

BOARD OF SUPERVISORS

Terrell Swofford, 1st District
Kevin Goss, 2nd District
Sharon Thrall, Chair 3rd District
Lori Simpson, Vice Chair 4th District
Jeff Engel, 5th District

**AGENDA FOR REGULAR MEETING OF NOVEMBER 08, 2016 TO BE HELD AT 11:00 A.M.
IN THE BOARD OF SUPERVISORS ROOM 308, COURTHOUSE, QUINCY, CALIFORNIA**

www.countyofplumas.com

AGENDA

The Board of Supervisors welcomes you to its meetings which are regularly held on the first three Tuesdays of each month, and your interest is encouraged and appreciated.

Any item without a specified time on the agenda may be taken up at any time and in any order. Any member of the public may contact the Clerk of the Board before the meeting to request that any item be addressed as early in the day as possible, and the Board will attempt to accommodate such requests.

Any person desiring to address the Board shall first secure permission of the presiding officer. For noticed public hearings, speaker cards are provided so that individuals can bring to the attention of the presiding officer their desire to speak on a particular agenda item.

Any public comments made during a regular Board meeting will be recorded. The Clerk will not interpret any public comments for inclusion in the written public record. Members of the public may submit their comments in writing to be included in the public record.

CONSENT AGENDA: These matters include routine financial and administrative actions. All items on the consent calendar will be voted on at some time during the meeting under "Consent Agenda." If you wish to have an item removed from the Consent Agenda, you may do so by addressing the Chairperson.



REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (530) 283-6170. Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility. Auxiliary aids and services are available for people with disabilities.

STANDING ORDERS

11:00 A.M. **CALL TO ORDER/ROLL CALL**

PLEDGE OF ALLEGIANCE

ADDITIONS TO OR DELETIONS FROM THE AGENDA

PUBLIC COMMENT OPPORTUNITY

Matters under the jurisdiction of the Board, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda unless it is determined to be an urgency item by the Board of Supervisors. Any member of the public wishing to address the Board during the "Public Comment" period will be limited to a maximum of 3 minutes.

DEPARTMENT HEAD ANNOUNCEMENTS/REPORTS

Brief announcements by, or brief reports on their activities by County Department Heads

ACTION AGENDA

1. CONSENT AGENDA

These items are expected to be routine and non-controversial. The Board of Supervisors will act upon them at one time without discussion. Any Board members, staff member or interested party may request that an item be removed from the consent agenda for discussion. Additional budget appropriations and/or allocations from reserves will require a four/fifths roll call vote.

A) BOARD OF SUPERVISORS

Approve and authorize the Chair to sign letter to the Department of Transportation (Caltrans) for encroachment permit (27th Annual Quincy Main Street Sparkle and Light Parade Friday, December 2, 2016 4:30-6:30 p.m.)

B) PUBLIC WORKS

Authorize the Department of Public Works to recruit and fill 1.0 FTE Fiscal & Technical Services Assistant III position in the Engineering Division

2. DEPARTMENTAL MATTERS

A) BEHAVIORAL HEALTH – Robert Brunson

Alcohol & Other Drugs Division: Approval to hire above the "B" Step for the position of Alcohol & Other Drugs Program Administrator; discussion and possible action

B) HUMAN RESOURCES – Nancy Selvage

- 1) Adopt **RESOLUTION** to Amend the Position Allocation for Budget Year 2016-2017, for the Behavioral Health Department (adding 1.0 FTE Behavioral Health Unit Supervisors-Serious Mental Illness). **Roll call vote**
- 2) Adopt **RESOLUTION** to approve Industrial Disability Retirement for Mr. Gerald G. Hendrick (Government Code §21156). **Roll call vote**

C) SHERIFF – Greg Hagwood

Approve budget transfer of \$24,000 from Court Security Contingencies (70387-528400) to Security System fixed asset account (544180) and Maintenance (521300) to cover costs for upgrade of courthouse security; **four/fifths required roll call vote**

3. BOARD OF SUPERVISORS

- A. Economic Development Committee: Discussion and possible action to consider recommendations of the Economic Development Committee for FY 2016-2017 funding requests:
 - Shasta Cascade Wonderland Association (annual membership dues) \$ 500.00
 - Eastern-Plumas Chamber (2500 hiking guide brochures) \$1,101.88
 - Feather Publishing (postage costs for mailing Plumas Visitors Guide) \$ 300.00
 - Plumas Arts (Board of Supervisors to consider individual grants that require matching funds)
- B. Report and update by the Cannabis Working Group
- C. Correspondence
- D. Weekly report by Board members of meetings attended, key topics, project updates, standing committees and appointed Boards and Associations

1:00 P.M. AFTERNOON SESSION

4. PUBLIC WORKS – Robert Perreault

Solid Waste Division: **CONTINUED PUBLIC HEARING** from October 18, 2016: Introduce and waive first reading of an **ORDINANCE**, Replacing Chapter 10 of Title 6 of the Plumas County Code "Solid Waste Control", Articles 1 – 4 Inclusive. **Roll call vote**

5. CLOSED SESSION

ANNOUNCE ITEMS TO BE DISCUSSED IN CLOSED SESSION

- A. Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (d)(2) of Government Code Section 54956.9
- B. Conference with Labor Negotiator regarding employee negotiations: Sheriff's Administrative Unit; Sheriff's Department Employees Association; Operating Engineers Local #3; Confidential Employees Unit; Probation; Unrepresented Employees and Appointed Department Heads

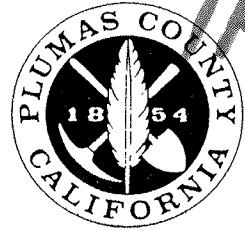
REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

ADJOURNMENT

Adjourn meeting to Tuesday, November 15, 2016, Board of Supervisors Room 308, Courthouse, Quincy, California.

BOARD OF SUPERVISORS

TERRY SWOFFORD, DISTRICT 1
KEVIN GOSS, DISTRICT 2
SHERRIE THRALL, DISTRICT 3
LORI SIMPSON, DISTRICT 4
JEFF ENGEL, DISTRICT 5



November 1, 2016

Department of Transportation (Caltrans)
Attn: Permits Engineer
1000 Center Street
Redding, CA 96001

Attention: Permits Engineer

Subject: Encroachment Permit Request
QUINCY CHAMBER OF COMMERCE

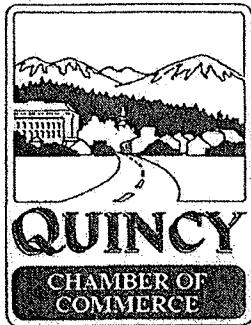
27th Annual Quincy Main Street Sparkle and Light Parade Friday,
December 2, 2016 4:30 – 6:30 p.m., Quincy, CA

This letter acknowledges that the Plumas County Board of Supervisors has been notified of the above captioned event. The Board of Supervisors has no objection to issuance of an event permit by Caltrans.

Sincerely,

Sharon Thrall, Chair

Cc: Plumas County Director of Public Works



Heart of the Feather River Country

464 WEST MAIN STREET•QUINCY, CALIFORNIA 95971
EMAIL: quincychamber@yahoo.com, www.quincychamber.com

October 28, 2016

Plumas County Board of Supervisors
520 Main Street
Quincy, California 95971

RE: 27th Annual Quincy Main Street Sparkle and Light Parade
Friday, December 2, 2016 4:30 - 6:30 pm

Honorable Plumas County Supervisors,

At the request of California Department of Transportation, I am requesting your permission for the 27th Annual Quincy Main Street Sparkle and Light Parade on Friday December 2, 2016 from 4:30 - 6:30 pm in Quincy, California. The parade route will begin at Plumas Motor Supply, travel west on Lawrence Street, turn left at Crescent Street, then travel east on Main Street and left on Highway 70 at Plumas Motor Supply to repeat the route once more.

Please contact me if you have any questions or need any additional information.

Respectfully,

Cheryl Kolb
Treasurer
Quincy Chamber of Commerce
PO Box 215
Quincy, CA 95971
(530) 375-0086

IB

CONSENT AGENDA REQUEST

For the November 8, 2016 meeting of the Plumas County Board of Supervisors

October 31, 2016

To: Honorable Board of Supervisors

From: Robert Perreault, Director of Public Works

Subject: Authorization for the Department of Public Works to fill the vacancy of one (1) FTE Fiscal and Technical Services Assistant III position in the Engineering Division. Discussion and possible action.



Background:

Effective November 4, 2016, one (1) FTE Fiscal and Technical Services Assistant III is resigning from the Engineering Division.

The Department is requesting to fill this position in the Engineering Division.

This position is funded and allocated in the FY16/17 Public Works budget that was adopted on September 29, 2016.

The appropriate Critical Staffing Questionnaire and Departmental Organizational Chart are attached.

Recommendation:

The Director of Public Works respectfully recommends that the Board of Supervisors authorize the Department to fill the vacancy of one (1) FTE Fiscal and Technical Services Assistant III in the Engineering Division of Public Works.

Attachments (2)

QUESTIONS FOR STAFFING CRITICAL POSITIONS WHICH ARE CURRENTLY ALLOCATED.

Fiscal and Technical Services Assistant III / Public Works Engineering

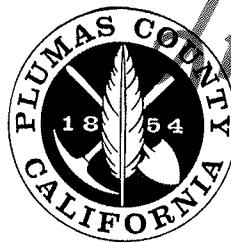
- Is there a legitimate business, statutory or financial justification to fill the position?
Fiscal Techs are the workforce for administrative services, which supports the operations unit of the Department
- Why is it critical that this position be filled at this time?
Fiscal Techs provide consistent support for the Department, and a prolonged vacancy can negatively impact the performance of the Department
- How long has the position been vacant?
Less than one week.
- Can the department use other wages until the next budget cycle?
The department's wage and benefits portion of the 16/17 budget includes funds for this position.
- What are staffing levels at other counties for similar departments and/or positions?
No specific research has been performed for this position. Generally speaking, however, past research tasks have identified Plumas County as being consistent with neighboring Counties.
- What core function will be impacted without filling the position prior to July 1? **N/A**
- What negative fiscal impact will the County suffer if the position is not filled prior to July 1? **None**
- A non-general fund department head need to satisfy that he/she has developed a budget reduction plan in the event of the loss of future state, federal or local funding. What impact will this reduction plan have to other County departments? **N/A**
- Does the department expect other financial expenditures which will impact the general fund and are not budgeted such as audit exceptions? **No**
- Does the budget reduction plan anticipate the elimination of any of the requested positions? **No**
- Departments shall provide an estimate of future general fund support for the next two years and how the immediate filling of this position may impact, positively or negatively, the need for general fund support? **No change in General Fund support since this is already a budgeted position**
- Does the department have a reserve? **No** If yes, provide the activity of the department's reserve account for the last three years?

PLUMAS COUNTY BEHAVIORAL HEALTH SERVICES

270 County Hospital Road, #109 Quincy, CA 95971

PH (530) 283-6307 FAX (530) 283-6045

W. Robert Brunson, LMFT, Director



Date: October 26, 2016

To: The Honorable Board of Supervisors

From: W. Robert Brunson, Director

SUBJECT: Agenda Item for November 8, 2016, BOS meeting

RE: Approval to hire above Step B for Behavioral Health Alcohol and Other Drug Program Administrator position

Recommendation: It is respectfully requested that the Board of Supervisors authorize the Behavioral Health Director to hire at Step E for the Behavioral Health Alcohol and Other Drug Program Administrator position

Background Information: The approval by the Board of Supervisors of the new Behavioral Health Organization Chart and related new Job Descriptions included a new position for the Program Administration of the Alcohol and Other Drug programs and services covered by OE3. The department has received application from an excellent candidate for the position who has worked for the County more than 8 years. The candidate's work history includes 5 years of supervisory experience in health services including alcohol and other drug program administration, development and implementation of policies and procedures that meet requirements of the Department of Health Care Services, corrective action planning, monitoring and compliance, contract management and budgeting. In addition, the candidate has been a member in the statewide Substance Abuse Prevention and Treatment Block Grant committee the past three years. The candidate is well-versed in Drug MediCal and the State's new Organized Delivery System, expanded mental health and substance use benefits of the Affordable Care Act, and has excellent relationships with DHCS/MHSUD staff, County Behavioral Health Directors Association (CBHDA), and California Institute for Behavioral Health Solutions (CIBHS). The candidate's networking and collaboration with other counties make this candidate invaluable in advancing integration of mental health and AOD programs and policies. The candidate has excellent relationships with criminal justice partners, social services, public health and service providers. The candidate's current work plan is attached.

I fully support the hire at the E Step and appreciate the Board's support in maintaining the continuity in administration.

Thank you.

Behavioral Health AOD Program Administrator Scope of Work 2016-17

Update Policies and Procedures for Approval by DHCS													
1	<p>The AOD Program Administrator is responsible for developing and implementing policies and procedures in compliance with the State-County Contract for the Substance Abuse Prevention and Treatment (SAPT) Block Grant and/or Drug Medi-Cal which includes federal and state regulations and requirements as follows:</p> <p>Code of Federal Regulations (CFR)</p> <ul style="list-style-type: none">• <u>Title 45 CFR, Part 96, Subpart L: §96.121 through 96.137.</u> Substance Abuse Prevention and Treatment Block Grant <p>United States Code (USC)</p> <ul style="list-style-type: none">• <u>Title 42 USC, Section 300x-21 through 300x-66.</u> Substance Abuse Prevention and Treatment Block Grant <p>California Health and Safety Code (HSC)</p> <ul style="list-style-type: none">• <u>HSC, Division 10.5, Section 11750 – 11970:</u> State Department of Health Care Services <p>California Code of Regulations (CCR)</p> <ul style="list-style-type: none">• <u>Title 9 CCR, Division 4, Chapter 4, Subchapter 1 – 6: Narcotic Treatment Programs</u>• <u>Title 22 CCR: Drug Medi-Cal Substance Abuse Services</u> <p><input checked="" type="checkbox"/> Member in CBHDA-SAPT Block Grant Committee; Liaison with State, Federal agencies and community, Managed Care Providers</p> <p><input checked="" type="checkbox"/> Ongoing Training in Drug MediCal Organized Delivery System and Implementation Plan due September 2017</p> <p><input checked="" type="checkbox"/> Webinar and Training in ODS components (ASAM, Medications Assisted Treatment, Rate Setting and Fiscal Requirements)</p> <p><input checked="" type="checkbox"/> Member Opioid Coalition (recipient of SAPT funding for suboxone medicine)</p> <p><input checked="" type="checkbox"/> Grant proposals and collaborations to further SAPT-BG goals and integration of Behavioral Health and Primary Care</p>												
Contract Management Requirements													
2	State-County Contract												
	<table border="1"><thead><tr><th colspan="2">Status</th><th>Regulation</th></tr></thead><tbody><tr><td>✓ A copy of the County's Organization Chart</td><td>Provided <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td><td>2015-16 State-County Contract, Exhibit B, Part IV, Section 1, A <i>Contractor shall maintain sufficient books, records, documents, and other evidence necessary for the State to audit contract performance and contract compliance. Contractor shall make these records available to the State, upon request, to evaluate the quality and quantity of services, accessibility and appropriateness of services, and to ensure fiscal accountability.</i></td></tr><tr><td>✓ Documentation of compliance with CFR Title 42 Part 2: Confidentiality of Alcohol and Drug Abuse Patient Records</td><td><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td><td>Title 42, Chapter I, Subpart A, Part 2 – Confidentiality of Alcohol and Drug Abuse Patient Records</td></tr><tr><td>✓ Documentation of the County's Drug-Free Workplace Policy</td><td><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td><td>41 U.S. Code 8103 – Drug-free workplace requirements for Federal grant recipients</td></tr></tbody></table>	Status		Regulation	✓ A copy of the County's Organization Chart	Provided <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2015-16 State-County Contract, Exhibit B, Part IV, Section 1, A <i>Contractor shall maintain sufficient books, records, documents, and other evidence necessary for the State to audit contract performance and contract compliance. Contractor shall make these records available to the State, upon request, to evaluate the quality and quantity of services, accessibility and appropriateness of services, and to ensure fiscal accountability.</i>	✓ Documentation of compliance with CFR Title 42 Part 2: Confidentiality of Alcohol and Drug Abuse Patient Records	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Title 42, Chapter I, Subpart A, Part 2 – Confidentiality of Alcohol and Drug Abuse Patient Records	✓ Documentation of the County's Drug-Free Workplace Policy	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	41 U.S. Code 8103 – Drug-free workplace requirements for Federal grant recipients
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✓ Documentation of compliance with CFR Title 42 Part 2: Confidentiality of Alcohol and Drug Abuse Patient Records	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Title 42, Chapter I, Subpart A, Part 2 – Confidentiality of Alcohol and Drug Abuse Patient Records											
✓ Documentation of the County's Drug-Free Workplace Policy	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	41 U.S. Code 8103 – Drug-free workplace requirements for Federal grant recipients											

