

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
AMENDING CHAPTER 6.04 OF THE RIVERSIDE MUNICIPAL CODE
TO ADD RECYCLING AND ORGANIC RECYCLING REQUIREMENTS
FOR RESIDENTIAL SOLID WASTE CUSTOMERS

The City Council of the City of Riverside does ordain as follows:

Section 1: The title of Chapter 6.04 of the Riverside Municipal Code is amended as follows:

“Chapter 6.04 RESIDENTIAL SOLID WASTE AND RECYCLABLE MATERIAL”

Section 2: Section 6.04.010 of the Riverside Municipal Code is amended as follows:

“6.04.010 Definitions.

For the purpose of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section.

Bulky item means waste items that are too large to be accepted as part of standard automated or manual collection. Examples of bulky waste include but are not limited to large metal appliances, mattresses, furniture items, large toys or wood trimmings, and other materials designated by the Public Works Director pursuant to this chapter, but excludes any hazardous materials.

Collection means the act of picking up and removing solid waste or recyclable materials or organic recyclable materials at the place of generation.

Contractor means a person, persons, firm or corporation authorized by contract with the City to provide solid waste, recyclable, or organic recyclable materials collection services within the City.

Container, unless otherwise provided herein, means any and all types of solid waste receptacles, including cans, carts, bins, rolloff boxes, and receptables provided by customers.

Detachable bin means a metal container designed for mechanical emptying and provided by the City or contractor where applicable for the accumulation and storage of solid waste.

Designated green materials (or “green materials” or “green waste”) means materials that are required to be separated from solid waste and designated recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products.

Green materials include, but are not limited to: yard trimmings, grass, weeds, leaves, prunings, branches, dead plants, brush, tree trimmings, dead trees, small wood pieces and other types of

1 organic yard waste. Green materials excludes food scraps and paper contaminated with food scraps.
2 *Designated organic recyclable materials* (or “organic recyclable materials”) means materials that
3 are required to be separated from solid waste and designated recyclable materials prior to disposal
4 and returned for use or reuse in the form of raw materials for new, used or reconstituted products.
5 Organic recyclable materials include, but are not limited to: yard trimmings and food scraps such
6 as green trimmings, grass, weeds, leaves, prunings, branches, dead plants, brush, tree trimmings,
7 dead trees, small wood pieces, other types of organic yard waste, vegetable waste, fruit waste,
8 dairy waste, meat waste, fish waste, and paper contaminated with food scraps. The term “organic
9 recyclable materials” solely means “designated green materials” when referencing multifamily
10 residential property requirements.

11 *Designated recyclable materials* (or “recyclable materials”) means materials that are required to
12 be separated from solid waste and designated organic recyclable materials prior to disposal and
13 returned for use or reuse in the form of raw materials for new, used or reconstituted products.
14 Recyclable materials include, but are not limited to: cardboard, paper, plastic, scrap metal,
15 beverage containers, and clean (untreated and unpainted) wood.

16 *Garbage* means a form of solid waste which is putrescible animal, fish, fowl, food, fruit or vegetable
17 matter resulting from the cultivation, preparation, storage, handling, decay or consumption of such
18 substance.

19 *Hazardous waste* means a waste, or combination of wastes, which because of its quantity,
20 concentration or physical, chemical or infectious characteristics may do either of the following:

- 21 1. Cause, or significantly contribute to, an increase in mortality or an increase in serious
22 irreversible or incapacitating reversible illness.
- 23 2. Pose a substantial present or potential hazard to human health or environment when
24 improperly treated, stored, transported or disposed of or otherwise managed.

25 *Manual container* means a metal, plastic or rubber container, 20- to 32-gallon capacity, provided by
26 the resident in City designated areas where automated collection service is not possible. Said
27 containers are not to exceed a weight of 15 pounds when empty, and must have side bail handles and
28 a tight-fitting lid, designed and manufactured for the accumulation and storage of solid waste, or

1 plastic and/or paper bags manufactured for the accumulation and storage of refuse. The top diameter
2 of the container shall in no case be smaller than the diameter of the receptacle at the bottom.

3 *Person* means an individual, firm, limited liability company, association, partnership, industry,
4 public or private corporation, or any other entity whatsoever.

5 *Place or premises* means every dwelling house, dwelling unit; apartment house or multiple-dwelling
6 building with less than 5 units; and every other place or premises where any person resides within
7 the City.

8 *Public Works Director* means the Public Works Director of the City or his or her duly authorized
9 representative.

10 *Refuse* means solid waste.

