
8.36.070 Penalties
8.36.080 Refuse Removal
3.36.090 Certificates or Permits
8.36.100 Classification of Land and Establishment of a
Schedule of Fees and Providing for Appropriate
Exemption for County Waste Disposal
8.36.110 Repeal

8.36.120 Adoption

8.36.130 County Area Covered and Excluded

SECTIONS

8.36.010 PURPOSE. The Board has found it necessary to establish regulations governing the collection, transportation, and disposal of solid waste within the County of Mariposa and to further classify land and establish a schedule of fees and provide for appropriate exemption for county waste disposal.

8.36.020 DEFINITIONS.

A. GENERAL

Unless the context requires otherwise, the definitions set forth in this Section shall govern the construction of this Chapter.

B. ABANDONED VEHICLES

Abandoned vehicles includes vehicles, with or without motor power, including cars, trucks, trailers, mobilehomes, buses, etc., left on public or private property for an extended period of time and usually in an inoperable or hazardous condition.

C. BOARD

Board means the Board of Supervisors of the County of Mariposa.

D. BULKY WASTE

Bulky waste includes large items of solid waste such as appliances, furniture, large auto parts, trees, branches, stumps, and other oversize wastes whose large size precludes or complicates their handling by normal collection, processing, or disposal methods.

E. CERTIFICATE OF CONVENIENCE AND NECESSITY
Shall be that resolution issued by the Board of Supervisors as defined in Ordinance 353

F. **CERTIFICATE HOLDER**

Shall be that person to whom a Certificate of Convenience and Necessity has been granted; co-terminously referred to as "Franchisee"

G. **COLLECTION**

Collection means the act of collecting solid waste at the place of waste generation by an approved collection agent (public or private) and is distinguished from "removal".

H. **COLLECTOR**

Any person who collects for disposal any refuse other than that which was produced in his own dwelling or business. Refuse from multiple unit dwellings, condominiums, apartments, home owners association, and mobile home parks is considered as produced by others, excepting owners who have refuse therein and homeowners associations.

I. **COMMERCIAL SOLID WASTES**

Commercial solid wastes include all types of solid waste generated by stores, offices, and other commercial sources, excluding residences, and excluding industrial wastes.

J. **COLLECTION VEHICLE OR EQUIPMENT**

Collection vehicle or equipment includes any vehicle or equipment used in the collection of residential refuse or commercial solid wastes.

K. **COMPOSTING**

Composting includes a controlled microbial degradation of organic wastes yielding a safe and nuisance free product.
L. CONSTRUCTION AND DEMOLITION WASTES

Construction and demolition wastes include the waste building materials, packaging, and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings, and other structures.

M. COUNTY HEALTH DEPARTMENT

County Health Department means the County Department of Health, County of Mariposa.

N. DISPOSAL SITE OR SITES

Disposal site or sites includes the place, location, tract of land, area or premises in use, intended to be used, or which has been used for the landfill disposal of solid wastes.

O. HEALTH OFFICER

Health Officer means the Health Officer of the Department of Health of the County of Mariposa or his designated representative.

P. ENFORCEMENT AGENCY

Enforcement Agency means the Department of Health of the County of Mariposa. Such enforcement is limited to those regulations that pertain to public health and safety. The Department of Health is responsible for the operational plan for all franchise operations and or permittees.

Q. GARBAGE

Garbage includes all kitchen and table food waste, and animal or vegetable waste that attends or results from the storage, preparation, cooking, or handling of food stuffs. Uncleaned food containers are considered garbage.

R. HAZARDOUS WASTES
Litter includes any post-consumer solid waste which is not deposited in (1) an authorized solid waste site; (2) appropriate and serviced storage containers; or (3) in other areas designated for disposal of solid wastes.

X. **NUISANCE**

Nuisance includes anything which is injurious to human health or is indecent or offensive to the senses and interfere with the comfortable enjoyment of life or property, and affects at the same time an entire community or neighborhood or any considerable number of persons although the extent of annoyance or damage inflicted upon the individual may be unequal and which occurs as a result of the storage, removal, transport, processing, or disposal of solid waste.

Y. **PERMIT**

Permit means that particular document issued by the Mariposa County Health Department.

Z. **PERSON**

Person includes an individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation or any other entity whatsoever.

AA **PERMISES**

Premises includes a tract or parcel of land with or without habitable buildings or appurtenant structures.

