

**ORO LOMA SANITARY DISTRICT**

**ORDINANCE NO. 34-33**

**AN ORDINANCE REGULATING THE COLLECTION, REMOVAL  
AND DISPOSAL OF REFUSE AND OTHER DISCARDED MATERIALS**

At the regular meeting of the Sanitary Board of the Oro Loma Sanitary District, held September 1, 2009, the Board adopted Ordinance No. 34-33, which regulates the collection, removal and disposal of garbage and recycling materials within the District. This Ordinance updates the previous version of this Ordinance and increases associated fees based on CPI and other pass-through fees, as agreed to in the District's Agreement for Services with its refuse hauler.

The following is a summary of the changes included in the District's Ordinance No. 34-33:

**Exhibit A: Rates for Refuse Collection Service, Effective September 1, 2009**

The schedule of fees increased by 1.64% for residential customers and for commercial/industrial customers in the L1 (Unincorporated) and L2 (Hayward) areas; and by 1.76% for residential customers and commercial/industrial customers in the L3 (San Leandro) area (L3 rates include an additional 12% franchise fee imposed by the City of San Leandro), for the collection, removal and disposal of all refuse.

**Exhibit B: Rates for Recycling Service**

This Exhibit was updated with minor language changes to clarify the information, and to provide consistency between the written document and the way the provisions are applied. Specifically, language was added to indicate that residential recycling service is mandatory, and no exemptions will be granted. Also, a clarification was made in the paragraph referring to residential recycling service in Hayward, to indicate that Oro Loma does not provide recycling services to those customers.

**Exhibit C: Rates for Commercial & Industrial Recycling Services, Effective September 1, 2009**

The schedule of fees for commercial and industrial recycling services increased by 1.64% for the L1 (Unincorporated) and L2 (Hayward) areas; and increased by 1.76% for the L3 (San Leandro) area (L3 rates include an additional 12% franchise fee imposed by the City of San Leandro).

**Complete copies of this Ordinance are available to the public at:**

Oro Loma Sanitary District  
2655 Grant Avenue, San Lorenzo, CA 94580  
(510) 276-4700  
or on the District's website at [www.oroloma.org](http://www.oroloma.org)

I hereby certify the foregoing is a full, true and correct summary of an ordinance duly and regularly adopted by the Sanitary Board of the Oro Loma Sanitary District, Alameda County, California, at a meeting thereof held on the 1st day of September, 2009, by the following vote of the members thereof:

AYES, Members: Becker, Kerr, Landis, Sidari

NOES, Members: None

ABSTAIN, Members: Dias

s/ Howard W. Kerr, President

Countersigned:

s/ Roland J. Dias, Secretary

## EXHIBIT A

# RATES FOR REFUSE COLLECTION SERVICE L1 (Unincorporated) and L2 (Hayward) Areas (Effective September 1, 2009)

### 1. RESIDENTIAL SERVICE

For the collection, removal and disposal of all refuse, there shall be a minimum monthly charge of \$5.98 based upon one collection per week of one 20-gallon cart of refuse for each and every single family residential unit. The 20-gallon cart rate shall only apply to those customers subscribing to one cart per residential unit service.

1.1) The monthly service charge for cart sizes other than 20-gallons, shall be as follows:

1.	32-gallon cart	\$ 11.94 each
2.	64-gallon cart	\$ 23.91 each
3.	96-gallon cart	\$ 35.85 each

1.2) For special collection, removal and disposal of all refuse in excess of one collection per week which occurs on the same day as the customer's regularly scheduled collection day the rate charged per cart serviced shall be as follows:

1.	32-gallon cart	\$ 3.70 per service
2.	64-gallon cart	\$ 7.25 per service
3.	96-gallon cart	\$ 11.06 per service

1.3) For special collection, removal and disposal of all refuse in excess of one collection per week which does not occur on the same day as the customer's regularly scheduled collection day the rate charged per cart serviced shall be as follows:

1.	32-gallon cart	\$ 11.69 per service
2.	64-gallon cart	\$ 23.36 per service
3.	96-gallon cart	\$ 35.06 per service

1.4) The cost for prepaid "bag it" service consisting of a designated plastic bag with a maximum 32-gallon capacity shall be \$2.81 per bag.