11 *Recycling* means the process of collecting, sorting, cleansing, treating and reconstituting materials
12 that would otherwise become solid waste and returning them for use or reuse in the form of raw
13 materials for new, used or reconstituted products which meet the quality standard necessary to be
14 used in the marketplace. Recycling does not include transformation as defined in Section 40201 of
15 the California Public Resources Code. The term “recycling” may be used to include source
16 separated materials.

17 *Rubbish* means a form of solid waste which is nonputrescible, useless, unused, unwanted or
18 discarded material or debris, either combustible or noncombustible, including but not limited to
19 paper, cardboard, grass, tree or shrub trimmings, straw, clothing, wood or wood products, crockery,
20 glass, rubber, metal, plastic, construction material, and similar material.

21 *SB 1383* means Senate Bill 1383 (Lara, Chapter 395, Statutes of 2016) also commonly referred
22 to as “SB 1383”, as amended, supplemented, superseded, and replaced from time to time.

23 *SB 1383 Regulations* means Title 14 of the California Code of Regulations, Division 7, Chapter
24 12: Short-lived Climate Pollutants, beginning with section 18981.1, as amended, supplemented,
25 superseded and replaced from time to time.

26 *Solid waste* means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including
27 garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes,
28 discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge

1 which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other
2 discarded solid and semi-solid wastes. Solid waste does not include hazardous waste or low-level
3 radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of
4 the California Health and Safety Code or medical waste. Solid waste does not include recyclable
5 materials or organic recyclable materials set out for separate collection for the purposes of recycling
6 and that are not landfilled.

7 *Solid Waste Collector* means personnel employed by the City or contractors for the collection and
8 disposal of solid waste.

9 *Source separate* or *source separated* means the process of removing recyclable materials and/or
10 organic recyclable materials, from solid waste for the purpose of recycling and/or organics recycling.

11 *Standard automated container* means a 96 gallon container provided by the City for collection of
12 solid waste or organic recyclable material or recyclable material.”

13 Section 3: Section 6.04.020 of the Riverside Municipal Code is amended as follows:

14 **“6.04.020 Receptacle requirements.**

15 A. Every owner, tenant, lessee or occupant of any premises where solid waste is generated shall
16 keep upon the premises sufficient standard automated containers for receiving and holding all
17 solid waste generated between the times of removal. Where a property is served by manual
18 service, the owner, tenant, lessee, or occupant of such property shall provide sufficient
19 manual containers for receiving and holding all solid waste generated between times of
20 removal. All solid waste on the premises shall be kept in said containers.

21 B. Solid waste containers shall be maintained in a clean and sanitary condition. It is unlawful for
22 any person to use solid waste containers that do not conform to the provisions of this chapter
23 or that may have ragged or sharp edges or any other defect liable to hamper or injure the
24 person collecting the contents thereof. If, within five days after written notice of a violation
25 of this section from the Public Works Director, such container is not repaired or replaced as
26 necessary, further service for the container may be suspended until the violation is corrected.
27 Where the container was provided by the City, the City may replace the container and charge
28 the cost for the replacement to the customer’s account, except where the damage was due to

- 1 normal wear and tear of the container. The notice of violation shall be deemed served when
2 securely attached to the container determined not in conformance with the provisions of this
3 section. The customer may appeal the notice of violation to the Public Works Director within
4 10 days of service of notice. The Public Works Director's decision shall be final.
- 5 C. Each property shall have separate containers for the collection of solid waste, recyclable
6 materials, and organic recyclable materials. Properties serviced by automated service shall
7 have no more than one standard automated container each for solid waste, recyclable
8 materials, and organic recyclable materials, except where the customer has made
9 arrangements with the City or Contractor for an additional container. Properties serviced by
10 manual service shall have no more than three manual containers each for solid waste,
11 recyclable materials, and organic recyclable materials.
- 12 D. Whether a property is serviced through automated or manual service shall be determined in
13 the sole discretion of the Public Works Director, or designee."

14 Section 4: Section 6.04.030 of the Riverside Municipal Code is amended as follows:

15 **"6.04.030 Location of containers and placement for collection service**

- 16 A. At residential property serviced by the City or by a Contractor, standard automated or manual
17 containers shall be placed as follows for collection:
- 18 1. Residential customers adjoining an alley shall place their standard automated or
19 manual containers adjacent to but not within the alley.
- 20 2. Residential customers shall place their standard automated or manual containers at
21 the City curb immediately adjacent to the serviced property.
- 22 3. In special circumstances the Public Works Director, or designee, may designate
23 receptacle location.
- 24 B. Residential customers serviced by a Contractor shall place their standard automated or
25 manual containers at the curb immediately adjacent to the serviced property for collection,
26 except when other arrangements have been made with the collection contractor.