AA(1) **PROCESSING**

Processing includes the reduction, separation, recovery, conversion, or recycling of solid waste.

BB **PROPERLY PREPARED RECYCLABLE WASTE**

Properly prepared recyclable waste means materials separated
by kind, free of impurities as currently required by
receiving manufacturers.

CC PUTRESCIBLE WASTES

Putrescible Wastes include wastes that are capable of being
decomposed by micro-organisms with sufficient rapidity as to cause
nuisances because of odors, gases, or other offensive conditions,
and include materials such as food wastes, offal, and dead animals

DD REFUSE

Refuse includes garbage and rubbish such as cleaned bulky
waste, industrial waste, institutional waste, construction and
demolition waste, manure, etc.

EE RECYCLING

Recycling means the process by which salvaged materials
become usable products.

FF REMOVAL

Removal means the act of taking solid wastes from the place
of waste generation either by an approved collection agent or
by a person in control of the premises.

GG REMOVAL FREQUENCY

Removal frequency means frequency of removal of solid wastes
from the place of waste generation either by an approved
collection agency or by the owner of the waste.

HH RESIDENTIAL REFUSE

Residential refuse includes all types of domestic garbage and
rubbish which originate in residential dwellings

II RESOURCE RECOVERY

Resource recovery means the reclamation or salvage of
wastes for reuse, conversion to energy or recycling, includes
Hazardous wastes include any waste material or mixture of wastes which is toxic, corrosive, flammable, an irritant, a strong sensitizer, which generates pressure through decomposition, heat or other means, if such a waste or mixture of wastes may cause substantial personal injury, serious illness or harm to humans, domestic animals, or wildlife, during or as an approximate result of any disposal of such wastes or mixture of wastes as defined in Article 2, Chapter 5.5, Section 25117 of the Health and Safety code. The terms "toxic", "corrosive", "flammable", irritant", "strong", "sensitizer" shall be given with the same meaning as in the California Hazardous Substances Act (Chapter 13 commencing with Section 28740 of Division 21 of the Health and Safety Code).

S. HEALTH DEPARTMENT

Health Department means the Mariposa County Health Department of the County of Mariposa.

T. HEALTH OFFICER

Health Officer means the Health Officer of the County of Mariposa.

U. INDUSTRIAL WASTES

Industrial wastes include all types of solid wastes and semi-solid wastes which result from industrial processes and manufacturing operations.

V. INSTITUTIONAL SOLID WASTES

Institutional Solid Wastes include solid wastes originating from educational, health care, correctional, research facilities, or other similar facilities.

W. LITTER
but not limited to newsprint, cardboard, tin, bimetal and aluminum cans and bottles.

JJ RUBBISH

Rubbish includes non-putrescible solid wastes such as ashes, paper, cardboard, cans, yard clippings, wood, glass, bedding, crockery, plastics, rubber by-products or litter. Uncleaned food containers are classified as garbage.

KK SOLID WASTES OR WASTES

Solid wastes or wastes include all putrescible and non-putrescible solid and semisolid wastes, such as refuse, garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes, and also includes liquid wastes disposed of in conjunction with solid wastes at solid waste transfer processing stations or disposal sites, but excludes (1) individual sewage disposal system pumpings; (2) sewage collected and treated in a municipal or regional sewage system; (3) materials or substances having commercial value which have been salvaged for refuse, recycling or resale; or (4) hazardous waste

LL TRANSFER STATION OR STATION

Transfer station or station includes those facilities utilized to receive solid wastes, or temporarily store for transport to their place of disposition: Fish Camp, Hornitos, Coulterville, and one County-wide disposal site or other sites designated by the Board

MM VECTOR

Vector includes any insect or other arthropod, rodent, or
other animal capable of transmitting the causative agents of
human disease, or disrupting the normal enjoyment of life by
adversely affecting the public health and well being.

**NN** WRITTEN APPROVAL

Written approval includes the permit, certificate, license,
or other written approval used by an Enforcement Agency and
other approval agencies to administer these standards.

8.36.030 SOLID WASTE STORAGE AND REMOVAL STANDARDS

**A** GENERAL

The owners, operator and/or occupant of any premise,
business establishment, industry or other property, vacant or
occupied, shall be responsible for the safe and sanitary
storage of all solid waste generated and/or accumulated on the
property.