Behavioral Health AOD Program Administrator Scope of Work 2016-17

3	County Sub-Contracts	
	<p>Please describe how the County ensures SAPT funds are expended as a "Payment of Last Resort" for:</p> <ol style="list-style-type: none"> a. HIV Early Intervention Services: b. Tuberculosis Services: c. Women Services: 	<p>45 CFR 96.137 (a) (e)</p> <p>(a) The Block Grant money that may be spent for§ 96.124(c) and (e), 96.127 and 96.128 is governed by this section which ensures that the grant will be the "payment of last resort." The entities that receive funding under the Block Grant and provides services required by the above-referenced sections shall make every reasonable effort, including the establishment of systems for eligibility determination, billing, and collection, to:</p> <ol style="list-style-type: none"> (1) Collect reimbursement for the costs of providing such services to persons who are entitled to insurance benefits under the Social Security Act, including programs under title XVIII and title XIX, any State compensation program, any other public assistance program for medical expenses, any grant program, any private health insurance, or any other benefit program; and (2) Secure from patients or clients payments for services in accordance with their ability to pay.
4	Trafficking Victims Protection Act (TVPA)	
	<p>Does the County include a provision in current county-provider contracts that address compliance with the Trafficking Victims Protection Act (TVPA) of 2000?</p> <p>✓ Please provide a copy of a fully executed county-provider contract and highlight the section(s) that addresses compliance with TVPA requirements.</p>	<p>State County Contract Exhibit A, Attachment I, Part I, Section N Contractor and its Subcontractors that provide services covered by this Contract shall comply with Section 106(g) of the Trafficking Victims Protection Act of 2000 as amended (22 U.S.C. 7104).</p> <p>State County Contract Exhibit A, Attachment I, Part I, Section W Subcontract Provisions Contractor shall include all of the foregoing provisions in all of its subcontracts.</p>
	<p>Does the County educate/train county-managed and/or county-subcontracted program staff to ensure compliance with the Trafficking Victims Act of 2000?</p> <p>✓ Will track staff training for completion date February 2017</p>	<p>Advisory Recommendation State County Contract Exhibit A, Attachment I, Part I, Section N Contractor and its Subcontractors that provide services covered by this Contract shall comply with Section 106(g) of the Trafficking Victims Protection Act of 2000 as amended (22 U.S.C. 7104).</p>
5	Charitable Choice	
	<p>Does the County identify which SUD programs are religious organizations?</p> <p>The Residential Facilities list includes religious organizations as indicated</p>	<p>Identified ☒ Yes <input type="checkbox"/> No</p> <p>ADP Bulletin 04-5 Counties should implement processes and procedures as necessary to comply with the provisions of Title 42, CFR Part 54. Under Part 54 counties are required to:</p> <ul style="list-style-type: none"> • Identify religious providers.

Behavioral Health AOD Program Administrator Scope of Work 2016-17

	Does the County incorporate the requirements of 42 CFR Part 54 regarding Charitable Choice in county-provider contracts?	Described <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	• Incorporate the applicable Part 54 requirements into county/provider contracts...
6	SAPT Block Grant Monitoring	Described <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>State-County Contract Exhibit A, Attachment I, Part IV Section 3, A.1 Contractor's performance under this Exhibit A, Attachment I A2, Part IV, shall be monitored by the State during the term of this Contract. Monitoring criteria shall include, but not be limited to:</p> <ol style="list-style-type: none"> Whether the quantity of work or services being performed conforms to Exhibit B A2; Whether the Contractor has established and is monitoring appropriate quality standards; Whether the Contractor is abiding by all the terms and requirements of this Contract...
	<p>Please describe how the County monitors county-managed and/or county-subcontracted programs for compliance with State-County Contract requirements:</p> <p>Is the County conducting annual onsite programmatic and fiscal monitoring reviews of county-managed and/or county-subcontracted programs offering SAPT BG-funded services?</p> <p>Site Reviews scheduled for Oct-Nov and will be submitted to DHCS by December 30, 2017.</p>	Too! Provided <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7	Corrective Action Plans	Ongoing <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Ensure the providers' Corrective Action Plans (CAP) are submitted to the County timely and implementation is verified:</p> <p>It is the responsibility of the County Access Coordinator to conduct required site audit reviews and request Subcontractor Corrective Action Plans as needed.</p> <p>Ensure the County's Corrective Action Plans (CAP) are submitted to the DHCS timely, track implementation of corrective actions and verify all activities.</p>
8	Drug Medi-Cal Certification	Underway <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>State-County Contract, Exhibit A, Attachment I, Part V, Section 4, A- 2 (f)</p> <p>Contractor shall assure that subcontractor sites must keep a record of the clients/patients being treated at that location. Contractor shall retain client records for a minimum of three (3) years from the date of the last face-to-face contact.</p> <p>State-County Contract, Exhibit A, Attachment I, Part V, Section 4, B-5 (a)</p> <p>Contractor shall include instructions on record retention and include in any subcontract with providers the mandate to keep and maintain records for each service rendered, to whom it was rendered, and the date of service...</p>

Behavioral Health AOD Program Administrator Scope of Work 2016-17

<p>Please describe the County's procedure for:</p> <ol style="list-style-type: none"> Checking the status of all DMC providers monthly that include required recertification events (change in ownership, services, location etc.): Notifying the State within (2) business days of notification or discovery of a DMC location closure, surrender of DMC certification, or changes that require recertification.. <p>Please describe how the County ensures a DMC certification application is submitted to DHCS 60 days prior to the effective date of the reduction of covered services or relocation:</p>	<p>State-County Contract, Exhibit A, Attachment I, Part V, Section 4, B, 3 (a)-(b)</p> <p>a) <i>Contractor shall check the status of all providers monthly to ensure that they are continuing active participation in the DMC program. Any subcontracted provider who surrenders their certification or closes their facility must be reported by the Contractor to the Department within two (2) business days of notification or discovery.</i></p> <p>(b) <i>During the monthly status check, the Contractor shall monitor for a triggering recertification event (change in ownership, change in scope of services, remodeling of facility, or change in location) and report any triggering events to the State within two (2) business days of notification or discovery.</i></p> <p>State-County Contract, Exhibit A, Attachment I, Part V, Section 3, A-6</p> <p><i>... The DMC certification application must be submitted to the State 60 days prior to the desired effective date of the reduction of covered services or relocation.</i></p>
<p>Described <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>How often does the County provide Title 22 training to county-managed and/or county-subcontracted program staff?</p> <p>✓ AOD Program Administrator will coordinate training January-March 2017.</p>	<p>State-County Contract Exhibit A, Attachment I, Part V, Section 4 B-2 (a)</p> <p><i>Contractor shall provide training on the requirements of Title 22 regulations and DMC requirements at least annually to all subcontracted providers...</i></p> <p>Underway <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>DMC - Organized Delivery System – 1115 Waiver</p> <p>9 Training on Provider Responsibilities, coordination with counties and providers in delivery of required services, development of Implementation Plan, policies and procedures</p> <p>State-County Contract - Implementation Plan will require approval and include:</p> <ul style="list-style-type: none"> • <i>Contractor shall provide training on the requirements of Title 22 regulations and DMC requirements</i> • <i>Knowledge of new regulations</i> • <i>Ensure staff know the Regulations, follow requirements, meet required timelines</i> • <i>Employ qualified staff – Medical Director, Physician, Therapist, Counselor</i> • <i>Complete a personal, medical and substance use history upon submission</i> • <i>Ensure medical necessity is documented in beneficiary records</i> • <i>Establish an individual record for every DMC beneficiary. Maintain record a minimum of 3 years</i> • <i>Develop written procedures for admission</i> • <i>Submit Corrective Action Plan (CAP) within 60 days of receiving a DMC Post Service Payment report through the contracting County</i>

Behavioral Health AOD Program Administrator Scope of Work 2016-17

AOD Prevention and Friday Night Live			
10	Update of the County's current Primary Prevention Strategic Plan is due 2016-17 <ul style="list-style-type: none"> a. Strategic Prevention Plan is currently under development and will be submitted by due date. Plumas AOD has a MOU with Plumas County Public Health to provide Prevention Services including mid-year budget and FNL b. Plumas FNL successfully completed the Roadmap in July 2015 and is completing program components at all high school chapters that cover the components listed below. In addition activities have been expanded to include middle school and transition age youth at the local community college through Mental Health Services Act funds. 	Date Identified <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Described <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	State County Contract: Exhibit A, Attachment I Part IV, Section 1, B. <u>2</u> <i>Contractor is required to have a current and DHCS approved County Strategic Prevention Plan (SPP). The SPP must demonstrate that the County utilized the Substance Abuse and Mental Health Services Administration's Strategic Prevention Framework (SPF) in developing the plan...</i>
11	Persons with Disabilities (PWD) The AOD Access Coordinator for AOD is responsible for ensuring compliance in serving Persons with Disabilities (PWD): ✓ Name: Louise Steenkamp Phone: 530 283 6307, ext 1052 Address: 270 County Hospital Road, Suite 109, Quincy, CA 95971 E-mail: lsteenkamp@pctbh.services	Response <input checked="" type="checkbox"/> Yes <input type="checkbox"/> o	ADP Bulletin 09 – 05 <i>Each county is required to designate a County Access Coordinator (CAC) for serving PWD. The role of the CAC is that of liaison between the provider community, County AOD Administrator's office, and ADP. The CAC is responsible for ensuring the integrity of the county's compliance with all issues related to AOD services.</i>
CALOMS Tx and DATAR			
12	Ensures the following requirements are met: <ul style="list-style-type: none"> a. CalOMS Tx data is submitted timely and accurately within 45 days from the end of the last day of the report month: Submitted by contractor, Kingsview b. CalOMS Tx late submissions or re-submissions do not exceed five percent (5%) each month; c. CalOMS Tx discharge data or annual updates 	Timely Submissions <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Late <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	State-County Contract, Exhibit A, Attachment I, Part III, F.(3) G (1), (2) <i>Contractor shall comply with the treatment and prevention data quality standards established by the State. Failure to meet these standards on an ongoing basis may result in withholding non-DMC funds. The Contractor shall be responsible for ensuring that the Contractor-operated treatment services and all treatment providers with whom Contractor makes a contract or otherwise pays for the services, submit a monthly DATAR report in an electronic copy format as provided by the State.</i>

Behavioral Health AOD Program Administrator Scope of Work 2016-17

are submitted:	
d. DATAR reports are submitted by the 10 th of each month:	
PNA Described <input type="checkbox"/> Yes <input type="checkbox"/> No	
Discharge Described <input type="checkbox"/> Yes <input type="checkbox"/> No	
DATAR Described <input type="checkbox"/> Yes <input type="checkbox"/> No	

3B1

DEPARTMENT OF HUMAN RESOURCES

520 Main Street, Room 115, Quincy, California 95971

(530) 283-6444 FAX (530) 283-6160

Email: nancyselvage@countyofplumas.com



DATE: **October 28, 2016**

TO: **The Honorable Board of Supervisors**

FROM: **Nancy Selvage, Human Resources Director**

SUBJECT: **AGENDA ITEM FOR BOARD OF SUPERVISORS MEETING OF NOVEMBER 8th, 2016.**

RE: APPROVE RESOLUTION TO AMEND THE POSITION ALLOCATION FOR BUDGET YEAR 2016/2017, BEHAVIORAL HEALTH DEPARTMENT

IT IS RECOMMENDED THAT THE BOARD:

Approve the recommendation to amend the position allocation for the position of Behavioral Health Unit Supervisor – Serious Mental Illness (SMI) to meet the client and clinical supervisory needs of the Sierra House and Drop In Center (DIC) facilities.

BACKGROUND AND DISCUSSIONS:

Behavioral Health Department is responsible for the administration of the Sierra House Board and Care Facility, the adjoining DIC and the outpatient care services that are provided at these sites.

After careful consideration of the Sierra House clients past and current clinical needs, we are recommending the staffing of a BH Unit Supervisor for these facilities. We believe it is necessary to provide a Unit Supervisor who will oversee the high acuity clients therapy needs. The Unit Supervisor is a licensed clinician who will be assigned to all the clients in the Sierra House, including the Meds only. This additional Unit Supervisor will be responsible for supervising the Behavioral Health Therapist and Case Management Specialist who work and are located at the Sierra House and DIC.

I recommend the Board approve the attached Resolution to amend the position allocation for Fiscal Year 2016/2017 to add one (1) Behavioral Health Unit Supervisor - SMI to be assigned to the Sierra House / DIC.

RESOLUTION NO. 2016-_____

**RESOLUTION TO AMEND THE POSITION ALLOCATION FOR BUDGET
YEAR 2016/2017, FUNDS FOR THE BEHAVIORAL HEALTH DEPARTMENT**

WHEREAS, the Board of Supervisors, through adoption of the budget allocates positions for the various county departments each fiscal year; and

WHEREAS, there are changes needed for the budgeted position allocations for the 2016/2017 Position Allocation for the Behavioral Health Department; and

WHEREAS, the Human Resources Director is now requesting approval of this resolution to correct the 2016/2017 Position Allocation; and

WHEREAS, it is necessary to update the Position Allocation for Budget Year 2016/2017 to list the correct positions classified for each of the County's Departments; and

NOW, THEREFORE BE IT RESOLVED by the Plumas County Board of Supervisors as follows:

Approve this Resolution to amend the Position Allocation for Budget Year 2016/2017 to reflect the following:

<u>CLASSIFICATION</u>	<u>FTE</u>
Behavioral Health Unit Supervisor – Serious Mental Illness	1.0

The foregoing Resolution is duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 18 day of October, 2016 by the following vote:

AYES: Supervisors
NOES: Supervisors
ABSENT: Supervisors

Chairperson, Board of Supervisors

ATTEST:

Clerk of the Board

**RESOLUTION OF THE BOARD OF SUPERVISORS OF COUNTY OF PLUMAS
TO APPROVE INDUSTRIAL DISABILITY RETIREMENT OF
MR. GERALD G. HENDRICK
(Section 21156, Government Code)**

WHEREAS, the County of Plumas (hereinafter referred to as Agency) is a contracting agency of the Public Employees Retirement System; and

WHEREAS, the Public Employees Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he/she is classified as local safety member is disabled for purposes of the Public Employees Retirement Law and whether such disability is "industrial" within the meaning of such Law; and

WHEREAS, Mr. Gerald G. Hendrick who was employed by the Plumas County Sheriff's Department in the position of Assistant Sheriff - Advanced, has filed an application for industrial disability retirement with the California Public Employees Retirement System (hereinafter referred to as (CalPERS); and

WHEREAS, after review of the medical information provided by employee's Qualified Medical Examiner it has been determined that Mr. Gerald G. Hendrick is disabled due to an America Medical Association impairment rating and cannot safely perform the duties of his former position as Sheriff Deputy / Assistant Sheriff - Advanced; and

WHEREAS, Mr. Gerald G. Hendrick retired under service retirement pending approval of his industrial retirement.