1.5) Each residential customer account receiving wheeled cart refuse service from the District's designated contractor shall be entitled to two "on-call" trash pick-ups per calendar year free of charge, pursuant to eligibility requirements and guidelines approved by the District. The cost for each additional special pick up of non-containerized refuse shall be comprised of a \$32.15 service charge, plus an additional \$13.34 per each cubic yard hauled away.

### 2. MULTIPLE RESIDENTIAL UNITS AND MOBILE HOME PARKS

2.1) Multiple unit and mobile home park residential dwelling complexes subscribing to "cart" refuse collection service, and containing five (5) or more residential units where collection is made on the premises, and where the owner or designated representative of the mobile home park or multiple residential complex pays the hauler directly for the service charge for all units therein, a 10% discount from the cart rates prescribed in subparagraph "1.1," above shall be charged. However, the 10% discount shall not apply to the 20-gallon cart rate.

- 2.2) For customers not having regular weekly refuse collection service, and that have received written exemption from the District’s mandatory refuse program as set forth in Section 2.3 of the Ordinance Regulating the Collection, Removal and Disposal of Refuse and Other Discarded Materials and who have requested a pick-up, there shall be a \$3.89 charge for each 32-gallon cart collected by the hauler.
- 2.3) Multiple unit complexes, containing four (4) or less units receiving residential wheeled cart refuse service from the District’s designated contractor shall be entitled to two “on-call” trash pick-ups per calendar year free of charge pursuant to eligibility requirements and guidelines approved by the District. The cost for each additional special pick up of non-containerized refuse shall be comprised of a \$33.15 service charge, plus an additional \$13.34 per each cubic yard hauled away.

**3. COMMERCIAL AND INDUSTRIAL SERVICE**

3.1) For the weekly collection, removal and disposal of all refuse from commercial and industrial accounts subscribing to can or wheeled cart service the following monthly charges shall apply:

1.	32-gallon can or cart	\$ 13.37 each
2.	64-gallon can or cart	\$ 26.94 each
3.	96-gallon can or cart	\$ 40.41 each

3.2) For the weekly collection, removal and disposal of all refuse in other than carts or cans, the rate per cubic yard shall be \$14.35 plus the following monthly “bin-on-wheels” rental container charge:

1 cubic yard container	\$ 15.58
2 cubic yard container	\$ 19.42
3 cubic yard container	\$ 20.59
4 cubic yard container	\$ 24.86
6 cubic yard container	\$ 29.31
7 cubic yard container	\$ 35.37

For each additional “bin-on-wheels” pick-up occurring in the same week, the monthly rental container charge may be adjusted accordingly to reflect the additional collection services. Examples of “total monthly charges” for various levels of “bin-on-wheels” refuse and garbage service are summarized on Table 3.5A

3.3) For the removal of refuse and garbage in a compactor, the maximum rate per cubic yard shall be based and determined on the “compactor type” of collection service provided. For commercial compactor “front end loader” type service, that rate shall be \$28.25/cubic yard (twice the rate contained in Section 3.2); and for “roll off” type compactor service, that rate shall be \$34.23/cubic yard (twice the rate contained in Section 3.4).

3.4) For drop box refuse and garbage services, the rate per cubic yard shall be \$16.87. In addition to the per cubic yard charge, the following charges may apply:

- a) “Placement” charges shall be \$38.94 for all size containers.
- b) A “Demurrage” charge of \$29.53 per week, and \$4.22 per day thereafter shall be charged for all size containers. This charge, which is for detaining a refuse and garbage truck, may be waived for 6, 14, and 20-cubic yard containers when four pulls (or service calls) per month are used. For a 30 and 40-cubic yard container, three pulls (or service calls) per month are needed for waiver of this charge. For a 50-cubic yard container, two pulls (or service calls) per month are needed for waiver.

- c) "Flasher" charges shall be \$19.45 per pull.
- d) A 6-cubic yard "dirt or similar weight material" only container, shall be charged \$236.16.

Examples of "total monthly charges" for various levels of drop box refuse and garbage service are summarized on Table 3.5B.

3.5) For ease of calculating the total monthly commercial and roll-off refuse and recycling collection service charges, the tables listed below may be used.

\* The "bin-on-wheels" monthly rental costs are calculated on a 52-week year and include appropriate bin rental.