**B** STORAGE

In all cases in which garbage and rubbish are combined, the
standards for garbage shall prevail. The property owner or
occupant shall store solid waste on his premises or property
or shall require it to be stored or handled in such a manner
so as not to promote the propagation, harborage, or attraction
of vectors, or the creation of nuisance.

**C.** DESIGN REQUIREMENTS

The design of any new, substantially remodeled or
expanded commercial building or other facility, excluding single
family residences, shall provide for proper storage or handling
which will accommodate the solid waste loading anticipated and
which will allow for efficient and safe waste removal or
collection. The design shall demonstrate to local land and
building permit issuing authorities that it includes the
required provisions along with design facilities, to clean
containers and for drainage of water to do same.

D. OPERATOR RESPONSIBILITY

Where the collection operator furnishes storage containers,
he is responsible for maintaining the containers in good
condition (ordinary wear and tear excepted) unless they are
furnished under other terms, conditions, or agreements. He shall
plan with the property owner and/or occupant as to placement of
storage containers to minimize traffic, aesthetic and other
problems both on the property and for the general public.

E. GARBAGE CONTAINERS

Property owners and tenants shall deposit all garbage and
putrescible matter or mixed garbage and rubbish in containers
which are non-absorbent, water-tight, vector-resistant, durable,
easily cleanable, designed for safe handling, with tight
fitting lids. When handled by collectors size shall be a
minimum of 10 gallons and a maximum of 33 gallons and shall not
be loaded so as to exceed 60 pounds including container
weight. Containers for garbage and rubbish should be of adequate
size and in sufficient numbers to contain without overflowing,
all the refuse that a household or other establishment generates
within the designated removal period and shall be equipped with
adequate handles for lifting. Containers shall be maintained
in a clean, sound condition free from putrescible residue.

F. RECYCLABLE WASTES

Properly prepared recyclable waste may be stored in open
containers provided such storage does not promote the propagation,
harborage, or attraction of vectors, the creation of nuisances, or the generation or accumulation of litter.

G. IDENTIFICATION OF CONTAINERS

Containers of one cubic yard or more owned by the collection service operator shall be identified with the name and telephone number of the agent servicing the container.

H. USE OF COUNTY NAME PROHIBITED

Any permit or franchise holder shall not use a firm name containing "County" or "Mariposa" or other words implying County ownership.

I. USE OF CONTAINER

No person shall tamper with, modify, remove from, or deposit solid wastes in any container which has not been provided for his use, without the permission of the container owner.

J. FREQUENCY OF REFUSE REMOVAL

The owner or tenant of any premises, business establishment or industry shall be responsible for the satisfactory removal of all refuse accumulated by him on his property or his premises. Where it is deemed necessary by the local health officer because of the propagation of vectors and for the protection of public health, frequency of removal may be established. Where garbage and rubbish are containerized together, the period of removal shall be that applied to garbage.

8.36.040 COLLECTION AND TRANSPORTATION EQUIPMENT

A. EQUIPMENT CONSTRUCTION

All equipment used for the collection and transportation of residential and commercial refuse shall be non-absorbent,
water-tight, vector-resistant, durable, easily cleanable, covered and designed for safe handling. Said equipment shall be maintained in good condition and cleaned, and disinfected in a frequency and in a manner determined by the Health Department to prevent the propagation or attraction of flies, rodents, or other vectors and the creation of nuisances. The Health Department shall determine the suitability of such equipment. Vehicles used by individuals for the transport of refuse shall be covered so as to prevent spillage, leakage, or the production of litter. Garbage shall be transported in a container with a tight fitting lid.

B. VEHICLE MARKINGS

There shall be permanently affixed upon each side of said vehicle, in letters and/or numbers at least three (3) inches high, the name of the licensee and the address or telephone number thereof. Said letter and/or numbers must be of a color that will contrast with the color of the vehicle and must be easily readable from the distance of at least fifty (50) feet.

C. EQUIPMENT SAFETY

Vehicles and equipment used in the transport of garbage and rubbish shall be constructed and maintained in such a manner as to minimize the health and safety hazards to collection personnel and the public.

D. EQUIPMENT PARKING

For reasons of nuisance and vector problems, uncleaned refuse collection vehicles containing putrescible materials shall not be stored on public streets or roads except under emergency conditions. The collection service operator must designate a
location where the vehicles will be parked when not in service.