NOW, THEREFORE BE IT RESOLVED:

That the Board of Supervisors hereby find and determine that Mr. Gerald G. Hendrick is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Assistant Sheriff; and

BE IT FURTHER RESOLVED THAT, the Board of Supervisors find and determine that such disability is a result of injuries or disease arising out of and in the course of employment.

Mr. Gerald G Hendricks applied to the Workers' Compensation Appeals Board for a determination pursuant to Section 21166 for industrial disability retirement. This Resolution supersedes the previous denied Resolution #16-8181.

The forgoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 8th day of November 2016, by the following vote:

AYES: Supervisors
NOES: Supervisors
ABSENT: Supervisors

Chair, Board of Supervisors



Office of the Sheriff

1400 E. Main Street, Quincy, California 95971 • (530) 283-6375 • Fax 283-6344

dc

GREGORY J. HAGWOOD
SHERIFF/CORONER

Memorandum

DATE: **October 31, 2016**

TO: **Honorable Board of Supervisors**

FROM: **Sheriff Greg Hagwood**

RE: **Agenda Item for the meeting of November 8, 2016**

Recommended Action:

Approve and authorize a budget transfer in the amount of \$24,000.00 from Court Security (dept 70387) contingency account (528400) to Security System fixed asset account (544180) in the amount of \$20,000 and \$4,000 to the Maintenance - Building & Grounds account (521300).

Background and Discussion:

The FY 16/17 Administrative and Budgetary Controls require transfers to/from a contingency account or to/from a fixed asset account to be approved by the Board of Supervisors.

The Court Security budget is designated to be used for expenses relating to providing adequate security to the Courts. The funds budgeted in the contingency account are available for transfer to cover the costs to upgrade the courthouse security system and to replace the rear door.

COUNTY OF PLUMAS
REQUEST FOR BUDGET APPROPRIATION TRANSFER
OR SUPPLEMENTAL BUDGET

TRANSFER NUMBER
(Auditor's Use Only)

Department: COURT SECURITY Dept. No: 70387 Date: 10/31/2016

The reason for this request is (check one):		Approval Required
A.	<input checked="" type="checkbox"/>	Board
B.	<input type="checkbox"/>	Board
C.	<input type="checkbox"/>	Board
D.	<input type="checkbox"/>	Auditor
E.	<input type="checkbox"/>	Auditor

TRANSFER FROM OR **SUPPLEMENTAL REVENUE ACCOUNTS**
(CHECK "TRANSFER FROM" IF TRANSFER WITHIN EXISTING BUDGET, CHECK "SUPPLEMENTAL REVENUE" IF
SUPPLEMENTAL, NEW UNBUDGETED REVENUE)

TRANSFER TO OR **SUPPLEMENTAL EXPENDITURE ACCOUNTS**
(CHECK "TRANSFER TO" IF TRANSFER WITHIN EXISTING BUDGET, CHECK "SUPPLEMENTAL EXPENDITURE" IF
SUPPLEMENTAL, NEW UNBUDGETED EXPENSE)

Supplemental budget requests require Auditor/Controller's signature

Please provide copy of grant award, terms of award, proof of receipt of additional revenue, and/or backup to support this request.

In the space below, state (a) reason for request, (b) reason why there are sufficient balances in affected accounts to finance transfer, (c) why transfer cannot be delayed until next budget year (attach memo if more space is needed) or (d) reason for the receipt of more or less revenue than budgeted.

A) Transfer to cover costs of unanticipated expenses

B) Contingency funds

C) Expenses to be incurred this fiscal year

D) N/A

Approved by Department Signing Authority: Ron Jolley

Approved/ Recommended

Disapproved/ Not recommended

Auditor/Controller Signature: _____

Board Approval Date: _____

Agenda Item No. _____

Clerk of the Board Signature: _____

Date Entered by Auditor/Controller: _____

Initials _____

INSTRUCTIONS:

Original and 1 copy of ALL budget transfers go to Auditor/Controller. If supplemental request they must go to the Auditor/Controller. Original will be kept by Auditor, copies returned to Department after it is entered into the system.

Supplemental transfer must have Auditor/Controllers signature. Auditor/Controller will forward all signed, supplemental transfers to the Board for approval.

If one copy of agenda request and 13 copies of Board memo and backup are attached, the entire packet will be forwarded, after all signatures are obtained, to the Clerk of the Board. If only the budget form is sent, it will be returned to the Department after all signatures are obtained.

Transfers that are going to be submitted to the Board for approval:

- A. Must be signed by the Auditor/Controller; if supplemental must be signed by the Auditor/Controller.



SHASTA
CASCADE
WONDERLAND ASSOCIATION

**Shasta Cascade
Wonderland Association**
1699 Highway 273
Anderson, CA 96007

Voice: 530-365-7500
Fax: 530-365-1258

INVOICE

3A

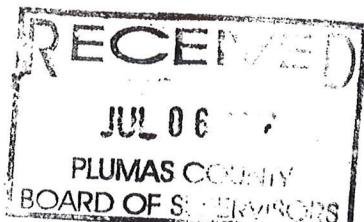
Invoice Number: 16MEM-708214

Invoice Date: 6/30/2016

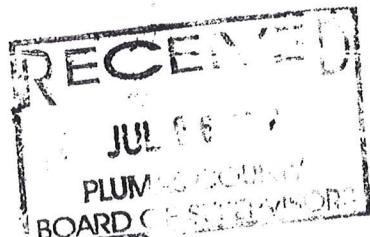
BILL TO:
Nancy DeForno
Plumas County
520 Main St. Room 309
Quincy, CA 95971

Member Name	Member Type	Member ID	Due Date
Plumas County	Supporting	708214	Upon Receipt

Description	Amount
Annual Membership Dues July 1, 2016 – June 30, 2017 Plumas County	\$500.00



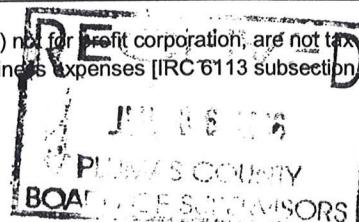
Invoice Amount	\$500.00
Payment/Credit Applied	
TOTAL	\$500.00



PLEASE PAY FROM THIS INVOICE. NO STATEMENT WILL BE SENT. THANK YOU!

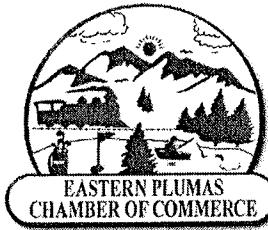
Please make checks payable to Shasta Cascade Wonderland Association.

Membership dues payable to the Shasta Cascade Wonderland Association, a 501(c)(6) not for profit corporation, are not tax deductible as a charitable contribution, but they may be deductible as ordinary and necessary business expenses [IRC 6113 subsection (b)(41)(B)].



SHASTA CASCADE WONDERLAND ASSOCIATION MEMBERSHIP LEVELS
2016-2017

	Guide Service, Museums, Chambers	Standard Member	Supporting Member	Sustaining Member	Premier Member
	\$125	\$250	\$500	\$1,250	\$2,000
4 X 9 Brochure Placement at California Welcome Center	✓	✓	✓	✓	✓
25 word listing, photo and link on SCWA Website	✓	✓	✓	✓	✓
25 word listing in the SCWA Visitors Guide	✓	✓	✓	✓	✓
Consumer/Trade Show participation opportunity					
Referrals from marketing efforts	✓	✓	✓	✓	✓
Facebook postings on California Welcome Center Page					
Facebook posting on Shasta Cascade Page	✓	✓	✓	✓	✓
Postings on Visit California Website					
Placement on Fall Color Website					
Collaboration of general county information in Visitors Guide					
Placement in Media Press Kit					
Multiple expanded listings on SCWA website and visitors guide					
Postings on Shasta Cascade Twitter Account					
Offered International Tour Operator Exposure					
Offered Travel Writer Opportunities	✓			✓	✓
Rotating Spot on every page of the SCWA Website			✓	✓	
10% Visitor Guide ad discount				✓	
Presence on VisitTheUSA.com (Brand USA website)					✓
<u>Descriptions</u>					
Guide Service	Small 1-3 person fishing, hiking, educational				
Chambers	Chambers, Visitor Bureaus, Museums, Historical Societies				
Supporting	Counties, government agencies & other sponsoring organizations				



&
TOURIST INFORMATION CENTER
8989 Highway 89, Suite 3
P.O. Box 1043 Graeagle, CA 96103
Telephone: 530-836-6811 Fax: 530-836-6809
Email: epcc@psln.com www.easternplumaschamber.com

Date: August 18, 2016

Dear members of the Plumas County Board of Supervisors,

Eastern Plumas Chamber of Commerce respectfully requests your consideration to fund the cost of producing 'Hiking Guides' in Plumas County.

Throughout Plumas County Chambers we are very short on supplies of these very popular hiking guides.

Feather Publishing has quoted:

\$1025 plus tax of \$76.88 – Total \$1101.88 for 2500 brochures or
\$1575.00 plus tax of \$118.13 – Total \$ 1693.13 for 5000 brochures.

Thank you all for your consideration.

Yours truly

Audrey Ellis (Executive Director)

Eastern Plumas Chamber of Commerce & Tourist Information Center.



(530) 283-0800

FEATHER PUBLISHING CO., INC.

P.O. BOX B, QUINCY, CA 95971

August 2, 2016

Nancy DaForno
Clerk of the Board of Supervisors
520 Main St. Room 309
Quincy, CA 95971

Dear Nancy:

Thank you for the check reimbursing us for the postage expense to mail out copies of the Plumas Visitors Guide to those out of the area making the request.

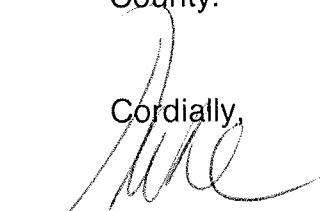
The Plumas County Visitors Bureau was handling this process until the time it closed. The supervisors at that time were in agreement that they wanted to continue the practice of mailing out the guide to those requesting a printed copy. Just so you know, we make it available electronically as well. It's on our website throughout the year and we also provide it to the local chambers to upload on their respective websites. I find it really interesting how many people have access to the electronic version but still want the traditional printed product in their hands.

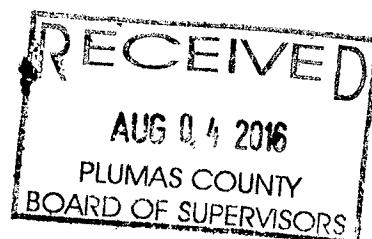
In the past, our arrangement with the county is that we would handle the requests and mail the copies if the county would simply reimburse us for just the actual postage. If the board would like, we'd be happy to continue that arrangement.

Postage has been averaging around \$300 each year. Since sending you that statement for the 2015 edition, we've already incurred around \$80 in postage for the 2016 edition. If the board would feel more comfortable, we could set a limit of reimbursement not to exceed a certain amount, say \$400 or \$500.

If you need any additional information, please let me know. Obviously, this is one small way we can work together to help promote tourism in Plumas County.

Cordially,


Michael Taborski
Publisher



...hometown weekly newspapers serving all of Plumas and Lassen Counties

FEATHER RIVER BULLETIN
In Quincy and American Valley
287 Lawrence Street
P.O. Box B, Quincy, CA 95971
(530) 283-0800
Fax (530) 283-3952

INDIAN VALLEY RECORD
In Greenville and Indian Valley
P.O. Box 469
Greenville, CA 95947
(530) 284-7800
Fax (530) 284-7800

CHESTER PROGRESSIVE
In Chester and Lake Almanor
135 Main Street Unit C
P.O. Box 557, Chester, CA 96020
(530) 258-3115
Fax (530) 258-2365

PORTOLA REPORTER
In Mohawk and Sierra Valley
133 W. Sierra (Hwy. 70)
Portola, CA 96122
(530) 832-4646
Fax (530) 832-5319

LASSEN COUNTY TIMES
In Susanville and Honey Lake Valley
800 Main Street
Susanville, CA 96130
(530) 257-5321
Fax (530) 257-0408

WESTWOOD PINE PRESS
In Westwood
and Clear Creek
P.O. Box 790
Westwood, CA 96137
(530) 256-2277

Plumas Arts

525 Main St. / PO Box 600 Quincy CA 95971 • (530) 283-3402 • plumasarts.org • information@plumasarts.org

2016-17 PLUMAS COUNTY FUNDING REQUEST FOR PLUMAS ARTS

Plumas Arts respectfully requests a \$5,000 investment of county funds for our significant efforts for local prosperity that generates income, stimulates tourism and enhances a quality of life that makes Plumas County a desirable place to visit, relocate, raise a family and live.

Plumas Arts is a 501c3 nonprofit, established in 1981 with a mission to cultivate communities where local arts and culture flourish, nourish the local economy and cultivate an enviable quality of life. Since 1981 we have served with distinction by authorization of the Board of Supervisors as Plumas County's representative to the California Arts Council's State Local Partnership Program where we are consistently ranked in the very top sector of all county participants from areas as big as Los Angeles County to counties as small as Alpine. We are an exemplary model in our local arts agency field statewide, regionally and locally for our breadth of quality programming and community involvement.

DIVERSITY OF PROGRAMMING

Detailed information about the work of Plumas Arts is available on our website plumasarts.org

To summarize... Plumas Arts: • Facilitates arts education programs in all county schools.

- Produces an astounding number events— from Words & Music, to gallery openings, to major ones (Taste of Plumas, Almanor Art Show, Mountain Harvest Festival) concerts and more.
- Supports numerous other events producers and community groups.
- Curates a comprehensive countywide cultural events calendar and an online directory of local artists.
- Hosts a first-rate gallery featuring work by local artists from all parts of our county.
- Keeps the only movie theatre and fixed-seat performing arts venue in the county open and showing movies, film events and presenting community performances an average 5 days a week all year round.

OUTSIDE-THE-BOX PARTNERSHIPS BUILDING A BRIGHTER PLUMAS

Plumas Arts brings together, and works among, creative thinkers to innovate programs and projects that benefit Plumas County. We interface with county schools, Feather River College, merchant/ tourism/ economic development groups, Plumas National Forest, chambers of commerce, Plumas Sierra Rural Electric, community service groups, events producers, 20,000 Lives/public health agency, county fair, farmers/ agricultural groups and others. These mutually beneficial partnership relationships leverage opportunities for funding and programming beyond what any of us could provide on our own.

We assist others with compatible missions... We bring High school music programs together each year at the Town Hall Theatre for a widely popular all-county Jazz Night showcasing local youth. We umbrella the *Feather River Fine Arts Guild/ Art Around the Lake*, produce the *Chester Winter Dances* and *A Few Brews & A Banjo* events that support school-based art, drama and music programs. We have provided support for the *Portola City Lights* and *Quincy Farmer's Market* Summer concerts. We help the local circus group, *QUIRCUS*; umbrella the national *Listen to Your Mother* and other spoken word productions and are fiscal agents for the *Quincy Merchants Group*. Most recently we are also the anchor organization bringing the *Sierra Valley Art & Ag Trail* event to life October 1, 2016.

OUR EFFORTS BRING THOUSANDS OF STATE, FEDERAL & PRIVATE DOLLARS INTO PLUMAS COUNTY
Plumas Arts has an excellent track record for obtaining grant funding from public and private sources. Each year we bring in tens of thousands of state, federal and private foundation grant funds into the county to serve local needs and innovate exciting programs and projects. Our county has become well known for a cultural quality of life enviable to others in much larger and richer communities. We help to attract a desirable clientele of travelers to visit and individuals, families and business to relocate here. **Our ability to show a cash match of county funds makes us far more competitive in grant applications.** In some cases a cash match of county dollars is a requirement for funding. Your funding allocation will allow us to leverage increased levels of out-of-county public and private grant funding many times over.