**Table 3.5(A)**

<b>Monthly Charge for Commercial Refuse Collection (\$14.35/cubic yd)</b>						
Pick Ups Per Week	"Bin on Wheels" Container Size					
	1 Yard	2 Yard	3 Yard	4 Yard	6 Yard	7 Yard
1	\$77.73	\$143.74	\$207.05	\$273.47	\$402.24	\$470.46
2	\$139.89	\$268.05	\$393.52	\$522.09	\$775.17	\$905.53
3	\$202.05	\$392.35	\$579.98	\$770.71	\$1,148.09	\$1,340.61
4	\$264.20	\$516.66	\$766.45	\$1,019.33	\$1,521.02	\$1,775.69
5	\$326.36	\$640.97	\$952.91	\$1,267.94	\$1,893.95	\$2,210.77
6	\$388.51	\$765.28	\$1,139.37	\$1,516.56	\$2,266.87	\$2,645.85
Rates for extra pick ups on same day as regular service:						
	\$13.03	\$26.15	\$39.24	\$52.32	\$78.50	\$91.58
Rates for extra pick ups on other than same day as regular service:						
	\$23.01	\$36.09	\$49.15	\$62.24	\$88.43	\$101.50

**Table 3.5(B)**

<b>Estimated Monthly Charge for Drop Box Refuse Service (\$16.87/cubic yd)</b>			
Box Size	Cost per Pick Up	Flasher Charge Per Pull	Charge Per Yard If Overloaded
6 Yards	\$236.18	\$19.46	\$16.87
14 Yards	\$236.18	\$19.46	\$16.87
20 Yards	\$337.40	\$19.46	\$16.87
30 Yards	\$506.10	\$19.46	\$16.87
40 Yards	\$674.80	\$19.46	\$16.87
50 Yards	\$843.50	\$19.46	\$16.87

\* However, monthly charges for Drop Box Services do not include: Placement, Demurrage, and Flasher charges. Those charges vary from account to account. The calculations herein in Table 3.5(B) are for estimating purposes only.

**4. RATE DIFFERENTIAL FOR DISTANCE**

Rates herein above provided for residential collections are based upon access by the authorized garbage collector's truck to within not more than 6 feet from point of garbage pickup and for pickup necessary

at a distance exceeding 6 feet, an additional charge, to be determined by the collector, and approved by the District, may be made.

**5. STATE AND LOCAL MANDATED FEES**

Residential and commercial billing shall state in a separate line item the amount of total charges reflected on the bill, which are required by state and local mandated fees. In addition, should additional state and local mandated fees be imposed upon the District's authorized solid waste contractor, the contractor may request a refuse rate adjustment as outlined in the District's then current Franchise Agreement for Refuse, Recycling and Green Waste Services.

**6. CHANGE IN RATES**

As of September 1, 2000, and annually thereafter, residential and commercial refuse rates may be subject to adjustment as outlined in the District's then current Franchise Agreement for Refuse, Recycling and Green Waste Services.

EXHIBIT A (continued)

**RATES FOR REFUSE COLLECTION SERVICE**

**L3 (San Leandro) Area**

**(Effective September 1, 2009)**

**1. RESIDENTIAL SERVICE**

For the collection, removal and disposal of all refuse, there shall be a minimum monthly charge of \$6.80 based upon one collection per week of one 20-gallon cart of refuse for each and every single family residential unit. The 20-gallon cart rate shall only apply to those customers subscribing to one cart per residential unit service.

1.1) The monthly service charge for cart sizes other than 20-gallons, shall be as follows:

1.	32-gallon cart	\$ 13.62 each
2.	64-gallon cart	\$ 27.22 each
3.	96-gallon cart	\$ 40.84 each

1.2) For special collection, removal and disposal of all refuse in excess of one collection per week which occurs on the same day as the customer's regularly scheduled collection day the rate charged per cart serviced shall be as follows:

1.	32-gallon cart	\$ 4.20 per service
2.	64-gallon cart	\$ 8.25 per service
3.	96-gallon cart	\$ 12.60 per service

1.3) For special collection, removal and disposal of all refuse in excess of one collection per week which does not occur on the same day as the customer's regularly scheduled collection day the rate charged per cart serviced shall be as follows:

1.	32-gallon cart	\$ 13.31 per service
2.	64-gallon cart	\$ 26.60 per service
3.	96-gallon cart	\$ 39.91 per service

1.4) The cost for prepaid "bag it" service consisting of a designated plastic bag with a maximum 32-gallon capacity shall be \$3.20 per bag.