E. INSPECTION OF EQUIPMENT

Equipment used for solid waste collection shall be made available for inspection as requested by the Health Department or at any time the equipment is in operation.

8.36.050 REGULATION OF COLLECTORS

A. REGULATION OF COLLECTORS

Each person providing residential, commercial, or industrial solid waste collection services shall comply with all requirements of this ordinance. Each collector shall obtain a Certificate of Convenience and Necessity to be issued by the Board of Supervisors and a permit from the Health Department. Such Certificate or permit shall be contingent upon the collectors demonstrated capability to comply with this ordinance and use equipment which is safe and sanitary.

B. COLLECTOR QUALIFICATION

When the County authorizes or designates a person or firm to provide solid waste collection services to the general public within the territory under its jurisdiction through permit or Certificate, the County shall obtain sufficient information to show that such person or firm has adequate financial resources and experience to properly conduct the operation authorized.

C. OWNERSHIP OF WASTE MATERIALS

Solid wastes subject to collection by a collector shall become the property of the collector after such time as the authorized collector takes possession of the wastes and until it is deposited in an authorized disposal site. Recyclable material when destined for organized drives is excepted from this section.
8.36.060 SOLID WASTE DISPOSAL

A  ILLEGAL PLACING OF SOLID WASTE
It shall be unlawful for any person to dispose of garbage, rubbish or refuse except in (1) an authorized solid waste (2) appropriate and serviced storage containers or (3) in other areas designated for disposal of solid waste. This section applies to litter as defined by this ordinance.

B  BURNING OF GARBAGE
It shall be unlawful for any person to dispose of garbage by burning.

C  COMPOSTING
Composting is permitted provided such composting follows a procedure that does not create a public nuisance. The Health Department will provide acceptable procedures.

D  INDIVIDUAL REFUSE DISPOSAL
Occupants of large tracts of land such as ranches may dispose of waste generated on the premises in a manner approved by the Health Department. Frequency of inspection and procedures to be followed to be determined by the Health Department.

E  HAZARDOUS WASTE
It shall be a violation of this ordinance for any person to dispose of hazardous waste, as defined in paragraph (R) in section 8.36.020, in Mariposa County.

8.36.070 PENALTIES
Any violation of this ordinance is a misdemeanor and shall be punishable under Chapter 1.20, the General Penalty provision, of this code.

///
8.36.080 REFUSE REMOVAL

A. All containers for garbage shall be located as agreed upon between the customer and the collector. In case of dispute the location shall be as determined by the County Health Department.

B. HOURS OF COLLECTION

No collection shall be made before 6:00 a.m. and after 8:00 p.m. unless otherwise authorized by the Board of Supervisors.

C. REMOVAL OF REFUSE BY PRODUCERS

Any person may remove or dispose of, or may cause to be removed and disposed of from premises occupied by him or under his control, such refuse as is created or produced on such premises if the following conditions have been or will be complied with.

1. Such removal and disposal activity shall be only by the owner or occupant personally, or by such owners or occupants regularly employed personnel carried on owners or occupants payroll records as an employee.

2. All vehicles used in carrying out such removal and disposal activities shall be owned by or under the exclusive control of owner or occupant and shall meet all the requirements of this chapter and all other laws and ordinances of the State of California and the County. Any such vehicle shall be subject to inspection by the Health Department.

3. Occasional pick-ups by others, for which no charge is made, are allowed provided the vehicle used in such pick-ups meet the operational requirements of Section 8.3.02.
D. CHARGES

Charges to customers for garbage service shall be set by a four-fifth vote of the Board of Supervisors by resolution for a permit or certificate or upon acceptance of a bid received for a permit or certificate. Said charges may be revised by the Board of Supervisors by a four-fifth vote from time-to-time after holding a public hearing thereon.

The basic minimum rate in the schedule of charges adopted by the Board of Supervisors shall provide for the collection of three standard containers of garbage per week per occupied premises by the collector. Charges for industrial or commercial service shall be negotiated between the collector and the customer, and shall not be subject to County review.

E. CUSTOMER MAY CONTRACT FOR EXCESS COLLECTION

Any owner or occupant of any premises may contract with the collector for special haul services for the removal of refuse.