STRATEGIC ORGANIZATIONAL CAPACITY HELPING ENTREPRENURIAL EFFORTS

Plumas Arts is a highly visible, experienced and capable organization. We have grown a **diversified funding base** that **combines earned income, fundraising events, memberships, donations, grant funding, corporate sponsorship and local, state and federal public funds**, because we have learned—the hard way—that at any given time one or more of these sources can falter. So, we remain vigilant to innovate funding sources to support our organization and others.

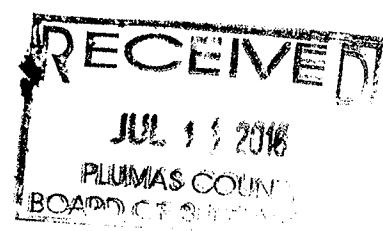
PLUMAS ARTS HAS EARNED WIDE SPREAD MEMBERSHIP & COMMUNITY SUPPORT

As has been identified by previous county officials, Plumas Arts boasts one of the **largest and most diverse bases of member support in the county**. Hundreds of families, businesses, organizations and individuals cross over political, religious, geographic, social and economic boundaries to support the work we do. This base gives our small but mighty organization the unique ability to coalesce and rally the community to action for the common good. Nowhere has this support been more evidenced than in our overwhelmingly successful efforts in the **redemption of the historic Capitol Arts Saloon** into a gallery, gift shop and gathering space and the unprecedented response to the **Save Our Town Hall Theatre/ Go Digital campaign** where funding exceeded expectations providing the means not only to purchase and install the digital projection system, but also to rebuild the deteriorating marquee this Summer.

Plumas Arts has proven to be, many times over, an admirable steward of the public trust.

IN CONCLUSION...

This modest requested investment of county funds will aid Plumas Arts in our active and ambitious pursuit of the work that we do so well and are so well known for doing; work that brings innumerable benefit to Plumas. **County dollars will be wisely invested along side those of hundreds of local individual, businesses, organizations, agencies and business who invest in Plumas Arts** to preserve our history, promote our culture, stimulate our economy and enliven a vital quality of life that rivals the attractiveness of our natural environment.



Plumas County
Department of Public Works
Solid Waste Division

October 31, 2016

Attached is a copy of the

Revised Plumas County Code (Chapter 10 of Title 6) dated June 27, 2016

The same document is posted on the County web site at:

<http://ca-plumascounty.civicplus.com/DocumentCenter/View/15634>

ORDINANCE NO. 16-_____

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA, REPLACING CHAPTER 10 OF TITLE 6 OF THE PLUMAS COUNTY CODE

SECTION 1.

Purpose. The purpose of this Section is to:

- (a) Protect and preserve Plumas County's environment and the economic interests, health, safety and quality of life of the residents of and visitors to Plumas County.
- (b) Update local regulations regarding the administration of the Solid Waste and recyclables Collection and Disposal system so that it continues to provide the best possible service to residents of and visitors to Plumas County.
- (c) Promote Recycling and the diversion of Recyclable Materials from the waste stream, and in doing so, comply with the California Integrated Waste Management Act of 1989 (AB 939), Chapter 476, Statutes of 2011 (Chesbro, AB 341), and other applicable laws.
- (d) Establish and refine Plumas County's requirements and guidelines for the Collection and Disposal of Solid Waste, including Green Waste, construction & demolition debris (C & D), and the diversion and Recycling of Recyclable Materials.
- (e) Provide an enforcement mechanism to help ensure that residents of and visitors to Plumas County engage in the proper Collection and Disposal of Solid Waste and recyclable materials and provide protections against illegal scavenging of materials.
- (f) Provide an exemption from the provisions of Chapter 476, Statutes of 2011 (Chesbro, AB 341) for Qualified Generators that Self-Haul, donate or sell their recyclables, and provide an exemption from same for those businesses that have major constraints or generate an amount of Solid Waste that does not meet the minimum thresholds contained in that law.
- (g) Provide fiscal oversight to ensure that all fees Collected in conjunction with the solid waste program are Collected in conformance with Plumas County's Integrated Solid Waste Plan, Article XIII A of the California Constitution (Proposition 13), which limits annual increases to property taxes paid by California residents and establishes a requirement that all property taxes and fees Collected from California property Owners must incorporate a direct correlation with a service provided to the property being taxed, and Article XIII C & XIII D of the California Constitution (Proposition 218), which requires not only that fees charged for provided services shall be established at a level that does not exceed the actual costs for providing those services, but also provides a public hearing mechanism to review and protest any increases in those fees.

Findings. The Board of Supervisors of Plumas County (hereinafter **Board**) hereby **FINDS** that, in order to conserve water and energy, protect the environment and preserve the economic interests, health, safety and quality of life of the residents of and visitors to Plumas County, it must provide for an efficient and integrated Solid Waste Collection and Disposal system, and

Furthermore, the **Board** hereby **FINDS**, that in order to comply with State and Federal mandates, particularly the California Integrated Waste Management Act of 1989 (AB 939), and the State's Mandatory Commercial Recycling Law (AB 341) regarding the Collection and Disposal of Solid Waste, which laws require cities and counties to reduce, reuse and recycle Solid Waste generated in California to the maximum extent feasible before the Disposal of Solid Waste, Plumas County must strengthen its

diversion and Recycling policy by enhancing its efforts to encourage and incentivize the diversion of Recyclable Materials from the waste stream, and

Furthermore, the **Board** hereby **FINDS** that the timely and efficient Collection and Disposal of Solid Waste and Recyclable Materials within unincorporated Plumas County is an essential aspect of the Plumas County Solid Waste Plan, and that the economic interests of the residents of and visitors to Plumas County are best served by awarding contract(s) for the Collection and Disposal of Solid Waste and Recyclable Materials to private Solid Waste Collector(s) in the form of franchise agreement(s) to accomplish this goal, and

Furthermore, the **Board** hereby **FINDS** that, in order to ensure that all rates and fees Collected in conjunction with the Solid Waste program are Collected in conformance with the Plumas County Solid Waste Plan, Proposition 13 and Proposition 218, responsible fiscal oversight by Plumas County shall continue to be the preeminent principle in setting or adjusting rates and fees for Solid Waste Collection and Disposal services, and

Furthermore, the **Board** hereby **FINDS** that the existing provisions of Chapter 10 of Title 6 of the Plumas County Code require substantial revision to meet the needs of the current administration of the Plumas County Solid Waste and Recyclable Materials Collection and Disposal program.

Now, therefore, the Board of Supervisors of the County of Plumas, State of California, hereby **ORDAINS** as follows:

Section 6-10, “Solid Waste Control” of the Plumas County Code of Ordinances is hereby deleted in its entirety, and is replaced as follows:

Article 1. - General Provisions

Sec. 6-10.101 - Title and Citation.

Sec. 6-10.102 – General.

Sec. 6-10.103 – Definitions.

Sec. 6-10.104 – Depositing Solid Waste; Littering

Sec. 6-10.105 - Removal of Solid Waste.

Sec. 6-10.106 - Special Arrangements for Solid Waste Removal.

Sec. 6-10.107 - Transporting Solid Waste.

Sec 6-10.108 – Disposal of Solid Waste

Sec. 6-10.109 - Containers.

Sec. 6-10.110 - Prohibited Locations of Containers.

Sec. 6-10.111 - Containers and Bins: Inspections and Tagging for Violations.

Sec. 6-10.112 - Beneficial Use of Solid Waste.

Sec. 6-10.113 - Recycling: Residential, Commercial, Public Venues & Events.

Sec. 6-10.114 - Recycling Services.

Sec. 6-10.115 – Redemption or “Buy-Back” Recycling Services.

Sec. 6-10.116 - Interfering with Collection.

Sec. 6-10.117 - Ownership of Solid Waste.

Sec. 6-10.118 - Animal Waste.

Sec. 6-10.119 - Hazardous Materials.

Article 2. - Regulation of Solid Waste Collectors

Sec. 6-10.201 - Franchises or Permits Required.

Sec. 6-10.202 - Granting Solid Waste Franchises.

Sec. 6-10.203 - Granting Solid Waste Permits.

Sec. 6-10.204 - Granting Recycling Center Permits.

Sec. 6-10.205 - Permits: Applications, Fees.

Sec. 6-10.206 - Collection Areas Assigned.

Sec. 6-10.207 - All Requests for Service to be Met.

Sec. 6-10.208 - Fee Schedule for Collection, Transfer, and Related Services.

Sec. 6-10.209 - Franchise Agreements

Article 3. - Disposal Sites Within Plumas County

Sec. 6-10.301 - Permits; Operation

Article 4. - Enforcement and Procedural Provisions

Sec. 6-10.401 - Clearing of Solid Waste from Private Property.

Sec. 6-10.402 - Right of Entry.

Sec. 6-10.403 - Suspension or Revocation of Franchises and Permits.

Sec. 6-10.404 - Responsibility of Environmental Health Department.

Sec. 6-10.405 - Responsibility of Public Works Department.

Sec. 6-10.406 - Responsibility of Franchise Contractor(s)

Sec. 6-10.407 - Service of Notices.

Sec. 6-10.408 - Administrative Remedies.

Sec. 6-10.409 - Supplemental Regulations.

Sec. 6-10.410 - Enforcement.

Sec. 6-10.411 - Violations; Penalties.

ARTICLE 1 – General Provisions

Section 6-10.101 Title and Citation. This Chapter shall be known and may be cited as “Plumas County Solid Waste Control”.

Section 6-10.102 General The Solid Waste Collection and Disposal program for the unincorporated part of Plumas County is administered jointly by the Departments of Environmental Health and Public Works. Their joint and individual responsibilities address the protection of Plumas County’s environment and natural resources, and the preservation of the economic interests, health, safety and quality of life of the residents of, and visitors to Plumas County, as well as the changing regulatory landscape of Federal and State law. This has been accomplished to date by awarding franchise contracts for Solid Waste services to private Solid Waste Collectors and regulating the means by which Solid Waste is Collected and disposed of, implementing State and Federal regulations as they are enacted, and providing fiduciary control over the rates that Solid Waste Customers must pay for these services.

Section 6-10.103 Definitions.

(a) Unless otherwise apparent from the context, for the purposes of this Chapter and franchise agreement(s) between Solid Waste Collector(s) and the County pertaining to the Collection and Disposal of Solid Waste in Plumas County, certain words and phrases are defined as follows, and shall have the first letter(s) capitalized as shown below:

- (1) “Act” means the California Integrated Waste Management Act of 1989 (AB 939) Public Resources Code, Section 40000 et seq. as currently in force or as hereafter amended.
- (2) “Administrator” means the Plumas County (hereinafter “County”) employee who manages the Solid Waste Agreement(s) and superintends the Solid Waste Program. The Director of Public Works of the Department of Public Works is Plumas County’s designated Administrator, however the Administrator may appoint, in writing, a Solid Waste Manager to assist in the management of the County’s Solid Waste Program.
- (3) “Agreement” means the current Solid Waste Franchise Agreement, including all attachments, between one or more Solid Waste franchise Contractor(s) and the County.
- (4) “Approved Disposal Site” means any designated Disposal Site in the State of California or Nevada holding a valid permit to permanently deposit Municipal Solid Waste (see “MSW”), Hazardous Waste, or Infectious Waste in accordance with all applicable laws and regulations of the United States and the State of California or the State of Nevada and all federal, State and local agencies having lawful jurisdiction.
- (5) “Applicable Law” means all federal, State, and local laws, regulations, rules, orders, judgments, decrees, permits, approvals, or other requirements of any governmental agency having jurisdiction over the Collection, transportation, processing, and Disposal of Solid Waste, Targeted Recyclable Materials and other materials Collected pursuant to this Agreement that are in force on the effective date and as they may be enacted, issued or amended during the term of the Agreement(s).
- (6) “Backyard Collection Service” means the provision of Collection services to a single family dwelling (hereinafter “SFD”) in the rear or side Premises.
- (7) “Billings” means statements of charges for services rendered by the Contractor, to Owners or Occupants of property, including Residential and Commercial Premises, for the Collection of Solid Waste, Targeted Recyclable Materials and other materials that are considered to be types of Solid Waste Collected pursuant to the Agreement(s).

- (8) "Bin" means a metal Container designed for mechanical emptying with a close-fitting hinged cover and a capacity of approximately one (1) to eight (8) cubic yards, with or without wheels, typically serviced by a front-loading Collection vehicle.
- (9) "Board of Supervisors" or "Board" means the Board of Supervisors of Plumas County, California.
- (10) "Bulky Items" or "Bulky Waste" means large items including, but not limited to major appliances which have had CFCs and/or mercury switches removed by a certified technician, furniture, tires (with rims removed), carpets, mattresses, and other oversize materials whose large size precludes or complicates their handling by normal Collection. Bulky Items or Bulky Waste does not include abandoned automobiles, large auto parts, or trees.
- (11) "Buy-Back" means the act of redeeming beverage Containers with approved CRV markings at a Buy-Back or redemption center. (See "CRV" and "CRV Program")
- (12) "CalRecycle" (formerly known as the California Integrated Waste Management Board) means the department within the State of California primarily responsible for administering the "Act."
- (13) "C & D" means Construction and Demolition Debris. See "Construction and Demolition Debris".
- (14) "Can" shall mean a standard 32 to 35 gallon metal or plastic Customer-owned trash Container.
- (15) "Cart" means a Contractor-owned plastic Container with a hinged lid and two wheels that is serviced by an automated or semi-automated Collection vehicle. A Cart has capacity of 32, 64, or 96 gallons (or similar volumes).
- (16) "Cell Phones" means all telephones used for mobile or cellular communications including batteries used to power Cell Phones.
- (17) "CERCLA", also known as "Superfund", means the Comprehensive Environmental Response, Compensation and Liability Act of 1980.
- (18) "Collect" or "Collection" means to take physical possession, transport, and remove Solid Waste, Targeted Recyclable Materials or other materials pursuant to the Agreement(s) from the Contractor's Service Area within Plumas County.
- (19) "Collection Container" means any Container provided by the Customer or Contractor(s) to store and Collect Solid Waste, Targeted Recyclable Materials or any other material targeted for Collection by the Contractor(s) or a Subcontractor of the Contractor(s).
- (20) "Commercial" means a business activity including, but not limited to, retail sales, wholesale sales, services, research and development, government, education, non-profit, hospital, manufacturing, institutional and industrial operations, but excluding businesses conducted upon Residential property which are permitted under applicable zoning regulations and are not the primary use of the property. Commercial Collection includes service provided to Multi-Family Dwelling Customers and County Facilities.