1.5) Each residential customer account receiving wheeled cart refuse service from the District's designated contractor shall be entitled to two "on-call" trash pick-ups per calendar year free of charge, pursuant to eligibility requirements and guidelines approved by the District. The cost for each additional special pick up of non-containerized refuse shall be comprised of a \$36.60 service charge, plus an additional \$15.18 per each cubic yard hauled away.

**2. MULTIPLE RESIDENTIAL UNITS AND MOBILE HOME PARKS**

2.1) Multiple unit and mobile home park residential dwelling complexes subscribing to "cart" refuse collection service, and containing five or more residential units where collection is made on the premises, and where the owner or designated representative of the mobile home park or multiple residential complex pays the hauler directly for the service charge for all units therein, a 10% discount from the cart rates prescribed in subparagraph "1.1," above shall be charged. However, the 10% discount shall not apply to the 20-gallon cart rate.

- 2.2) For customers not having regular weekly refuse collection service, and that have received written exemption from the District’s mandatory refuse program as set forth in Section 2.3 of the Ordinance Regulating the Collection, Removal and Disposal of Refuse and Other Discarded Materials and who have requested a pick-up, there shall be a \$4.43 charge for each 32-gallon cart collected by the hauler.
- 2.3) Multiple unit complexes, containing four (4) or less units receiving residential wheeled cart refuse service from the District’s designated contractor shall be entitled to two “on-call” trash pick-ups per calendar year free of charge pursuant to eligibility requirements and guidelines approved by the District. The cost for each additional special pick up of non-containerized refuse shall be comprised of a \$36.60 service charge, plus an additional \$15.18 per each cubic yard hauled away.

**3. COMMERCIAL AND INDUSTRIAL SERVICE**

3.1) For the weekly collection, removal and disposal of all refuse from commercial and industrial accounts subscribing to can or wheeled cart service the following monthly charges shall apply:

1.	32-gallon can or cart	\$ 15.34 each
2.	64-gallon can or cart	\$ 30.68 each
3.	96-gallon can or cart	\$ 46.03 each

3.2) For the weekly collection, removal and disposal of all refuse in other than carts or cans, the rate per cubic yard shall be \$16.34 plus the following monthly “bin-on-wheels” rental container charge:

1 cubic yard container	\$ 17.74
2 cubic yard container	\$ 22.12
3 cubic yard container	\$ 23.46
4 cubic yard container	\$ 28.31
6 cubic yard container	\$ 33.38
7 cubic yard container	\$ 40.29

For each additional “bin-on-wheels” pick-up occurring in the same week, the monthly rental container charge may be adjusted accordingly to reflect the additional collection services. Examples of “total monthly charges” for various levels of “bin-on-wheels” refuse and garbage service are summarized on Table 3.5A

3.3) For the removal of refuse and garbage in a compactor, the maximum rate per cubic yard shall be based and determined on the “compactor type” of collection service provided. For commercial compactor “front end loader” type service, that rate shall be \$32.69/cubic yard (twice the rate contained in Section 3.2); and for “roll off” type compactor service, that rate shall be \$38.41/cubic yard (twice the rate contained in Section 3.4).

3.4) For drop box refuse and garbage services, the rate per cubic yard shall be \$19.21. In addition to the per cubic yard charge, the following charges may apply:

- a) “Placement” charges shall be \$44.34 for all size containers.
- b) A “Demurrage” charge of \$30.90 per week, and \$4.43 per day thereafter shall be charged for all size containers. This charge, which is for detaining a refuse and garbage truck, may be waived for 6, 14, and 20-cubic yard containers when four pulls (or service calls) per month are used. For a 30 and 40-cubic yard container, three pulls (or service calls) per month are needed for waiver of this charge. For a 50-cubic yard container, two pulls (or service calls) per month are needed for waiver.

- c) "Flasher" charges shall be \$22.16 per pull.
- d) A 6-cubic yard "dirt or similar weight material" only container, shall be charged \$268.92.

Examples of "total monthly charges" for various levels of drop box refuse and garbage service are summarized on Table 3.5B.