- 1 C. Standard automated and manual containers shall not be placed in the designated location for
2 collection prior to 6:00 p.m. on the day preceding collection service and shall be removed
3 from the designated location no later than 8:00 p.m. on the day of collection.
- 4 D. In all disputes, complaints or problems arising from or concerning the location of containers
5 or bins, the Public Works Director shall designate the proper location and the decision of the
6 Public Works Director shall be final.”

7 Section 5: Section 6.04.040 of the Riverside Municipal Code is amended as follows:

8 **“6.04.040 Placement of material in receptacles.**

- 9 A. At residential properties, the Public Works Director shall designate the manner in which
10 material shall be placed in containers for collection, including but not limited to the types of
11 materials to be placed in solid waste, recycling, and green waste or organic recyclable
12 containers and the manner in which materials shall be separated, contained, or broken down
13 prior to placement in containers.
- 14 B. When filled, the manual container shall not weigh more than 55 pounds. When filled, the
15 standard automated container shall not weigh more than 150 pounds.
- 16 C. The Public Works Director may designate materials eligible for special pickup as bulky items
17 and the time, frequency, and volume of bulky item collection service. Acceptable materials
18 shall be placed at the curb immediately adjacent to the serviced property no earlier than 4:00
19 p.m. on the day before the scheduled bulky item service. City or Contractor's may refuse
20 collection if items exceed limitations or otherwise do not conform to the established bulky
21 item service requirements.
- 22 D. Placement of solid waste into containers designated for recyclable or organic recyclable
23 material is prohibited. The Public Works Director, or designee, shall enforce excessive
24 contamination of recycling and organic recycling containers. For the purposes of this
25 section, excessive contamination shall mean more than two (2) percent by volume of
26 nonacceptable materials.

- 27 1. If a collector finds that a recycling or organic recycling container has been
28 excessively contaminated by solid waste, the collector must leave a tag on the

container notifying the customer of the violation and identifying the incorrect materials. The collector may refuse to empty the container until the incorrect materials have been removed, except that a collector shall not refuse to empty a container from a multifamily property where multiple occupants share collection service.

2. If after a collector identifies excessive contamination and issues notices of violation for three (3) consecutive collection dates , a residential customer continues to excessively contaminate recycling and/or organic recycling containers, a fee equal to the charge for an additional solid waste disposal container shall be charged to the customer's account. The Public Works Director shall provide notice of the fee to the customer at least 10 days prior to the fee appearing the customer's bill. Notice of the fee shall be deemed served when placed in the mail to the customer at the last known address listed on the account. The customer may appeal the assessment of the fee to the Public Works Director within 10 days of service of notice. The Public Works Director's decision shall be final.”

Section 6: Section 6.04.050 of the Riverside Municipal Code is amended as follows:

“6.04.050 Required solid waste removal.

- A. No person, persons, firm or corporation other than one of the City authorized solid waste haulers acting pursuant to their contract with the City, municipal solid waste collection crews or a person or firm acting under the authority and within the limitation of a valid self-hauler permit issued pursuant to this chapter, shall collect solid waste, recyclable or organic recyclable materials within the City.
 - B. No person, persons, firm or corporation other than the City or one of the City-authorized solid waste contractors acting pursuant to their contract with the City shall provide temporary bin service for solid waste, recyclable or organic recyclable material.
 - C. Except as provided in subdivision D of this section, solid waste collection shall be provided from residential property at a minimum of once a week.

1 D. Every owner, lessee, tenant or occupant of residential property shall remove or cause to be
2 removed all solid waste created, produced or brought upon the premises according to the
3 schedule in this section by subscribing to the solid waste collection service of the City or the
4 contractor authorized by the City Council to provide such service to that property; provided,
5 however, one may provide one's own service pursuant to a self-hauler permit as provided in
6 this chapter for the removal of solid waste created by one's own activity as a residential
7 occupant, but not as a landlord for one's tenant or lessee."

