

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDINANCE NO. 51**

**AN ORDINANCE OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, AMENDING ORDINANCE NO. 40 CONCERNING THE ESTABLISHMENT OF SOLID WASTE ENTERPRISE LICENSE FEES AND REPORTING REQUIREMENTS FOR ALL SOLID WASTE ENTERPRISES OPERATING WITHIN THE JURISDICTIONAL BOUNDARIES OF THE MIDWAY CITY SANITARY DISTRICT**

**WHEREAS**, the Midway City Sanitary District (hereinafter "District") is authorized to charge a fee for the costs incurred by the District in the administration of licenses issued to solid waste enterprises operating within the District; and

**WHEREAS**, the District staff has prepared a report estimating the District's costs in administering the licenses; and

**WHEREAS**, the Board finds and determines that the fees set forth in this Ordinance are reasonably calculated to recover costs incurred by the District in administering the licenses; and

**WHEREAS**, Public Resources Code Section 40059 authorizes the District to determine all aspects of solid waste collection, including the imposition of licensing conditions.

**NOW, THEREFORE**, the Board of Directors of the Midway City Sanitary District of Orange County, California, **DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1: License Fees:**

Section 2 of Ordinance No. 40, subparagraphs "A", "B" and "C" are deleted in their entirety and replaced with the following:

"Any person, entity or corporation applying for a license for the privilege of operating a solid waste enterprise within the

1 District's jurisdiction shall pay a flat annual license fee in the  
2 amount of One Thousand Dollars (\$1,000.00). No license shall be  
3 issued until such time as the license fee has been paid and the  
4 applicant has submitted a completed application. In addition,  
5 licensees must be in full compliance with all District regulations  
6 and laws, including those establishing the maximum rates which  
7 may be charged, prior to issuance of a license."  
8

9 **Section 2: Canceled Accounts**

10 A new Section 3 J. is added to Ordinance No. 40 to read as follows:

11 "J. Every solid waste enterprise operating within the  
12 District shall prepare a written monthly report to the District of the  
13 cancellation of any accounts. Such information shall include the  
14 name, address and date of cancellation of the account. The report  
15 shall be due on the 10th day of the month following the  
16 cancellation. No report need be made if there are no  
17 cancellations."  
18

19 **Section 3: Violations**

20 Any violation of this Ordinance shall constitute a misdemeanor and shall be punishable  
21 by a fine not to exceed One Thousand Dollars (\$1,000.00), or thirty (30) days in the county jail,  
22 or both. Each day of the violation shall be treated and considered as a separate and distinct  
23 offense.  
24

25 **Section 4: Repeal of Previous Ordinances**

26 Section 2 of Ordinance No. 40 is hereby repealed and all motions, resolutions and  
27 ordinances inconsistent with this ordinance are repealed to the extent of such inconsistency and  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

no further.

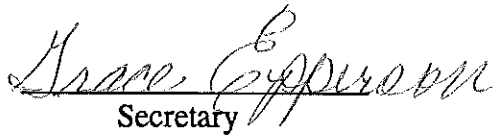
**Section 5: Publication**

In accordance with Health and Safety Code Section 6490, this Ordinance shall be published once in a newspaper of general circulation in the District and shall take effect upon expiration of one week after publication.

**ADOPTED, SIGNED AND APPROVED** this 7 day of December, 1993.

  
President

**ATTEST:**

  
Secretary

(S\3286.cj ♦)  
01/06/94

1 **CERTIFICATION**

2 I, Grace P. Epperson, Secretary of the Midway City Sanitary District of Orange County,  
3 California, do hereby certify that the foregoing Ordinance No. 51 was duly adopted at a regular  
4 meeting of the Board of Directors of said District, held on the 7 day of December, 1993 by  
5 the following vote of the members of the Board:  
6

7 **AYES:** Directors Epperson, Evans, Kearns, Rice, Littrell

8 **NOES:** None

9 **ABSENT:** Directors None

10 and I further certify that Ray Littrell, as President, and Grace P. Epperson, as Secretary, signed  
11 and approved said Ordinance on the 7 day of December, 1993.  
12

13  
14   
15 Secretary

16 (District Seal)  
17

18  
19 **STATE OF CALIFORNIA** )  
20 ) ss.  
21 **COUNTY OF ORANGE** )

22 I, Grace P. Epperson, Secretary of the Midway City Sanitary District of Orange County,  
23 California, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No.  
24 51, passed and adopted by the Board of Directors of said District at a regular meeting thereof  
25 held on the 7 day of December, 1993.

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official Seal  
of said District this 7 day of December, 1993.

*Arac Epperson*  
Secretary

**(District Seal)**