3.5) For ease of calculating the total monthly commercial and roll-off refuse and recycling collection service charges, the tables listed below may be used.

\* The "bin-on-wheels" monthly rental costs are calculated on a 52-week year and include appropriate bin rental.

**Table 3.5(A)**

<b>Monthly Charge for Commercial Refuse Collection (\$16.34/cubic yd)</b>						
Pick Ups Per Week	"Bin on Wheels" Container Size					
	1 Yard	2 Yard	3 Yard	4 Yard	6 Yard	7 Yard
1	\$88.49	\$163.61	\$235.70	\$311.30	\$457.89	\$535.53
2	\$159.23	\$305.12	\$447.95	\$594.31	\$882.38	\$1,030.79
3	\$229.99	\$446.61	\$660.20	\$877.31	\$1,306.88	\$1,526.04
4	\$300.74	\$588.11	\$872.45	\$1,160.31	\$1,731.39	\$2,021.29
5	\$371.49	\$729.62	\$1,084.70	\$1,443.31	\$2,155.89	\$2,516.55
6	\$442.24	\$871.12	\$1,296.95	\$1,726.32	\$2,580.39	\$3,011.80
Rates for extra pick ups on same day as regular service:						
	\$14.83	\$29.67	\$44.69	\$59.58	\$89.38	\$104.27
Rates for extra pick ups on other than same day as regular service:						
	\$26.19	\$41.10	\$55.97	\$70.88	\$100.67	\$115.59

**Table 3.5(B)**

<b>Estimated Monthly Charge for Drop Box Refuse Service (\$19.20/cubic yd)</b>			
Box Size	Cost per Pick Up	Flasher Charge Per Pull	Charge Per Yard If Overloaded
6 Yards	\$268.80	\$22.15	\$19.20
14 Yards	\$268.80	\$22.15	\$19.20
20 Yards	\$384.00	\$22.15	\$19.20
30 Yards	\$579.00	\$22.15	\$19.20
40 Yards	\$768.00	\$22.15	\$19.20
50 Yards	\$960.00	\$22.15	\$19.20

\* However, monthly charges for Drop Box Services do not include: Placement, Demurrage, and Flasher charges. Those charges vary from account to account. The calculations herein in Table 3.5(B) are for estimating purposes only.

**4. RATE DIFFERENTIAL FOR DISTANCE**

Rates herein above provided for residential collections are based upon access by the authorized garbage collector's truck to within not more than 6 feet from point of garbage pickup and for pickup necessary at a distance exceeding 6 feet, an additional charge, to be determined by the collector, and approved by

the District, may be made.

**5. STATE AND LOCAL MANDATED FEES**

Residential and commercial billing shall state in a separate line item the amount of total charges reflected on the bill, which are required by state and local mandated fees. In addition, should additional state and local mandated fees be imposed upon the District's authorized solid waste contractor, the contractor may request a refuse rate adjustment as outlined in the District's then current Franchise Agreement for Refuse, Recycling and Green Waste Services.

**6. CHANGE IN RATES**

As of September 1, 2000, and annually thereafter, residential and commercial refuse rates may be subject to adjustment as outlined in the District's then current Franchise Agreement for Refuse, Recycling and Green Waste Services.

## EXHIBIT B

# RATES FOR RECYCLING SERVICE (Effective September 1, 1997)

### 1. RESIDENTIAL SERVICE

#### 1.1) Extent of Service

Recycling service shall be provided to all eligible single and multi-family residences in the District. The service is mandatory for all residential and multi-family customers, and exemptions from recycling services shall not be granted. The listing of those units eligible for service, by street name and address, shall be detailed by the District and verified by the Contractor.

#### 1.2) Establishing Charges

For the purpose of the charges established in Sections 1.3, 1.4 and 1.5 each single family home, each dwelling unit in a multiple family dwelling (five or more units), each mobile home, motor home, or livable trailer in a mobile home park shall be considered a "residential unit."

#### 1.3) Recycling Charges in the Unincorporated Area of the District and the Incorporated San Leandro Area of the District

For the collection of glass, metals, plastic, paper and used motor oil, and used motor oil filters in the Unincorporated area of the District and Incorporated San Leandro area of the District (see Section 1.5 for specifics regarding residential recycling in the Incorporated Hayward area of the District).

