

# Code Compliance Division SOLID WASTE REGULATIONS



## **ARTICLE 8. SOLID WASTE**

### **Sec. G-IV 8.1 General**

**A. PURPOSE:** As part of the State of California program for solid waste management and resource recovery and for the preservation of health, safety, and well being of the public, the Board of Supervisors of the County of Nevada declares that it is in the public interest that the County make provision for solid waste handling services.

**B. ADMINISTRATION AND ENFORCEMENT:** The Public Works Department and the Health Department are the responsible agencies for administering and enforcing respectively the provisions of this Ordinance. The Health Department shall be the principal enforcement agency of health provisions by direction of the State Solid Waste Management Board. Administrative aspects of any solid waste service agreement shall be performed by the Public Works Department.

**C. DEFINITIONS:** For the purpose of this Ordinance, the following terms, words and phrases, and their derivative shall have the meanings respectively described to them by this section:

1. BOARD--shall mean the Nevada County Board of Supervisors.
2. CERTIFICATE OF OPERATION--shall mean an annual certificate issued by the Nevada County Health Department in accordance with Section 510 of the California Health and Safety code, Nevada County Ordinance No. 951, and Nevada County Resolution No. 82-201.

3. CHEMICAL WASTES--the chemical by-product of any action, industry, application, or operation, whether performed by an individual or corporate body, which may be hazardous to public health or the environment.
4. COLLECTION--shall mean the operation of gathering together and transporting to the point of disposal any garbage or refuse.
5. COMMERCIAL SOLID WASTE--all types of solid waste generated by stores, institutions, offices, trailer parks, hotels, apartment buildings, restaurants, multiple residential units per parcel, and other commercial sources excluding single family residences.
6. CONSTRUCTION AND DEMOLITION WASTES--waste building materials, packaging, and rubble resulting from construction or demolition of buildings and/or other structures.
7. CONTAINER--a durable, corrosion-resistant, non-absorbent, leak-proof, watertight, odor-proof, rodent-resistant box, barrel, canister, or other approved device with a fly-tight cover.
8. CONTRACTOR--shall mean that person granted a contract, franchise, or permit by the County Board of Supervisors to collect, remove or dispose of garbage, rubbish or refuse.
9. CONVENIENCE STATION--shall mean an established station containing receptacles for household refuse and litter in rural County locations having a valid certificate of operation issued by the Department of Public Health.
10. COUNTY--shall mean the County of Nevada and its Departments or officers.
11. DISPOSAL--shall mean the complete operation of treating and/or disposing of the accumulation of collected refuse and the product or residue arising from such treatment.
12. DISPOSAL SITE--shall mean the McCourtney Sanitary Landfill or other site approved by the Public Health Department and having a valid certificate of operation issued by the Health Department.
13. GARBAGE--shall include, but not be limited to the following: All putrescible animal and vegetable waste resulting from decay or storage of meat, fish, fowl, fruit, or vegetables. It shall also include all cans, bottles, containers, covering, or any material that has been in intimate contact with garbage.

14. HAZARDOUS WASTE--means hazardous or extremely hazardous waste as defined by Section 25115 and 25117 of the California Health and Safety Code or otherwise a waste or combination of wastes which because of its quantity, concentration, or physical, chemical, or infectious characteristics may:

a. cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or;

b. pose a substantial present or potential hazard to employees, property, neighbors, general public, or to the environment when improperly treated, stored, transported, or disposed of or otherwise managed.

15. HEALTH DEPARTMENT--shall mean the Director of the Nevada County Health Department (Public Health Officer) or his duly authorized agent.

16. HOUSEHOLD WASTE--consists of garbage generated in residences with the exception of large objects such as refrigerators, washing machines, dryers, couches, chairs and tables.

17. INDUSTRIAL WASTES--all solid, semi-solid, or liquid wastes which result from industrial processes or manufacturing operations.

18. INFECTIOUS WASTES

a. Utensils, equipment, instruments, and fomites from the rooms of patients who are suspected to have or have been diagnosed as having a communicable disease and must be isolated.

b. Laboratory wastes, including pathological specimens, (i.e., all tissues, specimens of blood elements, excreta and secretions obtained from patients or laboratory animals) and disposable fomites (any substance that may harbor or transmit pathogenic organisms) attendant thereto.

c. Surgical operating room pathologic specimens and disposable materials from out-patient areas and emergency rooms.

19. LIQUID WASTE--a waste material which is not spadable.

20. LITTER--trash, garbage, solid waste, refuse.

21. LITTERING--littering means the willful or negligent throwing, dropping, placing or depositing of litter on land or water in other than appropriate storage containers or areas designated for such purposes.

22. MAY--shall be permissive.

**23. NUISANCE**--any act or omission which:

- a. Shall annoy, injure, or endanger the safety, health, comfort, or repose of any considerable number of persons; or
- b. Shall offend public decency; or
- c. Shall unlawfully interfere with, defoul, obstruct, or tend to obstruct or render dangerous for passage or use a lake, navigable river, bay, stream, canal, ditch, millrace, or basin, or a public park, square, street, alley, bridge, causeway, or
- d. Shall have a natural tendency to cause injury or damage to business or property.

