ARTICLE VII. ENFORCEMENT.

Sec. 23-70. Department of Resource Management, Environmental Health Services Division, Enforcement Agency

The Department of Resource Management, Environmental Health Services Division, shall be the Enforcement Agency of this chapter and all state laws and regulations related thereto unless otherwise started herein. The Department of Resource Management, Environmental Health Services Division is empowered to withhold issuance of a permit or, revoke a permit issued under this chapter if it determines that vehicles, area or other facilities for establishment, maintenance, conduct or operation of a solid waste, recyclables and green waste collection or transportation service, or the operation of a disposal site, are insufficient or unfit for use, or is established or operating in violation of this chapter, or the provision of any other ordinance of the county or state law, a regulation relating to solid waste disposal.

(Ord. No. 1111, §2; Ord. No. 1449, §1; Ord. No. 1526, §1; Ord. No. 1654, §1)

Sec. 23-71. Department of General Services, franchise/Service Agreement administrator

The Department of General Services, as the franchise/service agreement administrator, shall have the responsibility to administer the agreement, review unresolved customer complaints, conduct annual audits of contractor's records, and initiate lien proceedings when required. The contractor shall comply with the standards established in the franchise/service agreement for the collection and disposal of municipal solid waste, recyclables and green waste materials within the service areas designated by the map as Areas A, B, C, D and E. A verified and continuing pattern of non-compliance by the contractor may be deemed a material breach of the franchise/service agreement.

(Ord. No. 1449, §1; Ord. No. 1526, §1; Ord. No. 1654, §1)

Sec. 23-72. Billing charges to be a lien

(a) All billing for waste collection shall be made by the contractor; all charges shall become delinquent thirty days after the billing date and subject to lien sixty days after the billing date.

(b) If the bill remains unpaid after the date of delinquency, the contractor shall be entitled to a delinquency fee. Notice of the delinquency shall be given to the property owner by the contractor within fifteen days after the delinquency date. The form and content of the delinquency notice shall be approved by the Department of General Services. Delinquency fees shall be set by the Board of Supervisors' resolution.

(c) Should the bill remain unpaid for a period of sixty days from the billing date, the contractor may assign the bill to the County for lien proceedings once per year during the month of May. The contractor shall simultaneously file with the Department of General Services a formal written report listing the delinquent amounts, service addresses, Assessor Parcel Numbers, property owners, and the dates the delinquency notices were sent to the property owners.

(d) Upon the County's receipt of the assignment and report from the contractor and at the convenience of the County, the Department of General Services shall initiate proceedings complying with Government Code sections 25831 to create a lien on the real property to which the collection service has been rendered.

(e) The lien will be officially recorded in the County Recorder's office and a copy of the recorded lien shall be sent to the property owner in accordance with Government Code section 27297.5. The lien may carry additional administrative charges as set forth by Board of Supervisors resolution.

(Ord. No. 1525, §1; Ord. No. 1526, §1; Ord. No.1598, §46; Ord. No. 1654, §1; Ord. No. 1704, §1)

Sec. 23-73. Penalties

Any person, firm, corporation, whether as principal, agent, employee, or otherwise, failing to comply with the provisions of this chapter, shall be guilty of an infraction, and upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars for each day of violation. Each day of violation shall be deemed to be a separate offense.

(Ord. No. 1111, §2; Ord. No. 1526, §1)

(Ord. No. 1067, §1; Ord. No. 1111, §2))