8 Section 7: Section 6.04.055 of the Riverside Municipal Code is amended as follows:

9 **"6.04.055 Requirements for residential self-haulers.**

- 10 A. Every occupant of a residential property desiring to provide removal of solid waste,
11 recyclable material, and organic recyclable material created by their own activity shall first
12 obtain and maintain in full force and effect a self-hauler permit and shall provide solid waste
13 removal service in accordance with said self-hauler permit.
- 14 B. Application for self-hauler permits shall be made to the Public Works Director and shall be
15 accompanied by a nonrefundable fee set by resolution.
- 16 C. The Public Works Director shall issue the permit upon determining that the applicant is able
17 to transport all solid waste and recyclable and organic recyclable materials in a safe and
18 sanitary manner in accordance with the provisions of this chapter.
- 19 D. Such permit shall expire at the end of the fiscal year in which it is issued.
- 20 E. If the application is denied by the Public Works Director, the applicant shall be provided with
21 a full statement of the reasons for the denial.
- 22 F. A permit may be revoked by the Public Works Director for any violation of law or for failure
23 to comply with the provisions of this chapter by providing the permittee with a written
24 statement of the violations noted.
- 25 G. A denial or revocation may be appealed to the Public Safety Committee of the City Council
26 whose decision shall be final. Such appeal shall be filed with the City Clerk within ten days
27 after the receipt of the Public Works Director's written notice of denial or revocation.

- 1 H. All solid waste removal pursuant to a valid self-hauler's permit shall be accomplished by the
2 permit holder or the holder's own employees using the permittee's own equipment.
- 3 I. All solid waste removed pursuant to a self-hauler permit shall be deposited only at
4 authorized, licensed, and permitted solid waste disposal sites. Recyclable materials and
5 organic recyclable materials shall be hauled to a solid waste facility, operation, activity, or
6 property that processes or recovers such source separated materials.
- 7 J. All equipment used by a self-hauler's permittee to remove solid waste shall comply with the
8 requirements of Section 6.04.060.
- 9 K. Every holder of a self-hauler permit shall submit legible copies of disposal receipts to the
10 Public Works Director on or before the tenth of each month for solid waste deposits made
11 during the previous month at authorized and licensed solid waste disposal sites.”

12 Section 8: Section 6.04.060 of the Riverside Municipal Code is amended as follows:

13 **“6.04.060 Vehicle requirements for conveyance of solid waste.**

- 14 A. Passenger motor vehicles shall not be used in the transportation of solid waste, recyclable or
15 organic recyclable material upon or along any public street or highway of the City; provided,
16 however, residential self-haulers as provided in Section 6.04.055 may utilize such vehicles
17 upon the condition that the solid waste, recyclable or organic recyclable material is so
18 contained as to prevent it from leaking, dripping, falling, blowing or scattering from the
19 vehicle in which it is being conveyed or transported.
- 20 B. Trucks used in the collection and transportation of solid waste, , recyclable or organic
21 recyclable material shall have bodies of watertight metal construction which shall be
22 leakproof and shall be equipped with a close-fitting cover, which shall be affixed in a manner
23 that will prevent dropping, spilling or other loss of solid waste upon the highway during
24 collection and transportation. In lieu of such watertight bodies and covers, separate metal
25 containers with tight-fitting, clamp-on lids may be used.
- 26 C. Trucks used in the collection of rubbish shall have solid construction of the floor and body
27 and shall be equipped with a close-fitting covering which shall be affixed in a manner that

- 1 will prevent the dropping or blowing of any rubbish upon the highway during collection and
2 transportation.
- 3 D. All trucks used in the collection and transportation of solid waste, recyclable or organic
4 recyclable material and rubbish shall be maintained in a clean, sanitary and neatly painted
5 condition, and shall carry a shovel, broom, first-aid kit and fire extinguisher.
- 6 E. Every contractor authorized by the City Council to collect solid waste, recyclable or organic
7 recyclable material shall paint his firm name and telephone number in legible letters not less
8 than three inches in height on both sides of all trucks used to collect and transport refuse.”

9 Section 9: Section 6.04.070 of the Riverside Municipal Code is amended as follows:

10 **“6.04.070 Collection periods.**

- 11 A. Solid waste collection from residential properties shall be provided by all haulers a minimum
12 of once a week.
- 13 B. Solid waste will not be collected on Sundays except in emergencies and as approved by the
14 Public Works Director.
- 15 C. Solid waste collection within or in close proximity to residential areas shall not commence
16 prior to 5:30 a.m. on any day.”

17 Section 10: Section 6.04.090 of the Riverside Municipal Code is amended as follows:

18 **“6.04.090 Unsightly solid waste deemed nuisance.**

19 Solid waste, recyclable or organic recyclable material, which by reason of its location and character
20 is unsightly and interferes with the reasonable enjoyment of property by neighbors, is a public
21 nuisance within the meaning and subject to the provisions of this Code.”