24. PERSON--shall include any individual, firm, company, corporation, or public entity or other organization.

25. PUBLIC WORKS DEPARTMENT--shall mean the Director of the Nevada County Department of Public Works or his duly authorized deputy.

**26. PUTRESCIBLE WASTE**--wastes that are capable of being decomposed by micro-organisms with sufficient rapidity as to cause odors, gases, and similar objectional conditions. Food wastes, offal, and dead animals are examples of putrescible solid wastes.

27. RESIDENCE--shall mean a single family home or dwelling.

28. RECYCLE--shall mean any process which has as its goal the conversion of garbage, rubbish, or salvageable waste into a useable product.

29. REFUSE--shall include garbage, industrial, construction, and other solid wastes.

30. RUBBISH--shall include, but not be limited to, the following: All nonputrescible waste such as paper, cardboard, grass clippings, tree trimmings, shrub trimmings, wood, bedding, crockery, rubber tires, or construction waste.

31. SALVAGING--shall mean the controlled removal of waste material for utilization.

32. SCAVENGING--means the uncontrolled and/or unauthorized removal of solid waste materials.

33. SEPTIC TANK PUMPINGS--sludge and wastewater and other materials removed from septic tanks and includes other anaerobic wastes.

34. SHALL--shall be mandatory.

35. **SLUDGE**--any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effects.

**36. SOLID WASTE**--garbage, refuse, sludge, rubbish, junk vehicles, ashes, or incinerator residue, street refuse, dead animals, demolition waste, construction waste, solid or semi-solid commercial and industrial waste and hazardous waste, including explosives and pathological waste, unclaimed telephone directories, magazines, newspapers and flyers.

37. **TOURIST LITTER**--litter produced or brought in by non-residents of eastern Nevada County (east of Highway 20/Interstate 80 interchange).

**38. VECTOR**--a living insect or other arthropod, or, used or leftover substance including, but not limited to, a lighted or non-lighted cigarette, cigar, match, or any flaming or flowing material, or any garbage, trash, refuse, paper, container, packaging or construction material, carcass of a dead animal, any nauseous or offensive matter of any kind, or any object likely to injure any person or create a traffic hazard.

**39. YARD WASTE**--consists of lawn clippings, weeds, brush, branches, stumps, dirt or rocks.

## **Sec. G-IV 8.2 Pre-Collection and Storage Practices**

### **A. SOLID WASTE MANAGEMENT PRACTICES, GENERAL PROVISIONS**

1. All solid wastes shall be stored, collected, utilized, treated, processed, and disposed of in such a manner that a health hazard, public nuisance, or impairment of the environment shall be kept within State and local standards. All solid wastes shall be disposed of at disposal site approved by the County.
2. All solid wastes shall be handled in such a manner so as not to be conducive to the breeding, sheltering, or harboring of insects and rodents or to the support of any disease vector.
3. All solid waste disposal systems shall be operated in such a manner so as not to substantially contribute to pollution or degradation of the atmosphere, watersheds, surrounding lands, or constitute a fire hazard.
4. Liquid wastes and sludges shall not be accepted or disposed at a disposal site without written approval of the Public Works Department.

5. No system for solid waste handling, processing, storage, recovery, salvage, or disposal shall be placed in operation until proper licenses and/or permits are obtained.
6. All solid waste management systems or operations involved in collection, storage, hauling, processing, recovery, salvage, or disposal shall be in accordance with the Health Department and Public Works Department specifications.
7. No infectious, chemical, or hazardous waste will be accepted at any disposal site in the County unless authorized by the Board.
8. It is unlawful, in the County, for any person, public or private, to place, deposit, or dump, or cause to be placed, deposited, or dumped, or allow to accumulate, any solid or liquid waste matter in or upon any public or private highway, street, alley, or road, waterway, lake, stream, or any lot or parcel of land, whether public or private other than a disposal site approved by the County.

#### **B. CONTAINERS - DUTY TO PROVIDE AND MAINTAIN**

1. Every person generating refuse shall provide containers for the storage of solid waste.

The container shall be:

- a. Of adequate size and design to contain the expected waste;
- b. In sufficient numbers to contain all refuse generated from a particular premise, property, or waste generating activity; and
- c. Covered, unless covers are waived by the Health Department.

2. Individual storage containers shall not exceed thirty-two (32) gallon capacity or weigh more than sixty (60) pounds when filled, except where mechanical systems are approved by the County or the owner collects and hauls the containers.

3. It shall be unlawful to deposit solid waste in a container that is owned and/or under the control of another person unless permission to deposit said waste has been obtained from the owner or controlling person.

4. All operations and/or any person, public or private, selling, providing, giving, or through any means catering to any public or private person any goods or services shall provide adequate waste storage containers on-site and shall regularly empty such containers.

5. All persons both public and private, shall provide and maintain complying on-the-spot containers for containment and storage of refuse, excluding construction work, when conducting out-of-doors business operations that would by their nature produce refuse.
6. Containers shall be stored or maintained so as to prevent upset and spillage.

