



CITY COUNCIL AGENDA REPORT

MEETING DATE: JANUARY 2, 2008

ITEM NUMBER: Item Number

SUBJECT: ORDINANCE AMENDING TITLE 8 OF THE COSTA MESA MUNICIPAL CODE TO CLARIFY SERVICE AREAS FOR FRANCHISED WASTE HAULERS

DATE: DECEMBER 20, 2007

FROM: PUBLIC SERVICES ADMINISTRATION

PRESENTATION BY: PETER NAGHAVI, ACTING PUBLIC SERVICES DIRECTOR

FOR FURTHER INFORMATION CONTACT: DONNA THERIAULT, MANAGEMENT ANALYST, AT 714-754-5024

RECOMMENDATION:

Give first reading to the attached Ordinance (Attachment 1) to amend the Costa Mesa Municipal Code Title 8, Section 8-87(c)(1) to include the **single-family residential** service area for franchised commercial waste haulers to provide temporary dumpster service.

BACKGROUND:

On December 4, 2007, City Council adopted Ordinance 07-19 amending Title 8, Section 8-87 of the Municipal Code to redefine the classes of franchised waste haulers (Council Action Minutes included as Attachment 2). Class A franchisees are now defined to include solid waste companies providing recurring and temporary dumpster service utilizing front loader and roll-off type vehicles, and authorizes them to collect, transport, remove, dispose and/or recycle any type of solid waste material generated by commercial, multi-family residential or industrial units. Class B franchisees are defined to include construction and deconstruction companies utilizing "affixed" container vehicles such as dump trucks, end dump and belly dump vehicles.

Ordinance 07-19 also provided for the assessment of penalties for failure by the franchisees to report gross receipts and pay franchise fees accurately and timely.

ANALYSIS:

After the first reading of Ordinance 07-19, but prior to the second reading on December 4, 2007, one of the franchised commercial waste haulers notified staff that Ordinance 07-19 did not include **single-family residential** as an authorized service area for temporary dumpster service. Staff reviewed Ordinance 07-19 and agreed that the language should be clarified to include the **single-family residential** sector as a permitted service area for the temporary dumpster service provided by the Class A franchised waste haulers. Attachment 3 is the edited copy of Ordinance 07-19 showing the amendment in underlined text.

The proposed Ordinance would add “**single-family residential**” to Section 8-87 of the Municipal Code and include it in the list of authorized service areas for the Class A franchised waste haulers to provide temporary dumpster service.

ALTERNATIVES CONSIDERED:

Council could choose to not give first reading and adoption to the proposed Ordinance. Staff does not recommend this alternative as it would require single-family residents to use only the Costa Mesa Sanitary District’s contract waste hauler for temporary dumpster service.

FISCAL REVIEW:

There is no cost to the City associated with the proposed amendment.

LEGAL REVIEW:

Legal staff has prepared and approved the proposed Ordinance as to form.

CONCLUSION:

Staff is requesting City Council to give first reading to the proposed Ordinance that amends Title 8, Section 8-87(c)(1) to include the **single-family residential** sector as a service area for franchised waste hauling companies to provide temporary dumpster service.

DONNA THERIAULT
Management Analyst

PETER NAGHAVI
Acting Public Services Director

DISTRIBUTION: City Manager
City Attorney
Director of Finance
City Clerk
Staff

ATTACHMENTS: 1 [Proposed Ordinance](#)
2 [Council Action Minutes for December 4, 2007](#)
3 [Edited Copy of Ordinance 07-19](#)