8.36.090 CERTIFICATES

A. APPLICATION FOR CERTIFICATE

Applications for certificates in accordance with applicable county ordinances shall be submitted in writing to the Clerk of the Board. Each application shall contain the following information:

Name and address of the applicant. If the applicant is a firm or partnership, names of all owners and partners of all classes, limited and general, shall be listed. If the applicant is a corporation, the names and titles of each of the officers and directors shall be listed, and in addition the names of all stockholders owning, holding,
or controlling five (5) percent or more of corporate stock shall be listed.

B. COMPETITIVE BIDS

The Board of Supervisors may in its discretion, in lieu of considering applications for certificates may advertise for competitive bids for certificates hereunder.

C. GRANTING CERTIFICATES

Upon consideration of an application or bid for a certificate, the Board of Supervisors may refuse to grant the requested certificate, or may grant a certificate to any such applicant or bidder as may appear from said application or bid to be in its opinion best qualified to render proper and efficient collection service.

Every certificate granted by the Board of Supervisors pursuant to the provisions of this chapter shall cover the following matters:

1. The name and address of the person, firm or corporation to whom the certificate is issued.
2. The type of collection service authorized.
3. Whether the certificate is exclusive or non-exclusive; limited or unlimited.
4. The term for which the certificate is granted.
5. Such other conditions as the Board of Supervisors may provide.

D. LIMIT ON NUMBER OF CERTIFICATES

In order to preserve the health, safety, and welfare of the people in the County, the Board of Supervisors hereby retains the authority to limit the number of certificates for the
collection of garbage, swill, industrial garbage and
salvageable waste which will be issued under this chapter.

E. INSURANCE REQUIREMENTS IF CERTIFICATED OR UNDER A
COUNTY PERMIT

No certificate shall be issued under the provisions of this
chapter, nor shall any such certificate be valid after issuance
unless there is at all times in force and effect to provide
protection against liability for damages which may be imposed
for the negligence of the certificate holder or his employees
or agents, a liability insurance policy or policies approved
by the Board and issued by an insurance company authorized to do
business in the State of California.

Such policy or policies shall provide protection against
liability of the licensee for the payment of damages in
amounts, as called out in the certificate.

A liability insurance policy required by this section shall
insure to the benefit of any persons who shall be injured or
who shall sustain damage to property proximately caused by the
negligence of the certificate holder insured by such policy,
his employees or agents.

Satisfactory evidence that the liability insurance required
by this section is at all times in full force and effect shall be
furnished to the Board and the County Health Dept. by each
certificate holder to provide such insurance.

The policy of insurance shall contain a provision against
cancellation except upon ten (10) days prior to written notice
thereof the the Clerk of the Board and the County Health Dept.

F. FAITHFUL PERFORMANCE BOND BY_collectors
Each person granted a certificate to collect garbage pursuant to the provisions of this chapter shall file with the Clerk of the Board a performance bond satisfactory to the County in an amount required by the certificate. Said bond or security shall be conditioned upon the faithful performance of all of the terms and conditions of said certificate and the provisions of this chapter, insofar as they are applicable to said certificate.

G. TRANSFER OF CERTIFICATES

No certificate granted by the Board of Supervisors pursuant to the provisions of this chapter and no ownership interest in any grantee of such a certificate can be sold, transferred, leased, assigned, mortgaged, pledged, hypothecated, or otherwise encumbered or disposed of, in whole or in part, directly or indirectly, whether voluntarily or by operation of law, or through any stock transfer, transfer in trust, change in control, consolidation or merger of any company or corporation without the prior written consent of the Board of Supervisors. The Board may grant or deny such a request, and may impose such conditions as it may deem to be in the public interest. Any attempted disposition made without such consent shall be void.

G. REVOCATION OF CERTIFICATE

Any certificate granted by the Board of Supervisors pursuant to the provisions of this chapter may be revoked by the Board of Supervisors, if after conducting a public hearing on said revocation, the Board of Supervisors finds and determines that the person doing business by virtue of such certificate has failed to comply with any of the terms of said certificate, or said chapter or has failed to render satisfactory collection
services. After certificate is granted, should the person sell or discontinue for 15 or more consecutive days the business for which the certificate is granted, said certificate shall be deemed automatically cancelled and shall not be re-issued unless the provisions of this ordinance are complied with by the applicant.

**8.36.010** CLASSIFICATION OF LAND AND ESTABLISHMENT OF A SCHEDULE OF FEES AND PROVIDING FOR APPROPRIATE EXEMPTION FOR COUNTY WASTE DISPOSAL

A. FEES AND APPROPRIATE EXEMPTIONS

Pursuant to Section 25830 of the Government Code, the Board of Supervisors for the fiscal year 1978-79 hereby classifies land within the area of the County of Mariposa, establishes a schedule of fees and provides for appropriate exemptions for County solid waste disposal.