### **C. UNACCEPTABLE CONTAINERS**

1. The person providing containers for waste storage shall insure the container meets the requirements in these regulations. Containers provided for individual or noncommercial domestic waste storage that do not meet the requirements of Section 8.2B shall be replaced with containers conforming with said requirements.
2. The Health Department may inspect or cause to be inspected at regular intervals refuse containers and shall be the sole judge of the condition of such containers and their conformance with Section 8.2.B.

### **D. SOLID WASTE STORAGE**

1. No solid waste storage shall:
  - a. Cause health hazards;
  - b. Attract or propagate vectors, vermin or pests;
  - c. Create unpleasant odors;
  - d. Create a nuisance.
2. The person who is an owner, operator and/or occupant of any premise, business establishment, industry, or other public or private property, vacant or occupied, shall be responsible for the safe and sanitary storage of all solid waste accumulated on the premise or property, until it is legally removed.
3. Bulky wastes or other non-putrescible wastes unsuitable for storage containers which are to be hauled by a private garbage collector shall be stored in a nuisance-free manner and shall be boxed, bundled, tied, or contained in such a manner that the waste is protected from scattering and is collectable and is not conducive to harboring or breeding of vectors and shall be no longer than forty-eight (48) inches, not over twenty-four (24) inches in diameter, nor to exceed sixty (60) pounds.

#### **E. COMPOSTING**

Composting on a noncommercial individual homeowner basis shall be accomplished in a nuisance-free, vector-free manner. Household garbage shall be handled in such a manner that breeding and harborage areas are eliminated. This operation shall include only those garbage wastes generated from the person's own domestic residence. All other garbage wastes are prohibited.

#### **F. TIRES**

The disposal of tires at areas not recognized by the County as a disposal site is prohibited. Use in erosion control projects shall be exempted.

#### **G. ANIMAL WASTE - MANURE**

Storage or disposal of manure shall not create a nuisance.

#### **H. COMMERCIAL COMPACTION**

Compactors located in any area accessible to the public shall be equipped in such a manner that only personnel authorized by the County or owners of said equipment are able to operate the compactor. Compactors shall be located upon an impervious surface such as finished concrete or asphalt.

#### **I. CONSTRUCTION OR DEMOLITION**

1. The contractor shall properly store all wastes and litter, and remove it periodically from the construction site to an approved disposal site.
2. Any washwater and concrete residues shall be contained upon the construction site and/or upon the concrete mix plant site for later disposal. In no case will disposal be allowed to flow to streams.
3. Demolition wastes shall be watered, wet down, or controlled in such a manner that there shall be no spillage or escape of any waste material during loading, transporting, or unloading operations.

#### **J. PLACING FOR COLLECTION**

Refuse containers shall be placed for collection at ground level on the property, or within the public right-of-way of a road so as not to interfere with traffic, maintenance, access, parking, or drainage.

#### **Sec. G-IV 8.3 Waste Removal Time Periods**

Garbage and other similar putrescible wastes shall be removed for disposal from any premise or property not less than once every seven (7) days, except for remote isolated areas such as the Graniteville Convenience Station. Where it is deemed necessary, the Health Department

may require a removal time of less than seven (7) days when conditions exist that would result in:

1. The propagation of vectors,
2. The harborage of vectors and/or vermin,
3. The creation of a nuisance, and
4. A clear and present danger to public health.

Where garbage is stored with other waste matter, the removal time shall be not less than once every seven (7) days unless the other waste requires a more frequent removal time. After notification by the Health Department, the following wastes shall be removed within:

**WASTE TYPES TIME LIMITS**

Garbage--putrescible 24 Hours

Rubbish 24 Hours

Dead animals--residential rural 6 Hours

Animal wastes (household pet) 24 Hours

Farm animal wastes 24 Hours

Industrial, Institutional and 48 Hours

Commercial and bulky wastes

Infectious pathologic, pathogenic 12 Hours

Hazardous wastes, waste materials disposed in 24 Hours

All other solid waste 24 Hours

These time limits may be extended by the Health Department when:

1. Serious health hazard would not result by a time extension;
2. The volume of waste is such that the time limit is considered to be excessive;  
and
3. Other circumstances merit the extension.

**Sec. G-IV 8.4 Waste Ownership and Responsibility**

1. The person generating or producing any solid waste shall be responsible for the proper storage, removal, transport, and disposal of his solid waste.

2. The person generating or producing any solid waste shall insure his solid wastes are collected and transported by a Contractor unless, where allowed, said wastes are legally removed and transported on a self-haul basis.

3. In those instances where a person rents or leases to another, the underlying property owner or his agent shall be ultimately responsible for solid waste generated and/or stored on those premises should said waste remain on the premises beyond the tenant term.

4. Except as provided hereinabove, all wastes are the property of the person generating them until:

a. The wastes are legally deposited in a disposal site approved by the

County; or

b. The wastes are legally deposited at a County approved waste recovery, recycling, or other waste processing facility such as a convenience station or

c. The wastes are picked up by a Contractor or general recycler.