



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

**TO: THE HONORABLE MAYOR
AND CITY COUNCIL**

DATE: December 4, 2007

SUBJECT: Ordinance Regarding Placement of Garbage,
Recycling, and Green Waste Containers and Green
Waste Piles on City Streets

Report in Brief

The proposed ordinance makes the Streets and Sidewalks City Code, Section 20-1-3 consistent with the Yard Refuse Service City Code, Section 23C-4-16 (the new Green Waste Collection Program).

Staff recommends that Council adopt Ordinance _____ to make City Code Section 20-1-3 consistent with Section 23C-4-16.

Background

Current City Code Section 20-1-3 states that green waste piles can only be placed in the street the evening before the scheduled green waste collection day. Residents typically place yard refuse in the street as necessary when conducting yard work, regardless of the day of the week. The City has not enforced Section 20-1-3 of the City Code. The Green Waste Citizen Advisory Committee and the Solid Waste Committee both recommended that green waste piles can be placed in the street one calendar week before a scheduled collection. This recommendation was adopted by the City Council on May 1, 2007 with the approval of City Code Section 23C-4-16. The proposed ordinance makes Section 20-1-3 consistent with Section 23C-4-16.

Additionally, current City Code Section 20-1-3(a) states that refuse containers can be placed in the street the evening before collection. This subsection is silent on recycling and green waste containers. The proposed ordinance adds recycling and green waste containers to Section 20-1-3(a) stating that garbage, recycling, and green waste containers can be placed in the street the evening before a scheduled collection and must be removed as soon as possible, but no later than twenty-four hours after collection.

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Discussion

The ordinance would change Section 20-1-3 to make it consistent with Section 23C-4-16. The benefits associated with the City Council's approval of the staff recommendation will provide consistent requirements for the timing of placing and removing receptacles in the street for collection and the timing of the placement of green waste piles in the street for collection. Enforcement of the City Code would be difficult with inconsistent code requirements.

Fiscal Impact

There are no fiscal impacts of making the two City Code Sections consistent. Compliance with the ordinance will be mainly complaint driven. Section 23C-4-16 outlines enforcement procedures (notice, opportunity to cure, and fines).

Public Contact

Posting of the City Council agenda. Item previously introduced at the November 27, 2007 Council meeting.

Commission Recommendation

The Green Waste Citizen Advisory Committee recommended that the City Code be modified to reflect the new Green Waste Collection Program.

Council Committee Recommendation

The Solid Waste Committee recommended that the City Code be modified to reflect the new Green Waste Collection Program.

Recommendation for Action

Staff recommends that Council adopt Ordinance _____ to make City Code Section 20-1-3 consistent with Section 23C-4-16.

Prepared by: Christine Engel
Environmental Analyst

Reviewed by: Gary Wegener
Public Works Director

Mark G. Deven
City Manager

Attachment: Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND
AMENDING SECTION 20-1-3 OF THE WOODLAND MUNICIPAL CODE RELATING
TO GARBAGE, RECYCLING, AND YARD WASTE CONTAINERS, AND YARD
WASTE PILES ON CITY STREETS**

The City Council of the City of Woodland does hereby ordain as follows:

1. **Purpose.** The purpose of this Ordinance is to amend Section 20-1-3 of the City of Woodland Municipal Code to allow the placement of garbage, recycling, and yard waste containers and yard waste piles on City streets on certain days and times.
2. **Authority.** The City Council enacts this Ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.
3. **Amendment.** Section 20-1-3 of the City of Woodland Municipal Code is hereby amended in its entirety to read as follows:

Sec. 20-1-3. Exemptions from applicability of chapter.

This chapter shall not apply to officers or employees of the city lawfully discharging their official duties, and the following:

- (a) Any resident or commercial customer who places a garbage, recycling, or yard waste container, provided by the City or the City's contract agent, in the roadway in front of the property in which the service is being provided the evening before a regularly scheduled collection day in a manner that does not restrict reasonable gutter drainage or obstruct traffic, and removes such container as soon as possible but no later than twenty-four hours after the garbage, recycling, or yard waste container collection.
 - (b) Any resident or commercial customer who places yard waste in the street in accordance with Section 23C-4-16, in a manner that does not restrict reasonable gutter drainage or obstruct traffic.
4. **Effective Date and Notice.** This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Woodland.

PASSED AND ADOPTED by the City Council of the City of Woodland this 4th day of December, 2007, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

David Flory, Mayor

ATTEST:

Susan L. Vannucci, City Clerk

APPROVED AS TO FORM:

Ann M. Siprelle, City Attorney