For the bi-weekly collection, removal and processing of glass bottles and jars, aluminum and tin cans, plastic type #1 and #2 containers, plastic type #3 - #7 narrow-necked containers, corrugated cardboard - flattened and bundled (not to exceed 2' x 2' square), mixed paper, aseptic cartons, newspaper - bundled, used motor oil, and used motor oil filters there shall be a monthly charge of \$1.75 for each and every eligible residential unit.

#### 1.4) Green Waste Collection Charges in the Unincorporated Area of the District and the Incorporated San Leandro Area of the District

For the weekly collection and recycling of green waste, there shall be a monthly charge of \$2.85 for each eligible residential unit. For the purpose of this charge, mobile home parks with five or more units collectively billed and paid on a single invoice and apartments with five or more units collected on the tax roll as one parcel will receive a 10% discount constituting a monthly charge of \$2.57 per unit for green waste collection services.

The combined service charge for recycling and green waste in the Unincorporated area of the District and the Incorporated San Leandro area of the District shall be:

- a) Single family homes, mobile home residences, townhomes, condos and apartments with four units or less \$4.60/unit/month

- b) Mobile home parks with five units or more,  
collectively billed and paid on a single invoice,  
and apartments with five units or more,  
collected on the tax roll as one parcel \$4.32/unit/month

**1.5) Residential Green Waste Collection Charges in the Hayward Area of the District**

For the weekly collection of green waste in the Hayward Area of the District, that rate shall be determined, set and collected pursuant to the special written agreement between the City of Hayward, the Oro Loma Sanitary District and Waste Management of Alameda County, Inc. However, in any event, the monthly charge for green waste collection shall not exceed \$2.57 per eligible unit.

**EXHIBIT C**

**RATES FOR COMMERCIAL & INDUSTRIAL  
RECYCLING SERVICE  
(Effective September 1, 2009)**

**1. COMMERCIAL/INDUSTRIAL SERVICE**

1.1) Extent of Service

Recycling service, for which a fee is charged, shall be made available to all commercial and industrial establishments in the Oro Loma Sanitary District by exclusive agreement issued to a designated collector authorized by the District.

1.2) Charges

For the collection, removal, transportation and processing of recyclable materials, the rate charged by the District's authorized collector per cubic yard, per customer, shall be \$7.97.

1.3) For ease of calculating examples of the total monthly commercial and roll-off refuse and recycling collection service charges, Table 1.3A (L1-L2 areas) and Table 1.3B (L3 area) listed below may be used.

**Table 1.3(A) L1-L2 (Unincorporated /Hayward areas)**

<b>Monthly Charge for Commercial Recycling Collection (\$7.97/cubic yd)</b>						
Pick Ups Per Week	"Bin on Wheels" Container Size					
	1 Yard	2 Yard	3 Yard	4 Yard	6 Yard	7 Yard
1	\$34.49	\$68.97	\$103.45	\$137.94	\$206.91	\$241.40
2	\$68.97	\$137.94	\$206.91	\$275.87	\$413.82	\$482.78
3	\$103.45	\$206.91	\$310.36	\$413.82	\$620.72	\$724.17
4	\$137.94	\$275.87	\$413.82	\$551.75	\$827.62	\$965.56
5	\$172.42	\$344.84	\$517.27	\$689.69	\$1,034.53	\$1,206.96
6	\$206.91	\$413.82	\$620.72	\$827.62	\$1,241.45	\$1,448.36

**Table 1.3(A) L3 (San Leandro area)**

<b>Monthly Charge for Commercial Recycling Collection (\$7.97/cubic yd)</b>						
Pick Ups Per Week	"Bin on Wheels" Container Size					
	1 Yard	2 Yard	3 Yard	4 Yard	6 Yard	7 Yard
1	\$34.54	\$69.08	\$103.61	\$138.15	\$207.23	\$241.77
2	\$69.08	\$138.15	\$207.23	\$276.31	\$414.47	\$483.54
3	\$103.61	\$207.23	\$310.85	\$414.47	\$621.69	\$725.31
4	\$138.15	\$276.31	\$414.47	\$552.62	\$828.93	\$967.08
5	\$172.70	\$345.38	\$518.08	\$690.78	\$1,036.16	\$1,208.86
6	\$210.29	\$414.47	\$621.69	\$828.93	\$1,243.40	\$1,450.63