22 Section 11: Section 6.04.100 of the Riverside Municipal Code is amended as follows:

23 **“6.04.100 Property owner alley clearance duties.**

24 No person owning, leasing or occupying property adjoining any public alley in the City shall fail,
25 refuse or neglect to keep that portion of such alley between the centerline thereof and the property
26 line of such property free from solid waste, recyclable or organic recyclable material.”

27 ///

28 ///

1 Section 12: Section 6.04.130 of the Riverside Municipal Code is amended as follows:

2 **“6.04.130 Accumulation of waste matter restricted.**

3 No person owning or occupying any building, lot or premises in the City shall suffer, allow or permit
4 to collect and remain upon such lot or premises any solid waste, recyclable or organic recyclable
5 material; provided, however, that this provision shall not be construed as interfering with building
6 under a building permit, or wood neatly piled for kitchen or household use.”

7 Section 13: Section 6.04.140 of the Riverside Municipal Code is amended as follows:

8 **“6.04.140 Restraint of animals to protect collectors.**

9 Any occupant owning or possessing an animal on the premises which may bite or attempt to bite a
10 solid waste hauler while engaged in collecting refuse shall be required to secure the animal(s) or
11 place the receptacles in such manner that such animal shall not constitute a hazard or to endanger a
12 solid waste hauler. In addition to any penalties specified in this Code, failure to adhere to the
13 requirements of this section shall be cause for suspension of collection service during such time as
14 there exists any such danger or hazard. Suspension of service pursuant to this section shall not
15 relieve any person or firm of the duty to pay solid waste collection charges during such period of
16 suspension.”

17 Section 14: Section 6.04.150 of the Riverside Municipal Code is amended as follows:

18 **“6.04.150 Regulation-making powers.**

19 The Public Works Director is authorized to make such rules and regulations not inconsistent with the
20 provisions of this chapter so as to effect efficient collection and removal of solid waste, recyclable
21 material, and organic recyclable material by the City or its duly authorized contractors.”

22 Section 15: Section 6.04.160 of the Riverside Municipal Code is amended as follows:

23 **“6.04.160 Collection areas.**

24 For purposes of defining the areas of the City in which the City's contractors will operate and in
25 which areas City personnel will collect residential solid waste, a map of the City is on file in the
26 office of the City Clerk. The type of service: residential or commercial; exclusive or non-exclusive;
27 City personnel or contractor; are identified in the contracts with City's contract solid waste
28 collectors. Upon a determination by the Public Works Department and at the direction of the Public

1 Works Director that good cause exists or that an annexation has been completed, that map may be
2 modified.”

3 Section 16: Section 6.04.180 of the Riverside Municipal Code is amended as follows:

4 **“6.04.180 Inspection of premises—chapter enforcement.**

5 A. The duly authorized representative of the Health Officer or Public Works Director shall visit
6 all premises within the City from time to time to examine the sanitary conditions of the
7 premises to determine whether the provisions of this chapter and state laws are being
8 complied with. The Public Works Director shall enforce the provisions of this chapter and
9 properly notify any owner or occupant of any violations of this chapter. Such notice
10 whenever possible shall be affixed to a receptacle or delivered in person.

11 B. SB 1383 Regulatory Compliance. Organic waste generators, including commercial and
12 multi-family covered generators, haulers and all other entities subject to the requirements of
13 SB 1383 shall fully comply with all applicable SB 1383 regulatory requirements or be
14 subject to the penalties as prescribed in section 18997.2 of the SB 1383 Regulations.”

15 Section 17: The City Council has reviewed the matter and, based upon the facts and
16 information contained in the staff reports, administrative record, and written and oral testimony,
17 hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2),
18 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title
19 14, Chapter 3, in that it will not result in a direct or reasonably foreseeable indirect physical change
20 in the environment nor have a significant impact on the environment.

21 Section 18: The City Clerk shall certify to the adoption of this ordinance and cause
22 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter
23 of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its
24 adoption.

25 ///

26 ///

27 ///

28 ///

1 ADOPTED by the City Council this _____ day of _____, 20____.

Mayor of the City of Riverside

Attest:

City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the _____ day of _____, 20____, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the _____ day of _____, 20____, by the following vote, to wit:

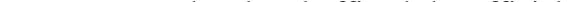
Ayes:

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
City of Riverside, California, this _____ day of _____, 20_____.



City Clerk of the City of Riverside

CA: 19-1514