- (21) “Commercial Diversion Level” means the sum of all Commercial Recyclable Materials Collected and diverted by the Contractor(s) divided by the sum of all Commercial materials Collected by the Contractor(s).
- (22) “Commingle” means to mix, mingle, or combine Targeted Recyclable Materials in a Collection Container. See “Single-Stream Targeted Recyclable Materials”.
- (23) “Compost” or “Composting” means the biological decomposition into a soil amendment of certain vegetative Solid Wastes under controlled conditions, including leaves, grass clippings, pine needles, brush and Food Waste, but excluding meat and dairy wastes and other wastes which may have a propensity to attract vectors as determined by Environmental Health.
- (24) “Construction and Demolition Debris” or “C&D” means Solid Waste in an amount exceeding an average of 500 pounds per operating day produced by any Person(s) engaged in the business of building construction, renovation, remodeling, repair, or demolition operations on any Residential, Commercial or other structure or pavement. This Solid Waste shall include, but not be limited to concrete, rock, brick, concrete block (CMU), framing and finish lumber, insulation, sheathing, sheetrock (gypsum board), lath plaster, plumbing and electrical fixtures and appurtenances, floor covering, cabinets and doors.
- (25) “Container” means any receptacle used for storage of Solid Waste, Targeted Recyclable Materials and other materials Collected including, but not limited to, metal or plastic Cans, Carts, Bins, tubs, and Drop Boxes. See “Collection Container”.
- (26) “Contractor” means a Solid Waste franchise Contractor serving a Service Area in Plumas County.
- (27) “County” means County of Plumas, California.
- (28) “County Manager” means the Administrator or his designee (see “Administrator”, above),
- (29) “CRV” means *California Redemption Value*, which is a regulatory fee Collected by the State from Container manufacturers and refunded to consumers at Buy-Back centers upon redemption of food and/or beverage Containers sold within the State, and marked with a CRV symbol as having a refund value established by Section 14560 of the California PRC.
- (30) “CRV Program” means the *California Beverage Container Recycling and Litter Reduction Act (AB 2020)* and the program elements established by the County in response thereto. The purpose of the CRV Program is to assure that a greater percentage of the beverage Containers sold in California are returned for Recycling. The “CRV Program” is an integral component of the County’s Solid Waste program.
- (31) “Curbside” means the location for Collection, where Collection Containers or loose materials are placed on the street or alley against the face of the curb, or, where no curb exists, placed not more than five (5) feet from the outside edge of the street or alley.
- (32) “Customer” means the Person receiving Solid Waste Collection services pursuant to the provisions of this Chapter, and to whom the Contractor(s) submits billing invoices for Collection services provided to a Premise. The Customer may be the Occupant or Owner

of the Premises provided that the Owner of the Premise shall be responsible for payment of Collection services if an Occupant of the Premise fails to make such payment.

- (33) "Designated Transfer Facility" means the various Recycling and Disposal centers within Plumas County, which are owned by the County. See also "Transfer Station" and "Self-Haul").
- (34) "Director" or "Director of Public Works" means the Director of the Plumas County Department of Public Works. See "Administrator".
- (35) "Discarded Material" means Solid Waste and/or Targeted Recyclable Materials placed by a Generator in a Container and/or at a location that is designated for Collection pursuant to the Plumas County Code. Discarded Material shall become the property of the Contractor(s) pursuant to California Public Resources Code Section 41950 until delivery to the designated transfer, processing and Disposal Facility.
- (36) "Disposal" means the ultimate disposition of Solid Waste Collected by the Contractor(s) at a Disposal Site.
- (37) "Disposal Site" shall mean the Lockwood Landfill, located at 2401 Canyon Way, Lockwood, NV 89440 for so long as the Contractor(s) are subject to a Disposal Agreement with such landfill. Otherwise, an area or location used for the ultimate Disposal of Solid Waste designated by the Board and approved by the LEA.
- (38) "Drop Box" means an open-top Container with a typical capacity of ten (10) to fifty (50) cubic yards (CY) that is serviced by a Drop Box or roll-off Collection vehicle.
- (39) "Electronic Waste" or "E-Waste" means "Covered Electronic Wastes" as defined in the Act (Section 42463 of Public Resources Code) in addition to discarded electronic equipment such as, but not limited to, television sets, computer monitors, central processing units (CPUs), laptop computers, and peripherals (e.g., external computer hard drives, computer keyboards, computer mice, and computer printers). E-Waste does not include those items defined herein as Targeted Recyclable Materials.
- (40) "Environmental Health" means the Plumas County Department of Environmental Health or the Director of that Department
- (41) "Environmental Laws" means all federal and State statutes and County ordinances concerning public health, safety and the environment including, by way of example and not limitation:
 - California Integrated Waste Management Act of 1989 (AB 939). Public Resources Code, Section 40000 et seq.;
 - the California Hazardous Waste Control Act, California Health and Safety Code §25100 et seq.;
 - the California Toxic Substances Control Act, California Health and Safety Code §25300 et seq.;
 - the Porter-Cologne Water Quality Control Act, California Water Code §13000 et seq.;

- the Safe Drinking Water and Toxic Enforcement Act, California Health and Safety Code §25249.5 et seq.;
- the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) 42 USC §9601 et seq. (better known as the Superfund Act);
- the Resource Conservation and Recovery Act; 42 USC §6901 et seq.;
- the Federal Clean Water Act 33 USC §1251 et seq.;
- the Toxic Substances Control Act 15 USC §2601 et seq.;
- the Occupational Safety and Health Act, 29 USC §651 et seq.;

all as currently in force or as hereafter amended, and all rules and regulations promulgated thereunder.

(42) “Event” includes but is not limited to “large Events” as defined in the Act (Public Resources Code Section 42648), any Event that serves an average of at least 2,000 attendees and workers per day, and County-sponsored community Events.

(43) “Exclusive Franchise” means a system in which the franchisor licenses the Franchisee, for a payment, the right to provide services on an exclusive or semi-exclusive basis.

(44) “Facility/Facilities” means any plant or site, owned or leased and maintained, operated or used by the Contractor(s) for purposes of performing the Contractor(s)’ obligations under the Agreement(s) e.g., Facilities for parking and maintaining vehicles, administration offices, and Customer service offices, etc.).

(45) “Food Waste” means all putrescible waste and animal or vegetable waste or residue produced or accumulated from the preparation, processing, handling or consumption of foodstuff. See “Garbage”.

(46) “Franchise Area” shall mean a certain portion of unincorporated Plumas County shown as a Service Area in Attachment B of the Agreement(s).

(47) “Franchisee” means Contractor.

(48) “Franchise Fee” means the fee(s) paid by Contractor(s) to the County pursuant to the Agreement(s).

(49) “Garbage” means all putrescible waste and animal or vegetable waste or residue produced or accumulated from the preparation, processing, handling or consumption of foodstuff. See “Food Waste”.

(50) “Generator” means any Person whose act or process produces Solid Waste or targeted Recyclable Materials or whose act first causes Solid Waste or targeted Recyclable Materials to become subject to regulation.

(51) “Green Waste” means a biodegradable waste that can be comprised of landscaping waste from gardens, lawns or parks, including pine needles, leaves, grass clippings, flower or plant cuttings or branches, hedge trimmings and similar plant materials. Green Waste does not include food material, Municipal Solid Waste, wood containing, or painted with

lead-based paint, wood preservatives, or mixed demolition waste. For the purposes of this ordinance, Green Waste shall be divided into the following two categories:

- (i) "Woody Green Waste" is a Green Waste that has a high energy potential and which may be used as a source for conversion into fuel or electricity, i.e. woody debris such as dry pine cones, brush and tree trunks, limbs and branches.
- (ii) "Non-Woody Green Waste" is a Green Waste that has a low energy potential such as pine needles, garden waste, leaves, green pine cones, weeds and grass clippings.

In addition, Green Waste may be characterized in one of the two following terms:

- (iii) "Processed Green Waste" which means Green Waste subjected to chipping, grinding, or other mechanized treatment, or
- (iv) "Unprocessed Green Waste" which means Green Waste not subjected to chipping, grinding, or other mechanized treatment.

(52) "Hazardous Substance" means any of the following:

- (i) Any substances defined, regulated or listed (directly or by reference) as "Hazardous Substances", "hazardous materials", "Hazardous Wastes", "toxic waste", "Biological Waste", "Medical Waste", "pollutant" or "toxic substances" or similarly identified as hazardous to human health or the environment, in or pursuant to the laws referred to in Section 6-10.103 (P), and:
 - (aa) the *Hazardous Materials Transportation Act, 49 USC §1802, et seq.*;
 - (ab) *California Health and Safety Code §§25115-25117, 25249.8, 25281 and 25316*;
 - (ac) the *California Code of Regulations, Title 22, Division 4.5, Chapter 11 et seq.*;
 - (ad) the *Clean Air Act, 42 USC §7901 et seq.*; and
 - (ae) the *California Water Code §13050*; or
- (ii) Any amendments, rules or regulations promulgated thereunder to such numerated statutes or acts currently existing or hereafter enacted; and
- (iii) Any other hazardous or toxic substance or material such as a chemical, acid, base, oxidizer, paint, stain, adhesive, tar, petroleum distillate, or any waste or pollutant identified as hazardous or toxic or regulated under any other applicable federal, State or local Environmental Laws currently existing or hereinafter enacted, including, without limitation, household Hazardous Waste, friable asbestos, polychlorinated biphenyl's ("PCBs"), petroleum, natural gas and synthetic fuel products, and by-products.

(53) "Hazardous Waste" means all substances defined as Hazardous Waste, acutely Hazardous Waste, or extremely Hazardous Waste by the *State in Health and Safety Code §25110.02*.

§25115, and §25117 or in any future amendments to or recodifications of such statutes or identified and listed as Hazardous Waste by the US Environmental Protection County (EPA), pursuant to the Federal Resource Conservation and Recovery Act (42 USC §6901 et seq.), all future amendments thereto, and all rules and regulations promulgated thereunder.

- (54) “Holiday” or “Holidays” means New Year’s Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.
- (55) “Holiday Schedule” means the modified service schedule for the days following a Holiday. If a Holiday falls on Monday, Tuesday, Wednesday, Thursday or Friday, the service is provided the immediately following day, unless previously noticed otherwise in a publication of general circulation.
- (56) “Household Batteries” means disposable or rechargeable dry cells (e.g., A, AA, AAA, B, C, D, 9-volt, button-type) commonly used as power sources for household or consumer products including, but not limited to, nickel-cadmium, nickel metal hydride, alkaline, mercury, mercuric oxide, silver oxide, zinc oxide, nickel-zinc, nickel iron, lithium, lithium ion, magnesium, manganese, and carbon-zinc batteries, but excluding automotive lead acid batteries.
- (57) “Household Hazardous Waste” means Hazardous Waste as defined above, generated at Residential Premises. Household Hazardous Waste does not include those items defined below as Targeted Recyclable Materials.
- (58) “Infectious Waste” means biomedical waste generated at hospitals, public or private medical clinics, dental offices, research laboratories, pharmaceutical industries, blood banks, mortuaries, veterinary Facilities, and other similar establishments that are identified in State Health and Safety Code Section 25117.5.
- (59) “LEA” means the Local Enforcement Agency, as certified by CalRecycle. In Plumas County, the LEA role is filled by a member of the Department of Environmental Health. LEA responsibilities include oversight (inspection) of the operation of Solid Waste Facilities, storage and transportation of Solid Wastes by the Contractor(s).
- (60) “Major Appliances” means any device including, but not limited to, washing machines, clothes dryer, hot water heaters, dehumidifiers, conventional ovens, microwave ovens, stoves, refrigerators, freezers, air-conditioners, trash compactors, and Residential furnaces discarded by Customers. Major Appliances are commonly referred to as White Goods.
- (61) “Materials Recovery Facility” means a permitted Facility where Solid Waste, targeted Recyclable Materials, and other materials are processed, sorted or separated for the purposes of recovering reusable or Targeted Recyclable Materials.
- (62) “Medical Waste” means waste generated in a health care setting for the care of humans or animals. These include, but are not limited to sharps, blood products, Containers and equipment containing blood as a fluid.
- (63) “Multi-Family,” “Multi-Family Dwelling” or “MFD” means an individual Residential Premises in a Multi-Family Residential Complex.

- (64) "Multi-Family Residential Complex" means the building(s) containing three (3) or more individual Residential Premises.
- (65) "Municipal Solid Waste" (MSW), commonly known as trash or Garbage, means a broad Waste Type that includes predominantly household waste (domestic waste or Garbage) and organic materials or Rubbish, in either solid or semisolid form. The federal and/or State governments regulate items that are to be excluded from the MSW stream.
- (66) "MSW" means Municipal Solid Waste.
- (67) "Occupant" means the Person in possession or control of the Premises, such as the lessee, licensee, manager, custodian, or caretaker.
- (68) "Operator" means "Contractor."
- (69) "Organic Waste" means animal or vegetable waste which can be broken down into its base compounds by micro-organisms and other living things.
- (70) "Other Recyclable Material" means a subset of Recyclable Materials that are Collected which include, but are not limited to: Household Batteries, Cell Phones, Used Motor Oil, Used Motor Oil filters, Bulky Items that are recycled, Major Appliances, E-Waste, and U-Waste. The purpose of differentiating Other Recyclable Material is to describe a category used to calculate the Overall Diversion Level.
- (71) "Overage" means the amount of Solid Waste placed in or adjacent to a Collection Container that is in excess of the Container capacity.
- (72) "Overall Diversion Level" means the total weight of all Recyclable Materials Collected (diverted from landfill disposal) by the Contractor(s) divided by the total weight of all materials, including Recyclable Materials, Collected by the Contractor(s) in a calendar year.
- (73) "Owner" means the Person having dominion of or title to the Premises.
- (74) "Person" means any individual, firm, corporation, association, group, or combination and the plural as well as the singular.
- (75) "Pharmaceutical Waste" means a waste generated from prescription or over-the-counter human or veterinary drugs.
- (76) "Plumas County Integrated Waste Management Task Force" or "PCIWMTF" means an advisory committee appointed by the Plumas County Board of Supervisors to advise them on Solid Waste management matters.
- (77) "Plumas County Solid Waste Plan" means, Collectively, the documents portraying the procedures by which Solid Waste and Recyclable Materials are Collected, stored, processed and transported in Plumas County and to their ultimate Disposal Sites, which documents include, but are not limited to Section 6-10 of the Plumas County Code, the Plumas County Integrated Solid Waste Management Plan, the current franchise Agreement(s) between Plumas County and its franchise Contractor(s) and all amendments thereto, and all applicable State and Federal law.

(78) "Premise or Premises" shall mean the following:

- (i) *Residential unit.* A parcel of real property, located in the unincorporated area of the County, upon which is situated any dwelling house or other place of human habitation, including each unit of a multiple occupancy up to and including four (4) separate living units.
- (ii) *Commercial unit.* A parcel of real estate upon which is conducted any business, occupation, or activity which results in the production or accumulation of refuse. Five (5) or more separate living units at one location shall constitute a Commercial enterprise.

(79) "Public Works" means the Solid Waste Division of the Plumas County Department of Public Works or its Director (see "Administrator")

(80) "Qualified Generator" means a Commercial Generator of Solid Waste and/or targeted Recyclable Materials who generates four (4) cubic yards (CY) of combined Solid Waste and/or targeted Recyclable Materials who is subject to the provisions of the Mandatory Commercial Recycling Law.

(81) "Rates" means the monetary amounts to be charged a Customer by the Contractor(s) for providing Collection of Solid Waste, Recyclable Materials and other materials.

(82) "Recycling" means the process of sorting, cleansing, treating and reconstituting materials that would otherwise be disposed of at a landfill for the purpose of returning such materials to the economy in the form of raw materials for new, reused or reconstituted products. The term "Recycling" shall be construed to include both Residential and Commercial recyclable material handling.

(83) "Refuse" means Solid Waste that has been placed by the Generator in a Contractor- or owner-provided Container for Collection and Disposal. Refuse excludes Source-Separated Targeted Recyclable Materials and Unpermitted Materials.

(84) "Recyclable Containers" means food and beverage packaging receptacles including but not limited to packaging that has California redemption value.

(85) "Recyclable Materials" or "Recyclables" means those Discarded Materials that can be re-used, remanufactured, reconstituted, or recycled. See "Targeted Recyclable Materials".

(86) "Residential" means of, from, or pertaining to Single-Family Dwellings, and Multi-Family Residential complexes, including Single-Family homes, apartments, condominiums, townhouse complexes, mobile home parks, cooperative apartments, and yacht harbors and marinas where residents live aboard boats.

(87) "Residential Diversion Level" means the sum of all Residential Recyclable Materials Collected and diverted by the Contractor(s) divided by the sum of all Residential materials Collected by the Contractor(s).

