

RESOLUTION NO. 2022-050

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF TRINITY
ESTABLISHING A SCHEDULE OF FEES
AND PROVIDING FOR APPROPRIATE EXEMPTIONS
AND CREDITS FOR A COUNTY WASTE DISPOSAL SYSTEM**

WHEREAS, the Board of Supervisors of the County of Trinity, State of California finds, determines, orders, and hereby declares that:

1. Pursuant to section 25830 of the Government Code of the State of California, the Board of Supervisors hereby classifies land within the unincorporated area of the County of Trinity, provides for appropriate exemptions and credits, and establishes a schedule of fees for a waste disposal system. The revenue from such fees is to be used for the post closure maintenance of the County landfill, operation and maintenance of County transfer sites and other non-disposal facilities.
2. There are certain expenses associated with providing a solid waste disposal system and collection service to county property owners. The law mandates some of these expenses: others are costs inherent in operating this public service. Each property owner in Trinity County is expected to share these costs on a basis commensurate with the benefit conferred, based on the number of units deemed appropriate, given the size and nature of the residence or business enterprise. A fee of one hundred dollars (\$100) per unit is hereby adopted to provide the revenues necessary to provide the infrastructure for a solid waste disposal system for the county.
3. The gate fee for disposal of waste, established by Board Ordinance 1350 in 2019 is currently in effect. The amount of such fee, as established by Board Resolution, shall be determined by the Director of Solid Waste, based on the cost of funding daily operation of the landfill and transfer stations. Fees are based on the weight or volume of the waste to be disposed and are due and payable at the time of disposal. After June 30, persons failing to present current proof of inclusion in the parcel fee billing process shall be subject to a surcharge of two dollars (\$2) over the gate fees current at the time of disposal.
4. Two solid waste access cards shall be issued to property owners with their bill. Additional cards may be issued to property owners who have more than two residences on a single parcel upon request. These cards must be presented every time the transfer site is accessed.
5. Property owners shall be assessed and fees shall be collected in accordance with Sections 25830 and 25831 of the Government Code of the State of California. The owner of record as of the assessment date shown on the billing shall be responsible for payment of solid waste fees. At no time shall the fee be prorated by the County to reflect changes in ownership

only. A change in the type or scale of the business conducted on commercial properties may justify a change in the fee, subject to review and approval by the Solid Waste Department. Undeveloped lots shall not be subject to a fee so long as they remain undeveloped and unoccupied. Primary residences that are vacant, dwellings under construction, or vacant businesses shall be subject to a solid waste fee of thirty dollars (\$30) annually so long as they remain unused. Vacation or seasonal use dwellings do not qualify for this credit. Any occupancy or use shall subject the property owner to the full fee and must be reported to the Solid Waste Department. Failure to do so shall cause the property owner to be liable for penalties equal to three times the normal fee for the property.

6. Any fees that remain unpaid for a period of 60 or more days after the date upon which they were billed shall be considered delinquent, and a late charge of thirty-five percent (35%) shall be added to the total amount due. At least once a year, the Board of Supervisors shall cause to be prepared a report of delinquent fees. The Board shall fix a time, date and place for hearing the report and any objections or protests to the report. The Board shall cause notice of the hearing to be mailed to the property owners listed on the report not less than 10 days prior to the date of the hearing. At the hearing, the Board shall hear any objections or protests of property owners liable to be assessed for delinquent fees. The Board may make revisions or corrections to the report as it deems just, after which, by resolution, the report shall be confirmed. The delinquent fees set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of the delinquent fees.

7. The classification of land within the unincorporated area of the County, based upon the various uses to which the land is put, the volume of waste generated by different land uses, and the applicable refuse generation in household units are established in accordance with the following schedule.

SOLID WASTE ASSESSMENT SCHEDULE FOR LAND USES IN TRINITY COUNTY

LAND USE CATEGORIES

<u>DWELLINGS</u>	<u>ASSESSMENT UNITS</u>
Single Family Residence	1
Multiple Residences, Apartments, or Mobile Home Parks	1 per unit
Property Subject to a 90-day occupancy limit under a County-issued use permit	0.7
Campgrounds, Marinas & RV Parks	1 per space per 365 occupancy days
RV's (less than 400 square feet living space on a single chassis)	0.5 per RV space per 365 occupancy days
Overnight Lodging with Kitchen	1 per unit per 365 occupancy days
Overnight Lodging without Kitchen	0.7 per unit per 365 occupancy days

Resident-owned houseboat	0.5 unit
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COMMERCIAL

Aircraft Repair	1
Gas station - without repair	1
Gas station - with repair	2
Auto & Truck Repair	1 per service bay
Tire Shop, No other services	1 per service bay
Utility/Maintenance yard (includes waste from yard activities only)	3
Beauty & Barber Shops	1
Boat Sales & Repair Services	1
Grocery Store	1 per 500 square feet of floor space
Mini-Storage	1 per every 50 spaces
Financial Institution/Bank	3
Professional, Business & Administrative Office	1 + 0.1 for each employee beyond 10
Bar, Restaurant or Drive-In with disposable service ware	1.5 per 500 square feet of service area
Bar, Restaurant or Drive-In with greater than 50% reusable service ware	1 per 500 square feet of service area
Retail, Miscellaneous	1 per 1,500 square feet of floor space
Warehouse	1 per 5,000 square feet of floor space

INSTITUTIONAL

Church with Kitchen	1
Churches without Kitchen	0.5
Social Club, Fraternal Lodge	1
Social Club with Bar	1 +1 per 500 square feet of service area

School

without food services	1 per 20 students & staff
with food services	1 per 15 students & staff

Institution (Rehab Center, etc.)

without food services	1 per 20 residents & staff
with food services	1 per 10 residents & staff

INDUSTRIAL

Lumber Mill (40+ employees)	15
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Other per review

GOVERNMENT USE

Campground	1 per 365 visitor days
Residence	1
Barracks or Dormitory	1 per 5 occupancy spaces

Determinations of assessment units for land uses other than those listed above shall be made by the Solid Waste Department.

