

ORDINANCE NO. 162B

AN ORDINANCE TO AMEND ORDINANCE NO. 135, SOLID WASTE MANAGEMENT.

The city of Lakeside ordains as follows:

Section 1. Section 4 of Ordinance No. 135 is amended to read as follows:

"Section 4. Exclusive Franchise and Exceptions. The exclusive right, privilege and franchise to provide service in and for that purpose to utilize the streets and facilities of the city of Lakeside for the provision of sanitary solid waste service, shall be accorded to a franchise named by a resolution of the council. Nothing in the franchise or this section or ordinance shall:

(1) Prohibit any person from transporting wastes he produced himself to an authorized disposal site or resource recovery facility providing he complies with section 14 of this ordinance. Solid waste produced by a tenant, licensee, occupant or similar person is produced by such person, not the landlord or property owner.

(2) Prohibit any person from contracting a state or federal agency to provide service to such agency, provided, however, such person shall apply for a franchise for that service only and shall comply with all applicable requirements imposed on the franchisee under this ordinance with the exception of rates or terms of service set by contract with such agency where they are in conflict.

(3) Prohibit any person from collecting, transporting and conveying solid waste or waste over and upon the streets of the city of Lakeside for the purpose of resource recovery, provided such person has obtained a license therefor under section 15 of this ordinance.

(4) Prohibit any person from engaging in a charitable, civic or benevolent activity, however, merely operating as a non-profit entity does not qualify under this exception and for purposes of deciding upon exclusions hereunder, the decision of the city council of the city of Lakeside shall be final and binding upon all persons."

Section 2. Section 17 of Ordinance No. 135 is amended to read as follows:

"Section 17. Penalties.

(1) Violation of a provision of this ordinance, except by a franchisee or licensee, is punishable by a fine not to exceed \$500.

(2) Violation of a provision of this ordinance by a franchisee or licensee shall be as provided in this ordinance."

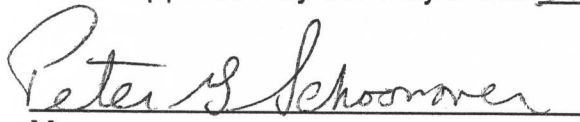
ATTEST:



Recorder

Passed by the council this 14th day of April, 1994.

Approved by the mayor this 3rd day of May, 1994.



Mayor