(88) "Residential Premises" means individual dwelling units such as Single-Family Dwelling units, Multi-Family Dwelling units (such as townhouses, apartments, and condominiums), mobile home park dwelling units, cooperative apartments, and dwelling units at yacht harbors and marinas where residents live aboard boats.

- (89) "Residential Property" means property used for Residential purposes.
- (90) "Residential Recyclable Materials" means Targeted Recyclable Materials Collected from both Single-Family Dwelling Customers and Multi-Family Residential Complexes.
- (91) "Rubbish" means non-putrescible waste or discarded or abandoned material, including, but not limited to paper, cardboard, rugs, rags, clothing, straw, wood, crockery, glass, rubber, metal, plastic and construction debris (C&D), and in the context of this Section, means Solid Waste that is the subject of Collection services by a franchise contractor.
- (92) "Self-Haul" means the act of hauling Solid Waste and/or Recyclable Materials to a Designated Transfer Facility by the Generator of such Solid Waste and/or recyclable materials, using their own Personnel and equipment. .
- (93) "Service Area" means the area within, and, if applicable, outside the County's jurisdictional boundaries with respect to which the County exercises franchising authority for the Collection of Solid Waste, Targeted Recyclable Materials or other materials pursuant to the Agreement(s).
- (94) "Service Day" means Monday through Sunday excluding Holidays.
- (95) "Service Sector" means Collection services for each of the following types of services: Single-Family; Multi-Family; and Commercial Facilities. .
- (96) "Single-Family," "Single-Family Dwelling," or "SFD" means a Premise used as a Residential dwelling and includes each unit of a duplex, at which there are no more than two dwelling units where individual Solid Waste and Targeted Recyclable Materials Collection is provided separately to each dwelling unit.
- (97) "Single-Stream Targeted Recyclable Materials" means Targeted Recyclable Materials which have been Commingled by the Generator and placed in a Container for the purposes of Collection.
- (98) "Solid Waste" means all putrescible and non-putrescible solid, semisolid, and liquid wastes (commonly called, but not limited to Garbage, Rubbish, trash, C & D, and green waste) as defined in *California Public Resources Code* Section 40191. Solid Waste does not include abandoned vehicles and parts thereof, Hazardous Waste, Infectious Waste or low-level radioactive waste, Medical Waste, Universal Waste or source separated Targeted Recyclable Materials.
- (99) "Solid Waste Collector" means a Person, including their agents and employees, who Collects or transports Solid Waste under authority granted by the Board. *See "Franchisee" and "Contractor".*
- (100) "Solid Waste Permit" means a permit issued by Plumas County authorizing the Collection and/or transport of a particular waste product for a limited time, for which the Collection and/or transport is not readily available by a Plumas County franchise Contractor. *See Section 6-10.203.*
- (101) "Source Separated" means materials which otherwise would become Solid Waste, but have been segregated by the Generator, such as Targeted Recyclable Materials, for the purpose of reuse, Recycling, or Composting, to be Collected by the Contractor(s) or others.

(102) “Special Handling Service” means the provision of Collection service to a SFD in the rear or side of the Premises. Customers eligible for this service include only those that submit documentation (e.g., a form signed by a doctor) of their inability to perform the generally applicable Curbside Collection set-out requirements.

(103) “Specialty Recyclable or Reusable Material” means Recyclable Materials that are not Targeted Recyclable Materials but that may be Collected for purposes of Recycling by any Person operating in accordance with the *Plumas County Code*. Such specialty recyclable or reusable materials include, but are not limited to, scrap metal weighing more than ten (10) pounds, pallets, plastic film, and reusable furniture.

(104) “Spills of Discarded Materials” means any Solid Waste or Targeted Recyclable Materials spilled or left at established Collection sites by the Contractor(s) after Collection, other than small particles of grass clippings and leaves of the size and volume which may be left behind that may be Collected by regular street sweeping operations.

(105) “State” means the State of California, and in the context of this ordinance, the California Department of Resources, Recycling and Recovery (See “CalRecycle”).

(106) “Subcontractor” means a Person who has entered into a contract with the Contractor(s) for the performance of work that is necessary for the Contractor(s)’ fulfillment of their obligations under the Agreement(s).

(107) “Subscription Collection Route Area” means that area within the Solid Waste franchise Contractor’s Franchise Area that Curbside Collection is offered.

(108) “Targeted Recyclable Materials” means a subset of Recyclable Materials accepted at Plumas County’s Transfer Stations and/or Recycling centers that includes a variety of paper products, metals and empty food and beverage Containers, i.e. newspapers (including inserts, coupons, and store advertisements); mixed paper (including office paper, computer paper, magazines, junk mail, catalogs, brown paper bags, paperboard, paper egg Cartons, telephone books, books, colored paper, construction paper, envelopes, legal pad backings, shoe boxes, cereal and other similar food boxes); corrugated cardboard; paper milk and juice Cartons; glass Containers of any color (including brown, blue, clear, and green); aluminum (including food and beverage Containers, foil and small pieces of scrap aluminum); small pieces of scrap metal weighing less than ten (10) pounds that fit into the Targeted Recyclable Materials Collection Container (excluding chain, cable, wire, banding, hand tools, and automotive parts); steel, tin or bi-metal Containers; plastic Containers (i.e., all plastic Containers and bags stamped with the Society for the Plastics Industry (SPI) code #1 through #7; and plastic Containers and bags that are not stamped but clearly can be identified as PET, HDPE, polypropylene), and all other similar items that are mutually agreed upon by the County and the Contractor(s). For single-family and Multi-Family Dwellings, targeted Recyclable Materials also include Used Motor Oil, Used Motor Oil Filters, antifreeze, Household Batteries, Cell Phones and e-waste such as televisions and other consumer electronics, which are accepted separately from Commingled recyclables.

Items that will not be accepted at Plumas County’s Transfer Stations and/or Recycling centers as Targeted Recyclable Materials include materials that are in bags, boxes or other Containers (even if containing Recyclable Materials), microwave trays, mirrors, window or auto glass, light bulbs of any kind, ceramics, porcelain, plastic bags, unnumbered plastic Containers that cannot be identified as PET, HDPE or polypropylene, coat hangers, glass cookware or ovenware, household items such as

cooking pots or toasters, wet fibers or fibers containing or having been in contact with food debris, any recyclable or piece of a recyclable less than 2" in its largest dimension, or materials that:

- (a) pose a hazard to the public, or
- (b) contain deleterious chemicals or substances or have other hazardous properties that are capable of causing material damage to Solid Waste Collection Containers or equipment, or
- (c) may materially impair the strength or durability of Solid Waste Collection Containers or equipment.

(109) "Tire Amnesty Program" means the periodic tire Collection program funded by CalRecycle and administered by the County.

(110) "Ton" or "Tonnage" means a unit of measure for weight equivalent to 2,000 pounds where each pound contains 16 ounces.

(111) "Transfer Station" means a Facility where the public may unload Solid Waste that is primarily used for the purpose of transferring Solid Waste from private and franchise Contractor-owned Collection vehicles to transfer vehicles to more efficiently transport Solid Waste to the Disposal Site. See also "Designated Transfer Facility" and "Self-Haul")

(112) "Universal Waste," or "U-Waste," means all wastes defined by Title 22, Subsections 66273.1 through 66273.9 of the *California Code of Regulations*. These include, but are not limited to, empty aerosol Cans, batteries, fluorescent light bulbs or lamps, mercury switches or other mercury-containing equipment, and cathode ray tubes and cathode ray tube glass. U-waste does not include those items defined herein as Targeted Recyclable Materials.

(113) "Unpermitted Materials" mean wastes or other materials that the Designated Transfer Facility is not permitted to receive, including Hazardous Waste, Infectious Waste and Hazardous Substances.

(114) "Used Motor Oil" means Used Motor Oil from automobiles and other light duty vehicles intended for Personal use which is removed from cars at a Residential Premises and not as a part of a for-profit or other business activity.

(115) "Used Motor Oil Filter" means a Used Motor Oil Filter from automobiles and other light duty vehicles intended for Personal use which is removed from the vehicle at a Residential Premises and not as a part of a for-profit or other business activity.

(116) "Venue" means a permanent Facility that during any year seats or serves an average of more than 2,000 individuals per day of operation. All Persons attending the Event and those working at it, including volunteers, are included in this number.

(117) "Waste Type" means listings (categories of waste) that are created by federal and State agencies, but for purposes of the Agreement(s), the *Plumas County Solid Waste Plan* identifies the following Waste Types:

- Municipal Solid Waste
- Household Hazardous Waste

- Tire Waste
- White Goods
- Building and Demolition Debris (see “C and D”)
- Medical Waste
- e-Waste
- Bulky Waste
- Commercial Waste
- Pharmaceutical Waste
- Green Waste
- Universal Waste

(118) “Weekly Collection Service” means Collection service that is scheduled in advance on a day or days from Monday through Friday and provided once-per-week on the same day or days each week.

(119) “White Goods” means “Major Appliances.”

(b) The program-specific definitions listed above are intended to work in concert with the Agreement-specific definitions found in Attachment “A” of the current Solid Waste Agreement(s). In the event of a conflict between the definition of terms found in this Section and those found in the Solid Waste Agreement(s) between Plumas County and its Solid Waste franchise Contractors, the definitions listed herein shall prevail.

Sec. 6-10.104 Depositing Solid Waste; Littering.

(a) No Owner or Occupant shall abandon, dump, bury, or otherwise dispose of any Solid Waste or allow any other Person to dispose of Solid Waste upon Premises other than a County-designated ultimate Disposal Site or Transfer Station site during the site's business hours; provided, however, that:

- (1) Building materials may be kept on Premises during a period of active construction, reconstruction, or repair of a building or structure thereon under a valid building permit; and
- (2) Wood may be kept neatly piled upon Premises for household use; and
- (3) Residential (household) Solid Waste may be Composted in a manner approved by Environmental Health.
- (4) Clean Recyclable Materials may be stored on the Premises, provided storage of same does not create odors, attract vectors or cause other nuisance conditions.

(b) No Person shall cause to be thrown, deposited, or abandoned any Solid Waste material on any public property, public right-of-way, watercourse, bank of any watercourse, or on the Premises of any other Person, except at County-designated Disposal Sites or Transfer Station sites.

Sec. 6-10.105 Removal of Solid Waste.

(a) Residential. The Owner or Occupant of an occupied dwelling, house, or residence, excluding Commercial establishments, shall remove, or have a Solid Waste Collector remove, Solid Waste from the Premises at least once each week; except for Solid Waste Composted on-site in a manner approved by Environmental Health. Environmental Health, by special order, may require more frequent removal in specific circumstances threatening health and safety.

(b) Commercial.

- (1) The Owner or Occupant of any Commercial, industrial, or other business establishment conducting a business, occupation or Commercial activity on the Premises shall have a

Solid Waste Collector exclusively remove Solid Waste from the Premises at least once each week.

- (2) A hotel, restaurant, boardinghouse, or other Food Waste or Garbage-producing business shall have the Collector remove such Food Waste or Garbage at least twice each week. Environmental Health, by special order, may require more frequent removal in specific circumstances threatening health and safety. Food Waste or Garbage may be given as animal feed to the Owners or caretakers of animals that can consume such material prior to Collection by a franchise Contractor.
- (3) The Owner or Occupant shall deal directly with a Solid Waste Collector for Collection and Disposal arrangements. Unless expressly permitted by the franchise Contractor, Commercial Customers shall not be permitted to haul Solid Waste generated on the Premises to any Transfer Station or place of ultimate Disposal, excepting those Commercial, industrial or other businesses described in Section 6-10.105 (b) (4).
- (4) The Owner or Occupant of any Commercial, industrial or other business establishment conducting a business that is not conducted on the Premises of the Owner, particularly those enterprises conducting the business of building construction, remodeling or demolition, shall be authorized to remove such Solid Waste, including C & D generated through the prosecution of such business, occupation or activity to an authorized Disposal Facility within the Franchise Area where such Solid Waste was generated in the County. Construction & demolition debris may be stored at the Premises during a period of active construction, reconstruction, repair, remodeling or demolition of a building or buildings that are legally permitted by the Plumas County Department of Planning and Building Services. Removal and Disposal of such Solid Waste must be completed within thirty (30) calendar days from the completion of the work, and such removal and Disposal may be performed by the Owner or the Occupant of the Premises where the work is taking place, a licensed Contractor under contract to prosecute such construction, reconstruction, repair, remodeling or demolition work with their own Personnel and equipment, or an authorized Solid Waste Collector. No other Persons are authorized to remove or dispose of such Solid Waste. Such removal shall be subject to the minimum Recycling or re-use requirements of this Section, if any.

Sec. 6-10.106 Special Arrangements for Solid Waste Removal. The Owner or Occupant of any Premises, or two (2) or more such Persons acting jointly, may request the Administrator to approve a plan whereby special arrangements are made for effective and efficient Solid Waste removal. The proposed plan shall include a statement of the expected charges and such other comments as the Solid Waste Collector whose services will be utilized considers appropriate.

Sec. 6-10.107 Transporting Solid Waste.

- (a) Solid Waste hauled anywhere in the County shall be securely tied or covered. No Person shall allow Solid Waste to leak, spill, blow off, or drop from any vehicle at any time.
- (b) No Person shall import Solid Waste into the County or export Solid Waste from the County for the purpose of Disposal, without specific authorization from the Administrator or the Plumas County Board of Supervisors.

Sec. 6-10.108 Disposal of Solid Waste.

- (a) Solid Waste generated in Plumas County shall be:

- (1) Disposed of by the Generator of such Solid Waste only at authorized Solid Waste Transfer Stations, authorized Recycling Centers or a County landfill within Plumas County, or
- (2) Collected for Disposal by an authorized Solid Waste Collector, or
- (3) Disposed of under the authority of a valid and current Solid Waste Permit, as described in Sections 6-10.203 and 6-10.205.

(b) The types of Solid Waste that may be disposed of by the methods described in Section 6-10.108 (a) (1) and Section 6-10.108 (a) (2) include:

- (1) Municipal Solid Waste (MSW)
- (2) Targeted Recyclable Materials
- (3) Green Waste
- (4) Construction and Demolition Debris (C&D)
- (5) Universal Waste (U-Waste)
- (6) Electronic Waste (E-waste)

all as defined in Section 6-10.103. Only those types of waste which are eligible for Disposal under Section 6-10.203 may be disposed of under a Solid Waste Permit.

(c) The types of Solid Waste that may not be disposed of by either of the methods described in Section 6-10.108 (a) (1) or Section 6-10.108 (a) (2) include:

- (1) Hazardous Substances or waste of any kind, or
- (2) Medical waste

all as defined in Section 6-10.103.

Sec. 6-10.109 Containers. No Owner or Occupant shall fail or neglect to provide a sufficient number of standard Containers, waste-wheelers (Carts or totes) or Bins for holding, without leakage or the escape of odors, all Solid Waste produced or accumulated upon any Premises. All Solid Waste shall be deposited in such Containers. Containers shall be at all times kept in useful and sanitary condition. Containers shall at all times be closed against the access of flies, rodents, and other animals. Garbage, Rubbish, and garden refuse may be deposited in the same Container.

- (a) Privately-owned Containers shall not exceed thirty-three (33) gallons in volume and shall not exceed forty (40) pounds in weight when filled for removal.
- (b) Solid Waste Collector-owned waste-wheelers (Carts or totes) or Bins may be used in lieu of privately-owned Containers, and shall have the capability of being emptied using truck-mounted mechanical assist. Such waste-wheelers (Carts or totes) or Bins shall be of a size approved by the Administrator as being adequate for the particular use or occupancy of the Premises using the waste-wheelers (Carts or totes) or Bins.