B. Resident Equivalent

The average amount of solid waste generated by a single family dwelling with full time occupancy is referred to as the "resident equivalent" and a fee of $24 per year per unit is fixed for raising the revenue necessary to finance the acquisition, operation, and maintenance of the Mariposa County Solid Waste Disposal Site and the existing transfer stations. The classification of land within the area of the County of Mariposa based upon the various uses to which the land is put, the volume of waste occurring from the different land uses, and the applicable refuse generation in residential equivalents is established in accordance with the following schedule:

///
<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment (Per unit)</td>
<td>.75</td>
</tr>
<tr>
<td>Auto Repair</td>
<td>1.00</td>
</tr>
<tr>
<td>Bank</td>
<td>2.00</td>
</tr>
<tr>
<td>Bar</td>
<td>2.00</td>
</tr>
<tr>
<td>Barber/Beauty Shop</td>
<td>1.00</td>
</tr>
<tr>
<td>Cafe</td>
<td>4.00</td>
</tr>
<tr>
<td>Campground (Per Site)</td>
<td>.25</td>
</tr>
<tr>
<td>Cemetery (Private)</td>
<td>2.00</td>
</tr>
<tr>
<td>Church</td>
<td>.50</td>
</tr>
<tr>
<td>Cocktail Lounge</td>
<td>2.00</td>
</tr>
<tr>
<td>Fire Station (Unmanned)</td>
<td>0.00</td>
</tr>
<tr>
<td>Golf Course</td>
<td>0.00</td>
</tr>
<tr>
<td>Grocery (up to 1000 sq.ft)</td>
<td>1.00</td>
</tr>
<tr>
<td>Grocery (up to 2000 sq.ft)</td>
<td>2.00</td>
</tr>
<tr>
<td>Grocery (over 2000 sq.ft)</td>
<td>3.00</td>
</tr>
<tr>
<td>Guest Cottage</td>
<td>.50</td>
</tr>
<tr>
<td>Hardware</td>
<td>1.00</td>
</tr>
<tr>
<td>Lodge Hall</td>
<td>.50</td>
</tr>
<tr>
<td>Group Home (Per Bed)</td>
<td>.20</td>
</tr>
<tr>
<td>Lumber Yard</td>
<td>2.00</td>
</tr>
<tr>
<td>Mobile Home</td>
<td>1.00</td>
</tr>
<tr>
<td>Mobile Home Pk (Per Sp)</td>
<td>1.00</td>
</tr>
<tr>
<td>Motel or Hotel (Per Unit)</td>
<td>.50</td>
</tr>
<tr>
<td>Part Time Guest Cottage</td>
<td>.50</td>
</tr>
<tr>
<td>Part Time Residence</td>
<td>1.00</td>
</tr>
<tr>
<td>Professional/Bus. Office</td>
<td>1.00</td>
</tr>
<tr>
<td>Residence</td>
<td>1.00</td>
</tr>
<tr>
<td>Restaurant</td>
<td>4.00</td>
</tr>
<tr>
<td>Restaurant (50 seats &amp; up)</td>
<td>5.00</td>
</tr>
<tr>
<td>Restaurant (Drive-In)</td>
<td>1.50</td>
</tr>
<tr>
<td>Retail Store (up to 1000 sq.ft)</td>
<td>1.00</td>
</tr>
<tr>
<td>Retail Store (over 1000 sq.ft)</td>
<td>2.00</td>
</tr>
<tr>
<td>Day School (Private)</td>
<td>1.00</td>
</tr>
<tr>
<td>Service Station</td>
<td>1.00</td>
</tr>
<tr>
<td>Theatre</td>
<td>2.00</td>
</tr>
<tr>
<td>Unoccupied Building</td>
<td>1.00</td>
</tr>
<tr>
<td>Convalescent/Rest Home (per bed)</td>
<td>.10</td>
</tr>
<tr>
<td>Hospital (per bed)</td>
<td>.10</td>
</tr>
<tr>
<td>Veterinarian</td>
<td>2.50</td>
</tr>
<tr>
<td>Medical/Dental Office</td>
<td>1.50</td>
</tr>
<tr>
<td>Vacant Land</td>
<td>0.00</td>
</tr>
</tbody>
</table>