8. Pursuant to Section 25830 of the Government Code, the Board of Supervisors hereby establishes two property classifications: those properties which receive service and for which no fee is made, and those properties which do not receive service and for which no fee is made. The Board places all property owned by the County of Trinity in the first category. The second category includes all federal or state lands that lack development or are barred from being developed (i.e. fee rights-of-way or designated wilderness lands) and those whose geographic location in the extreme south and southwest of the county shall not be assessed. Their use of County solid waste facilities and services shall require payment of the per-volume or special material disposal fees incorporated in this Resolution at the time of use as stated in paragraph 3. The real property to which this exclusion applies is located in the following Sections and Townships:

- T. 3 S., R. 6 E., H.B. & M. – All Sections
- T. 3 S., R. 7 E., H.B. & M. – Sections 4-9, 16-21, and 28-36
- T. 4 S., R. 6 E., H.B. & M. – All Sections
- T. 4 S., R. 7 E., H.B. & M. – All Sections
- T. 4 S., R. 8 E., H.B. & M. – Sections 28-33
- T. 5 S., R. 6 E., H.B. & M. – All Sections
- T. 5 S., R. 7 E., H.B. & M. – All Sections
- T. 5 S., R. 8 E., H.B. & M. – All Sections
- T. 25 N., R. 10 W., M.D.B & M. – All Sections
- T. 25 N., R. 11 W., M.D.B & M. – All Sections
- T. 25 N., R. 12 W., M.D.B & M. – All Sections
- T. 26 N., R. 10 W., M.D.B & M. – Sections 15-22 and 27-34
- T. 26 N., R. 11 W., M.D.B & M. – Sections 13-36
- T. 26 N., R. 12 W., M.D.B & M. – Sections 13-36

All other private property, business property, agency property or proprietary interests within the County shall be eligible for services and shall be subject to a fee.

9. The Solid Waste Department is hereby directed to prepare administrative procedures for review of requests by property owners for reclassification of their properties and for granting

of exemptions and credits as set forth herein. Such administrative procedures shall also provide for the appeal by the property owner to this Board, of any action of the Solid Waste Department in granting or denying a request for reclassification, exemption or credit as set forth herein.

10. Any residential or commercial property owner may apply for reduction of the solid waste disposal fee charged against his or her property. Reductions shall not be allowed if claimed after the June 30th deadline for the preceding fiscal year, or if the solid waste fee is allowed to become delinquent. Any request for reduction will be denied if deemed by the County that the request or the supporting data are fraudulently made.

RECYCLED MATERIAL CREDIT

Reduction of the solid waste disposal fee due to recycling of solid waste materials shall be based on the receipts obtained from scrap dealers and other receivers of recycled materials. Receipts must state the name of the property owner who delivered the materials to the recycling center, the date of the transaction, and the weights of the materials recycled. Recycling credit may be granted for paper products, plastic, glass and ferrous and non-ferrous food or beverage containers. Auto bodies or parts, appliances, scrap iron and other non-household metal items may not be counted for credit. Recycling credits are not transferrable to other parties. Receipts submitted for recycling credit must be presented at the time of payment, and must be dated within the period of July 1st of the previous year to June 30th of the current year. No recycling credit shall be granted for payments made after June 30th of the current year. Credit granted shall be based on the recycling credits policy adopted for the prior fiscal year. The solid waste disposal fee will be reduced by an amount equal to two and one-half cents (\$0.025) for every pound of material recycled, as shown on the receipts submitted as proof of recycling for the current fiscal year. Credits earned shall be rounded up to the nearest whole cent. Credits granted shall be limited to the maximum of 40% for full-time residents and 25% for the benefit assessment for businesses.

ELDERLY LOW-INCOME CREDIT

Qualifying property owners over sixty (60) years of age who earn less than twenty-seven thousand one hundred eighty dollars (\$27,180) per household annually shall be granted a 50% reduction in the fee for the (2022/2023) fiscal year. This reduction shall take the place of any other reduction(s) to which the property owner would otherwise have been entitled. To qualify for this reduction, the applicant must submit a confidential fee reduction application. This application shall be based on the applicant's total gross income amount per household before income adjustments and deductions. Total gross income per household shall include ALL sources of income, including but not limited to: Social Security, disability, retirement benefits, investment income, annuities, rents, capital gains, interest, and trust funds for both spouses and/or any dependents residing in the household.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Trinity hereby classifies land within the unincorporated area of the County of Trinity, provides for appropriate exemptions and credits, and establishes a schedule of fees for a waste disposal system.

DULY PASSED AND ADOPTED this 15th day of March, 2022 by the Board of Supervisors of the County of Trinity by motion, second (Brown/Cox), and the following vote:

AYES: Supervisors Cox, Brown, Groves, Gogan, and Frasier
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None



DAN FRASIER, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

ATTEST:

RICHARD KUHNS, Psy.D,
Clerk of the Board of Supervisors

By: 
Deputy