- (c) The Owner or Occupant of the Premises at all times shall keep all Containers, waste-wheelers (Carts or totes) or Bins closed, in good condition, identified as to Ownership, emptied on a regular schedule as described in Section 6-10.105, and in compliance with the weight limitations established by the Administrator.
- (d) Owners or Occupants responsible for Containers in areas of Plumas County that have experienced intrusion by scavenging wildlife, particularly bears, shall take all precautions necessary to prevent such intrusion, including, but not limited to:
 - (1) Setting out Containers on the same day as scheduled Collection.
 - (2) Storing Containers inside of structures that are sufficiently secure to keep wildlife from entering.
 - (3) Ensuring that all Containers are completely and securely covered while awaiting Collection.
- (d) Repeated preventable instances of scavenging by wildlife that have been reported to Public Works or Environmental Health shall be administered in the following manner:
 - (1) After the first reported instance, the Owners or Occupants responsible for such Containers shall be contacted by either Public Works or Environmental Health and counseled on the proper storage and setting-out procedures that will alleviate wildlife scavenging.
 - (2) After a second reported instance within a 12 month period of the first report, the Owners or Occupants responsible for such Containers shall be cited for a violation of this Chapter in accordance with Section 6-10.409.
 - (3) Any subsequent instance reported within a 12 month period of the second report may result in the installation of "bear-proof" Containers at the Customer's expense.

Sec. 6-10.110 Prohibited Locations of Containers. Solid Waste Containers or garden refuse bundles shall not be placed or allowed to remain in or on any street or alley right-of-way or in any unsightly location.

Sec. 6-10.111 Containers and Bins: Inspections and Tagging for Violations. The Administrator, or their agents, at their discretion and at any time, may inspect or cause to be inspected Solid Waste Containers or Bins. The determination of the Administrator of the condition of such Containers and Bins shall be final, and violations shall be tagged.

Sec. 6-10.112 Beneficial Use of Solid Waste. Notwithstanding the provisions of this Chapter, non-hazardous Solid Waste may be used for soil improvement, Recycling, or other beneficial purposes provided such use complies with this Chapter and all other laws.

Sec. 6-10.113 Recycling: Residential & Small Business, Commercial, Public Venues & Events. Most Recycling in the unincorporated portion of Plumas County falls within one of the following four (4) classifications, and shall be dealt with as follows:

- (a) Residential and Small Businesses. Residential Premises and small businesses may Self-Haul source-separated or Commingled recyclables to a Transfer Station or other authorized Recycling Collection center that accepts Recyclable Materials.

(b) Commercial.

- (1) Commercial Recycling shall be mandatory for businesses, schools and other public entities - "Qualified Generators" as described in Section 6-10.103(78) - generating four (4) cubic yards of Solid Waste per week in any week or weeks of the year, and for multi-family Residential complexes or buildings of five living units or more, regardless of the amount of waste generated, in accordance with the State's Mandatory Commercial Recycling Law AB 341 (Chesbro), which is now Chapter 476, Statutes of 2011 of the Public Resources Code. Recyclable Materials shall be placed in dedicated Bin(s) or Container(s) clearly marked "Recycling" for Collection.
- (2) Qualified Generators may also "Self-Haul" their recyclables to a Transfer Station in Plumas County, where a receipt shall be issued therefor that will constitute proof of compliance with the law.
- (3) Each Qualified Generator shall be responsible for ensuring and demonstrating their compliance with the requirements of this ordinance. Each Qualified Generator shall:
 - (i) Source separate Recyclable Materials from Solid Waste, and
 - (aa) Subscribe to a basic Recycling Collection service with a Solid Waste franchise Contractor, or
 - (ab) Complete and retain on-site a Self-Hauling form certifying that all Self-Hauling activities will be completed in accordance with this ordinance or other Applicable Law or regulation, a copy of which shall be available to the Administrator upon request.
 - (ii) Use Containers to Collect and store Recyclable Materials and shall designate areas to Collect and/or store Recyclable Materials.
 - (iii) Prominently post and maintain one or more signs in maintenance or work areas, or common areas where Recyclable Materials are Collected and/or stored that:
 - (aa) Specify the materials to be source-separated
 - (ab) Delineate Collection procedures
 - (ac) Prohibit scavenging for such materials.
 - (iv) Notify and instruct employees in writing of applicable source-separation requirements, including outreach and training on what materials are required to be Source Separated and how to source-separate such material. A copy of such instruction or training materials shall be provided to the Administrator or their designee upon request.
 - (v) Place all Recyclable Materials in covered Containers or in a covered area conforming to the following requirements:
 - (aa) No Container shall be overloaded beyond its capacity.
 - (ab) The Containers used for the Collection and storage of Recyclable Materials generated on their Premises shall be maintained in a clean and sanitary condition.

- (ac) No material or Containers shall be kept or handled in such a manner as to become a nuisance.
- (ad) No putrescible materials shall be Commingled with the recyclables.
- (ae) No Recyclable Materials shall be allowed to become odoriferous or a producer of vermin.
- (af) Lids on Containers shall remain closed at all times while stored or placed for Collection.
- (ag) Unwaxed cardboard need not be placed in a Container, but must be flattened and stacked, unless the volume of such flattened material ordinarily exceeds 27 cubic feet (1 cubic yard) on a bi-weekly basis.
- (ah) The Administrator is specifically authorized to promulgate rules and regulations regarding the use of any and all Recyclable Materials Containers, including the Recyclable Materials to be placed therein, the placement and maximum weight of high-density materials for Collection, and the proper use of said Containers.

(vi) Ensure that Recyclable Materials generated at their site will be taken only to a Recycling or Composting Facility, or make other arrangements to make sure that the materials are recycled or Composted, and not delivered to a Transfer Station or landfill for Disposal. They shall not dispose of, or make arrangements to dispose of Recyclable Materials by placement in a Transfer Station or landfill except in an emergency situation, or when no viable markets or Recycling Facilities are available, as determine by the Administrator. Further, all Qualified Generators are hereby encouraged to consider the Recycling of additional materials, whether or not they have been designated by the Administrator if, under the terms of the franchise Agreement, such materials are accepted by the franchise Contractor as Recyclable Materials.

(vii) Make the Recycling Service Agreement and any other Recycling documents available for inspection by the Administrator or designee at the principle location of the Qualified Generator's business, Commercial Facility, special Event, Multi-Family housing unit or non-Residential Property during normal business hours.

(4) No franchise Contractor shall be held liable for the failure of its Customers to comply with such regulations, unless such liability is specified in the franchise Agreement between the Contractor and the County.

(5) Subject to approval by the Administrator and the PCIWMTF, the following shall be exempt from the requirements of this Section:

- (i) The State of California, a special district or other local public agency other than the County of Plumas, as defined, or any employee thereof, when Collecting or transporting Recyclable Materials produced by an operation or system of a franchise Contractor who is under contract with the County of Plumas.
- (ii) Municipal corporations and governmental agencies other than the County of Plumas using their own vehicles, and employees engaged in the Collection,

transportation or Disposal of Recyclable Materials within the boundaries of the franchise services areas in Plumas County.

- (iii) A Generator shall not be deemed a Qualified Generator unless they meet the following requirements:
 - (aa) They must operate a Multi-Family Residential Facility of five (5) units or more, using common Collection Container(s) within a Plumas County contract Service Area, or
 - (ab) They must operate a Commercial business or institutional Facility generating four (4) cubic yards (CY) or more of combined Solid Waste and Recyclable Materials per week within a Plumas County contract Service Area.
- (iv) An otherwise Qualified Generator can demonstrate that there is no Collection service available or other system available.
- (v) An otherwise Qualified Generator can demonstrate that there are no recyclable materials being generated by any activities in the Generator's business.
- (vi) An otherwise Qualified Generator can demonstrate that there is no space available on the Premises for Recyclable Materials Containers.
- (vii) An otherwise Qualified Generator can demonstrate that there is no viable market or that there are no Recycling Facilities for the recyclable material generated at their place of business, public Facility or Multi-Family Residential housing complex.

In order to receive an exemption based upon the foregoing subsections (i) through (vii), the Generator must file an application with the Department of Public Works on a form prescribed by the Administrator. After reviewing the exemption request, and after an on-site review, the Administrator shall either approve or disapprove the exemption.

- (c) Public Venues. Parks, sidewalks, public parking lots and other such public gathering places shall have an equal number of waste and dedicated Recycling receptacles in sufficient quantity and in good operating condition. Agencies responsible for the administration and maintenance of such public Venues shall ensure that Solid Waste and Recyclable Materials removal is done in a timely fashion.
- (d) Events.
 - (1) The responsible party for Events held in Plumas County that will have an anticipated total attendance greater than two thousand (2,000) Persons, including all employees, volunteers, Contractors, Customers and attendees of the Event where Solid Waste and/or Recyclable Materials will be generated, either indoors or outdoors, shall complete and submit a "**Plumas County Event Waste & Recycling Plan**" no later than thirty (30) working days prior to the first day of the Event. This Plan shall provide, at a minimum:
 - (i) The name, type of Event, dates and location(s) of the Event,
 - (ii) The sponsor and responsible party for the Event, along with their mailing addresses, telephone numbers and any other contact information available,

- (iii) The expected number of employees, volunteers, Contractors, Customers and attendees of the Event,
- (iv) The Disposal destination for Solid Waste and Recyclable Materials generated at the Event,
- (v) The number and size of Solid Waste and Recyclable Materials Disposal Containers to be used at the Event,
- (vi) And the estimated types and volumes (in cubic yards) of the Recyclable Materials expected to be generated at the Event.

(2) The Plan shall be filed with the Plumas County Department of Public Works Solid Waste Division or with the Owner of such indoor or outdoor Venue(s), who shall forward a copy of the Plan to the Plumas County Department of Public Works Solid Waste Division, together with proof of contract with an approved waste hauler for the Event, if required. No permit(s) or contract(s) shall be issued for the occurrence of indoor or outdoor Events on public or private property until the Plan has been reviewed and approved.

(3) Owners of public and private Venues where Events are to be held in the County shall cooperate with Event organizers to ensure that sufficient numbers of waste and dedicated Recycling receptacles in good operating condition are available for Events. The number of Recyclable Materials Containers shall equal or exceed the number of Solid Waste receptacles. Recyclable Materials Containers and Solid Waste receptacles shall be paired together, or placed as close together as possible. The Disposal of waste and recyclables generated at such Events shall be done in a timely fashion.

(4) All of the receptacles must have appropriate signage and be color coded to identify the type of refuse to be deposited within, and meet any other additional design criteria established by the Administrator.

(5) The Event coordinator must provide at least one separate Container for recyclables and trash for use by Customers and visitors. Multiple food vendors that provide disposable food service ware and share a common eating area may share an appropriate number of Containers for recyclables and trash for convenient use by Customers and visitors, or have common access to such Containers, which shall be located within a reasonable proximity to the vendors.

(6) The types of receptacles for Recyclable Materials shall include, at a minimum, receptacles for glass bottles and jars (or glass and plastic), cans, and Commingled recyclables, which shall include plastic Containers, glass bottles and jars, clean paper, non-waxed cardboard and metals.

(7) The responsible Person shall ensure that the Recyclable Materials deposited into the Recycling receptacles are Self-Hauled to a Recycling Facility or picked up for transport by a franchise Contractor within seven (7) calendar days.

Sec. 6-10.114 *Recycling Services.* The Recycling services provided by the franchise Contractor to Qualified Generators shall include, at a minimum, all of the following:

(a) Collection of Recyclable Materials at a minimum of two (2) times each month, or more as specified in the franchise contract.

- (b) Collection of recyclables as identified in the franchise Agreement.
- (c) Utilization of Recycling Containers which comply with franchise contract standards.
- (d) Appropriate signage on all Recycling Containers which allows Customers to clearly and easily identify which Containers to use for recyclables or trash and be color-coded (blue or a contrasting color from trash for recyclables, green or any other single color for trash).
- (e) Occupant Education: For Multi-Family Facilities, the manager or other responsible party shall provide Occupants with the following information about Recycling and Recycling services:
 - (1) Information and instructions upon occupancy, including the types of recyclable materials accepted, the location of Recycling Containers and the Occupant's responsibility to recycle pursuant to this Chapter. This information shall be distributed to all Occupants annually.
 - (2) Updated information and instructions upon any change in the Recycling service.
- (f) The Occupant Education Program required by this Section shall be subject to review and approval by the Plumas County Integrated Waste Management Task Force (PCIWMTF) within ninety (90) days of the effective date of this ordinance and every three (3) years thereafter. Any dispute that cannot be resolved by the Administrator or the PCIWMTF regarding the requirements of this Section shall be heard and resolved by the Plumas County Board of Supervisors.
- (g) Franchise Contractors shall not take a Customer's Recyclable Materials to a Transfer Station or landfill for Disposal. Such materials shall be taken to a Recycling Facility. Franchise Contractors shall maintain a copy of a service Agreement and/or receipts documenting that Recyclable Materials generated by the Qualified Generator have been properly delivered, as well as any documentation evidencing an Event of *force majeure* which prevented the proper delivery of same. Such documents shall be available for inspection by the Administrator at the principle place of business during normal business hours and maintained for not less than three (3) years.

Sec. 6-10.115 *Redemption or “Buy-Back” Recycling Services.* Plumas County and its Solid Waste franchise Contractor(s) recognize that the provision of “Buy-Back” Recycling of beverage Containers marked with the appropriate California Redemption Value (CRV) symbol is an integral part of Plumas County’s overall Solid Waste management plan. The parties are also aware that other Recycling Contractors have, from time to time, established Buy-Back Facilities in Plumas County in accordance with the *California Beverage Container and Litter Reduction Act* as described in Section 14500, et seq. of the California Public Resources Code (PRC) upon certification by the State, but without the need to acquire a franchise Agreement or operating permit with Plumas County. Nonetheless, Plumas County may establish, and hereby does establish a requirement that Plumas County’s Solid Waste franchise Contractor(s) shall provide such redemption services for Customers who Self-Haul their CRV Recyclable Materials to a redemption Facility operated by the franchise Contractor(s) within their Service Area in the following population centers of Plumas County, where such redemption Facilities are not offered by other Recycling Contractors:

- (a) Chester - Lake Almanor Basin
- (b) Greenville - Indian Valley
- (c) Quincy – American Valley

(d) Graeagle – Mohawk Valley

(e) Portola – Delleker

Buy-Back services provided by Plumas County's franchise Contractor(s) - in the absence of such services being provided by other Recycling Contractors - shall become a part of the franchise Contractor(s) ordinary Recycling services and shall be subject to the applicable stipulations described in Sections 6-10.112 and 6-10.113, as well as Section 14500 of the PRC. All expenses and income associated with the provision of Buy-Back Recycling services by the franchise Contractor(s) shall be reported as such within their financial statements, and shall be factors when calculating their operating ratio for providing all Solid Waste and Recyclable Materials Collection and Disposal services.

Sec. 6-10.116 Interfering with Collection. No Person by any means shall hinder, obstruct or interfere with the removal or transportation of Solid Waste or Recyclable Materials by a Solid Waste Collector.

Sec. 6-10.117 Ownership/Scavenging of Solid Waste. All Solid Waste and Recyclable Materials placed in any Container or receptacle provided or serviced by a franchise Contractor sufficient to accommodate the quantity and types of materials generated by public Venues, Events, businesses, Single-Family housing, Multi-Family housing Facility or other qualifying non-Residential Facility shall be considered to be owned by and be the property and the responsibility of the franchise Contractor until such time as the Solid Waste or recyclable material has been disposed of at a place of ultimate Disposal or sold as a commodity. No Person shall scavenge, remove or Collect Solid Waste or Recyclable Materials from such Containers or receptacles without the expressed permission of the franchise Contractor.

Sec. 6-10.118 Animal waste.

(a) No Person who owns or controls land shall allow any animal waste, including manure, urine, and defecations, to accumulate on the land and cause a public or private nuisance or a danger to public health, such as fly-breeding conditions and offensive odors.