C. UNOCCUPIED LAND

In accordance with Section 25830 of the Government Code, land which is vacant is exempted from any fee. A fee shall be charged in accordance with the above schedule on land on which a dwelling or commercial building or other structure exists, but if it is unoccupied for the entire year, said fee shall be returned to the property owner upon receipt of a signed affidavit attesting to the previous years vacancy. If a County resident owns property (other than the residence or mobile an which he resides) which is used solely for the owners part-time recreation, the fee on the property shall be returned upon application by the owner. If the improvement is totally destroyed by an act of God or by purchase by a public agency, the fee on that property shall be returned upon application by the owner. Land on which a dwelling or commercial building or other structure exists but which is occupied not more than 90 days during the year shall be assessed a fee of three-quarters
of the residential equivalent. Section 8.36.010 shall not be applicable in
those county areas excluded under Section 8.36.130 of this ordinance.

D. BILLINGS

Property owners shall be billed and the money from such
billings shall be collected by the County Tax Collector as
part of the regular County secured tax roll billing system.
Provided, however, the owners of those properties and
property interests from which solid waste is generated, and which
do not appear on the regular County secured assessment roll, shall
be billed and the money collected annually by the County Tax
Collector without reference to the regular County tax billing
system. Provision shall be made by the County Tax Collector's
office to allow property owners to apply for the appropriate
exemption as set forth herein. Any property owners may appeal to
this Board from any action of the Tax Collector's office in
granting or denying an exemption.

E. RESIDENTIAL EQUIVALENTS

The residential equivalents for industrial parcels and
public agencies shall be established on the basis of estimated
solid waste generation by the Solid Waste Committee with the
assistance of the Tax Collector's office. The fee shall be
calculated on the basis of one residential equivalent equals
11.44 cubic years (loose) per year. The Board reserves the
right to enter into special contracts with public entities.

The Board of Supervisors shall have the right by future
resolution to determine the need for issuing permits for
issuance or admittance passed for those owners of property
subject to herein described fee schedule at the county solid
waste sites. A holder of an admittance pass, upon presentation
of such, to the dump or transfer station site, shall be
entitled to dump solid waste fee of gate fee charges. Gate fee
charges may be established in the future by the Board of Supervisors.

8.36.110 REPEAL
Ordinance and all ordinances and resolutions pertaining
thereto are repealed.

3.36.120 ADOPTION

A. SEVERABILITY
If any article, section, subsection, paragraph, subparagraph,
sentence, clause, or phrase of this ordinance is for any
reason held to be invalid or unconstitutional, such invalidity
or unconstitutionality shall not affect the validity or
constitutionality of the remaining portions of this ordinance
and this Board of Supervisors does hereby expressly declare
that this ordinance and each article, section, subsection,
paragraph, subparagraph, sentence, clause and phrase thereof
would have been adopted irrespective of the fact that any one
or more of such article, section, subsection, paragraph, sub-
paragraph, sentence, clause, or phrase be declared invalid or
unconstitutional.

B. EFFECTIVE DATE
This ordinance is an urgency ordinance to protect the public
safety, health, and welfare. The fact constituting the urgency
is the potential lack of garbage, refuse, and solid waste
collectors in the county of Mariposa. The current and existing
lack of regulations in respect to means and methods for the
disposal of garbage, refuse, and solid waste in the County of
Mariposa.

This ordinance takes effect immediately as an urgency ordinance pursuant to the provisions of Government Code Section 36934 and Government Code Section 36937 for the immediate preservation of the public peace, health, and safety of the residents of the County of Mariposa.

3.36.130 COUNTY AREA COVERED AND EXCLUDED

Certificate Holders shall have the responsibility and the right to collect all garbage, refuse, and solid waste throughout the County of Mariposa on all private lands in the County excluding only those areas presently serviced by the National Park Service and for as long as said areas continue to be serviced by the National Park Service, subject to the conditions herein contained.

PASSED AND ADOPTED by the Board of Supervisors, County of Mariposa, State of California, this 12th day of December, 1978, by the following vote:

AYES: Clark, Long, Owings, Weber
NOES: Dalton
NOT VOTING: None
ABSENT: None

CARROLL N. CLARK, Chairman
Chairman of the Board

ELLEN BRONSON, County Clerk & Ex Officio Clerk of the Board

-24-