(b) Any Person owning or controlling land upon which animals are confined in pens, kennels, stalls, fenced Residential back yards, or other small areas shall remove animal waste and dispose of it in an approved manner at least three (3) times each week, or more frequently if so ordered by Environmental Health.

Sec. 6-10.119 Hazardous Materials. No Person shall deposit in any Container used for Solid Waste any explosive, highly flammable, radioactive, toxic, or other hazardous material as defined in Section 6-10.103. No Person shall deposit any hazardous material in a Solid Waste Container, Transfer Station, or Disposal Site, without having first made special arrangements with Environmental Health, the Solid Waste Collector, and the site Operator for Disposal of the material.

Article 2 - Regulation of Solid Waste Collectors

Sec. 6-10.201 Franchises or Permits Required. No Person shall Collect, transport, use, or dispose of Solid Waste in the unincorporated area of the County unless that Person is the Generator of such Solid Waste without first receiving a franchise or permit to engage in such activity. The provisions of this Section shall not apply to any Person authorized to transport Solid Waste as set forth in Section 6-10.108 of Article 1 of this Chapter.

Sec. 6-10.202 Granting Solid Waste Franchises.

(a) Solid Waste franchises shall be granted by the Board on the authority of Section 66757 of the Government Code of the State providing that the Board may grant exclusive Solid Waste franchises, with

or without competitive bidding, under such terms and conditions as are prescribed by resolution or ordinance of the Board.

(b) Within its Franchise Area, a Franchisee shall have the exclusive right to make all Collections which any Owner or Occupant may require pursuant to the provisions of this Chapter, subject to **Solid Waste** Permit(s) granted pursuant to Section 6-10.203 of this Article.

(c) The Franchisee shall dispose of all Collected Solid Waste at a County-designated ultimate Disposal site; provided, however, the Franchisee may request, and **Public Works** may issue a permit for the beneficial use of such Solid Waste as provided in Section 6-10.111 of Article 1 of this Chapter **upon approval by the LEA**.

Sec. 6-10.203 *Granting Solid Waste Permits.*

(a) Upon an application, and except as provided in Section 6-10.106 of Article 1 of this Chapter, the Board may grant a **Solid Waste Permit** to Collect, transport, or use Solid Waste whenever the Board finds that the granting of such permit promotes the public health, safety, and welfare, **and that the type(s) of Solid Waste to be Collected, transported or used are not included in the waste types that are ordinarily Collected, transported or used by an authorized Solid Waste Collector in Plumas County.**

(b) Such permits may be granted for any period not to exceed **five (5) years**. Such permits may be renewed upon expiration for a similar term provided the Board finds that the permit holder is capable of continuing operation in conformity with the provisions of this Chapter and the rules and regulations of **Environmental Health**.

(c) Every **Solid Waste Permit** granted by the Board shall be subject to the provisions of this Chapter. The permit shall state:

- (1) The name and address of the Person to whom the permit is issued;
- (2) The activity authorized;
- (3) The term for which the permit is granted; and
- (4) Such other conditions as the Board may provide.

(d) **Solid Waste Permits** granted pursuant to this section shall be for special or limited uses and shall not be intended for Collection, hauling, or Disposal in competition with Solid Waste franchises.

Sec. 6-10.204 *Granting Recycling Center Permits.*

(a) Upon an application, the Board may grant a Recycling Center Permit to Collect, transport, or use Recyclable Materials, including CRV Containers, whenever the Board finds that the granting of such permit promotes the public health, safety, and welfare.

(b) Such permits may be granted for any period not to exceed **five (5) years**. Such permits may be renewed upon expiration for a similar term provided the Board finds that the permit holder is capable of continuing operation in conformance with the provisions of this Chapter and the rules and regulations of **Environmental Health**.

(c) Every Recycling Center Permit granted by the Board shall be subject to the provisions of this Chapter. The permit shall state:

- (1) The name and address of the Person to whom the permit is issued;

- (2) The activity authorized;
- (3) The term for which the permit is granted; and
- (4) Such other conditions as the Board may provide.

Sec. 6-10.205 Permits: Applications, Fees.

(a) Applicants for a **Solid Waste Permit** or for the renewal of such a permit to Collect, transport, or use Solid Waste shall file with **Public Works** a **signed** application in writing which shall give the following information:

- (1) The name and description of the applicant;
- (2) The permanent home and business address and full local address of the applicant;
- (3) The trade and firm name;
- (4) If a joint venture, a partnership, or limited partnership, the names of all partners, their percentage of participation, and their permanent addresses. If a corporation, the names and permanent addresses of all the stockholders and the officers and the percentage of participation of each;
- (5) A detailed explanation of the manner in which the applicant will conduct the activity for which the permit is requested;
- (6) The applicant's arrangements for the Disposal of all Collected Solid Waste at a County-designated Disposal Site; and
- (7) Facts showing that the applicant:
 - (i) Is able to provide efficient and reliable service;
 - (ii) Owns or controls sufficient equipment;
 - (iii) Has vehicles and equipment conforming to all applicable provisions of local, State, and Federal laws;
 - (iv) Shows that there is a need for a permit to be issued; and
 - (v) Shows such other facts or information as **Public Works** may require.

The **Solid Waste Permit** fee **shall** be as listed in the Plumas County Master Fee Schedule, and **shall be** payable to **Public Works** on the yearly anniversary of the issuance of the permit.

(b) Applicants for a **Recycling Center Permit** or for the renewal of such a permit to Collect, transport, or use Recyclable Materials shall file with **Public Works** a **verified** application in writing which shall give the following information:

- (1) The name and description of the applicant;
- (2) The permanent home and business address and full local address of the applicant;

- (3) The trade and firm name;
- (4) If a joint venture, a partnership, or limited partnership, the names of all partners, their percentage of participation, and their permanent addresses. If a corporation, the names and permanent addresses of all the stockholders and the officers and the percentage of participation of each;
- (5) A detailed explanation of the manner in which the applicant will conduct the activity for which the permit is requested;
- (6) The applicant's arrangements for the Disposal of all Collected Recyclable Materials; and
- (7) Facts showing that the applicant:
 - (i) Is able to provide efficient and reliable service;
 - (ii) Owns or controls sufficient equipment;
 - (iii) Has vehicles and equipment conforming to all applicable provisions of local, State, and Federal laws;
 - (iv) Shows that there is a need for a permit to be issued; and
 - (v) Shows such other facts or information as Public Works may require.

The Recycling Center Permit fee shall be as listed in the Plumas County Master Fee Schedule, and shall be payable to Public Works on the yearly anniversary of the issuance of the permit.

Sec. 6-10.206 Collection Areas Assigned. The Board may establish Solid Waste Collection areas (Franchise Areas) in the unincorporated area of the County, excluding therefrom those areas served by a franchise Contractor within a separate Solid Waste Collection jurisdiction. The Board shall specify in all franchises or permits the Service Area within which the franchise Agreement or permit holder may Collect, transport, or use Solid Waste within the County. No franchise or permit holder at any time shall Collect, transport, or use Solid Waste in the County outside the limits of the area fixed in the franchise or permit, except as specified by the Board. The area specified in any franchise or permit may be modified at any time upon Agreement by the Franchisee or permit holder and the Administrator should the Board find such modification necessary for the efficient administration of this Chapter and to best serve the public interest.

Sec. 6-10.207 All Requests for Service to be Met. A Franchisee shall provide Solid Waste removal service to all Premises situated within their subscription Collection route area as specified in their franchise Agreement, upon a request for such service by a qualified Owner or Occupant. A Franchisee shall not be required to Collect oversize, overweight, or unsafe Containers, or Containers at Premises located outside of their subscription Collection route area. A Franchisee shall not be required to continue to provide Solid Waste removal service if the Owner or Occupant has failed to pay the charges for such service for a period of forty-five (45) days. Prior to terminating service for the nonpayment of charges, the Franchisee, at least fifteen (15) days prior to such termination, shall provide written notice of intention to terminate, a copy of which shall be given to the Administrator.

Sec. 6-10.208 Fee Schedule for Collection, Transfer, and Related Services.

(a) All fees shall be Collected by the Franchisee(s) on a fair and equitable basis. There shall be no direct fee for the Collection or Disposal of Recyclable Materials, either for recyclables Collected at a place of business, or for recyclables Self-Hauled to any a Transfer Station or other authorized Recycling Collection center that accepts Recyclable Materials. Costs for the Collection and Disposal of Recyclable Materials shall be included in the fees charged for the Collection and Disposal of Solid Waste.

(b) The base Rates (fees) for Collection shall cover door-to-door Collection, transfer, hauling, and ultimate Disposal activities. Those Rates and all other rates, fees and charges for Collection and Disposal of Residential and Commercial Solid Waste shall be found in Attachment D of the current Solid Waste Franchise Agreement(s), on file in the Plumas County Clerk's Office in Quincy, California.

(c) Any Customer who believes that they have had to pay an unfair or unreasonable charge for any service may file a written complaint with the Administrator setting forth the facts of such alleged overcharge. The Administrator shall notify the Franchisee, investigate the complaint, and determine the appropriate charge. The Administrator's determination shall be final, unless it is appealed as provided in Section 6-10.407 of this Chapter.

Sec. 6-10.209 *Franchise Agreements.* The respective duties and responsibilities of the Franchisee(s) and the County shall be further specified in a franchise Agreement which is consistent with this Chapter.

Article 3 – Disposal Sites Within Plumas County

Sec. 6-10.301 *Permits; Operation.* No permit(s) to operate a Solid Waste Disposal Site may be issued by a County department for any location within Plumas County. Such permit(s) may only be issued by the State after approval by the LEA.

Article 4 - Enforcement and Procedural Provisions

Sec. 6-10.401 *Clearing of Solid Waste from Private Property.* Environmental Health is authorized to require the Owner of any private property within the County to remove and properly dispose of Solid Waste which constitutes a threat to health and safety. Environmental Health is authorized to enforce the provisions of this Chapter.

Sec. 6-10.402 *Right of Entry.* An officer from the Department of Environmental Health, a Code Enforcement officer, a peace officer or other designated agents are authorized to enter private property at any reasonable time to inspect such property and to perform any duty imposed upon him by the provisions of this Chapter provided they shall first present proper credentials to the Occupant and request entry, explaining his purpose. Notwithstanding the foregoing, if the authorized agent has reasonable cause to believe that there is an accumulation of Solid Waste or other unsanitary condition prohibited by this Chapter on the Premises which could be seriously detrimental to the public health or safety, they shall have the right immediately to enter and inspect such property and to use any reasonable means required to effect such entry and make such inspection, whether such property shall be occupied or unoccupied and whether or not permission to inspect has been obtained.

Sec. 6-10.403 *Suspension or Revocation of Franchises and Permits.*

(a) Any franchise granted pursuant to the provisions of this Chapter may be suspended or revoked by the Board upon prior notice and a hearing. In order to suspend or revoke such franchise, the Board must find that the Franchisee has failed to comply with one or more of the terms of such franchise Agreement or this Chapter, or has failed to render satisfactory Collection services and

that grounds exist within the franchise Agreement for such suspension and/or revocation.

- (b) The Administrator, upon prior notice and a hearing, may suspend or revoke any Solid Waste or Recycling Permit other than the franchise described in Section 6-10.403(a) above, granted pursuant to the provisions of this Chapter or the applicable rules or regulations of Public Works. Inactivity of a Solid Waste or Recycling Permit for a period in excess of thirty (30) days shall be good cause for revocation. Action to revoke or suspend a Solid Waste or Recycling Permit may be taken by the Administrator only after ten (10) days' advance written notice to the permittee of the cause and the permittee's right to a hearing thereon within the ten (10) days.
- (c) Notwithstanding the provisions of subsections (a) and (b) of this Section, Environmental Health may suspend, or impose special conditions upon, a franchise Contractor, Solid Waste or Recycling Permit holder without prior notice whenever such action is immediately necessary to protect the public health and safety. In the case of the franchise Contractor, however, such actions must be consistent with the terms of the franchise Agreement.

Sec. 6-10.404 Responsibility of the Environmental Health Department. The administration and enforcement of the health and safety requirements of this Chapter shall be the responsibility of the Environmental Health Department.

Sec. 6-10.405 Responsibility of the Public Works Department. The administration and enforcement of the operational and permitting requirements of this Chapter shall be the responsibility of the Public Works Department.

Sec. 6-10.406 Responsibility of the Franchise Contractor(s). The timely and efficient Collection and Disposal of Solid Waste and Recyclable Materials within unincorporated Plumas County as specified in the Plumas County Integrated Solid Waste Program and in accordance with the terms and conditions of the current franchise Agreement(s) shall be the responsibility of the franchise Contractor(s).

Sec. 6-10.407 Service of Notices. All notices required or given pursuant to this Chapter shall be deemed properly served five (5) days after deposit of certified mail with return receipt, postage prepaid, in the United States mail, addressed to the Owner at the address provided or to a franchise or permit holder at his local office. Notices to the County shall be addressed to the Solid Waste Division, Plumas County Environmental Health Department, 270 County Hospital Road, #127, Quincy, California 95971, or the Solid Waste Division of the Plumas County Department of Public Works, 1834 East Main Street, Quincy, CA 95971.

Sec. 6-10.408 Administrative Remedies. Any Person aggrieved by any decision or action resulting from the application of the provisions of this Chapter may appeal to the Board. Such appeals shall be in writing and shall be received by the Clerk of the Board not more than fifteen (15) days after such decision or action. The Board shall delegate the hearing of such appeals to the Board-appointed Plumas County Integrated Waste Management Task Force (PCIWMTF) which shall promptly schedule and conduct a hearing and render a finding of facts and recommended decision to the Board. Thereafter, the Board shall make a final and binding decision on the matter, at which time administrative remedies shall be deemed exhausted.

Sec. 6-10.409 Supplemental Regulations. The Board may, by resolution, establish regulations for the administration and implementation of this Chapter. A copy of the regulations established by resolution of the Board shall be filed with the Clerk of the Board and with Public Works and Environmental Health.

Sec. 6-10.410 Enforcement. The provisions of this Chapter shall be enforced by any peace officer as defined in Chapter 4.5, Title 3 of Part 2 of the California Penal Code, and by employees of the Environmental Health Department as designated by the Director of Environmental Health. Such

designated employees are authorized to make arrests and issue citations for violations of the health and safety regulations of this Chapter.

Sec. 6-10.411 *Violations; Penalties.*

(a) If the Director of Public Works or the Director of Environmental Health finds a violation of any provision of this Chapter, either Director, after notice and an opportunity for hearing, may impose a civil penalty according to the following schedule:

- (1) For the first violation of the provision, \$250;
- (2) For the second violation of the same provision, \$500;
- (3) For the third violation of the same provision, \$1,000; and
- (4) The hearing officer may adjust the penalty, based on evidence presented at a hearing.

(b) The Directors' authority under this section is in addition to any other authority the Directors have to enforce this chapter and election of one remedy by either Director shall not preclude resorting to any other remedy as well.

(c) Either Director may, in addition to taking other Collection remedies, certify due and unpaid charges to the Plumas County Treasurer/Tax Collector for Collection.

(g) Notice under this subsection shall be delivered by certified mail with return receipt and by posting on the Premises.

SECTION 2. Effective Date; Publication; Codification.

This ordinance shall become effective 30 days after its date of final adoption. It shall be published in all newspapers of general circulation in Plumas County published by the Feather River Publishing Company within 15 days of final adoption. Section 1 of this Ordinance shall be codified, and the remainder shall be uncodified.

Introduced at a regular meeting of the Board of Supervisors on the _____ day of _____, 2016, and passed and adopted by the Board of Supervisors of the County of Plumas, State of California, on the _____ day of _____, 2016, by the following vote:

AYES:

NOES:

ABSENT:

Attest:

Sharon J. Thrall
Chair, Board of Supervisors

Nancy DaForno
Clerk of the Board of Supervisors