

## RESOLUTION 21/22-28

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT, ESTABLISHING RULES AND REGULATIONS FOR THE DISPOSAL OF SOLID WASTE MATERIALS AT THE DISTRICT'S TRANFER STATION

The Board of Directors of the Bear Valley Community Services District resolves as follows:

**Section 1. Findings.** The Board finds as follows:

A. Under Government Code section 61100(c), the District is authorized to and does provide for the receipt, transfer and disposal of certain solid waste, including green waste and recyclable materials (collectively "Solid Waste Materials"), through the operation of a transfer station ("Transfer Station").

B. The Transfer Station operates under a permit issued by Kern County Public Works and is subject to regulation by Kern County and the California Department of Resources Recycling and Recovery ("CalRecycle") (Kern County and CalRecycle are referred to collectively as the "Regulating Agencies").

C. The Solid Waste Materials delivered by residents to the Transfer Station are placed in bins for hauling to the nearest Kern County landfill, which is located approximately 24 miles from the Transfer Station. The District pays a contractor to haul this material based on the number of bins filled with Solid Waste Materials and the tonnage.

D. The Regulating Agencies establish the types of Solid Waste Materials that may be delivered to the Transfer Station and County landfill and have also established limits on the amount of tonnage the Transfer Station may process, which limits are generally based on standard residential solid waste generation and not the removal of significant amounts of bulky or heavy materials or hazardous materials from private property.

E. To date, efforts by the District to educate and provide notice to residents of the types of Solid Waste Materials suitable for disposal at the Transfer Station, including all items listed as allowable or prohibited in Chapter 1 (Solid Waste Management) or Title 5 (Health and Sanitation) have not sufficiently reduced or eliminate the improper disposal of prohibited types of Solid Waste Materials at the Transfer Station.

F. To address the issues noted above, the Board finds that it is necessary and proper to adopt rules and regulations regarding the Solid Waste Materials permitted for disposal at the Transfer Station so that the District may impose, among other available remedies, the issuance of administrative citations under Chapter 12 (Administrative Citations) of Title 1 (Administration) of the District Code for violations of such rules and regulations.

G. These proposed rules and regulations are authorized under District Code section 5-1-6.B.

**Section 2. Adoption of Rules and Regulations for Solid Waste Disposal.** The Board hereby adopts the "Rules and Regulations for the Disposal of Solid Waste Materials at the Bear Valley CSD Transfer Station" attached as Exhibit A to this resolution under District Code section 5-1-6.B. The General Manager is further directed to post these Rules and Regulations on the District's website as part of the Department of Public Works web-page.

**Section 3. Effective Date.** This resolution will become effective immediately upon the adoption.

PASSED, APPROVED AND ADOPTED on March 10, 2022 by the following vote:

AYES:	Quinn, Carlyn, Hahn
NOES:	Jensen
ABSENT:	Grace
ABSTAIN:	None

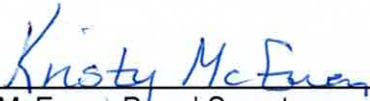


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Gregory Hahn, President

ATTEST:

I hereby certify that the above Resolution No. 21/22-28 was duly adopted by the District at a regularly noticed meeting held on March 10, 2022.



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Kristy McEwen, Board Secretary

## EXHIBIT A



### **RULES AND REGULATIONS FOR THE DISPOSAL OF SOLID WASTE MATERIALS AT THE BEAR VALLEY CSD TRANSFER STATION**

1. **Use:** The Solid Waste Transfer Station is restricted to Bear Valley Springs residents and property owners: provided, however, that contractors acting on behalf of a resident or property owner may dispose of certain material provided that they present a manifest - an invoice - specifying what is being disposed and the property that is the source, signed by the property owner or resident in possession or control of the property.
2. **Hours of Operation:** The Transfer Station is open from 8 AM to 8 PM; closed Mondays and Thursdays. Allowable items are only accepted during these or any other posted operating hours. After hours or off-site dumping is prohibited.
3. **Allowable Items and Applicable Disposal Procedures:**
  - a. **Household Waste:** Household waste is garbage and rubbish (such as bottles, cans, clothing, compost, disposables, food packaging, food scraps, newspapers and magazines, and yard trimmings) that originates from private homes.
    - Garbage must be securely wrapped and placed in roll-off bin.
    - Human excrement, animal excrement (except livestock manure) and disposable diapers must be disposed of in a trash bag or sealed container.
    - Household ashes must be thoroughly cold and placed in the ash receptacle provided by the District.
    - Hypodermic syringes and needles can be disposed of by placing them within a can or bottle, sealing the can or bottle, and identifying the contents on the outside of the container.
  - b. **Green Waste:**
    - Must be deposited in the designated green waste area.
    - Branches and limbs under 4" diameter, grass clippings, and shrubbery trimmings.
    - Daily disposal limit of one vehicle trip not exceeding three cubic yards of material (approximately the size of one average pickup truck bed)
    - Trash, household waste, plastic bags and manure may not be deposited in the green waste area
    - Contractors must provide a manifest for any green waste - an invoice specifying what is being disposed and the property that is the source, signed by the property owner.

c. **Manure:**

- Must be deposited in the designated manure disposal area.
- Livestock manure and manure/urine soiled bedding only.
- Waste hay and straw should be deposited in green waste area
- Trash, household waste, plastic bags and green waste may not be deposited in the manure area.
- Contractors must provide a manifest for any manure - an invoice specifying what is being disposed and the property that is the source, signed by the homeowner.

4. **Prohibited Items:**

- a. All treated or processed lumber including plywood, pallets, fencing, shelving and paneling (any wood that is not a tree or shrub).
- b. Electronic waste (televisions, computers, computer monitors, phones and other electronics).
- c. Appliances including refrigerators, microwaves, hot water heaters, and air conditioners.
- d. Construction/building materials including carpeting, tile, linoleum, roofing material and drywall.
- e. Furniture of any kind including mattresses.
- f. Metal and scrap metal/iron.
- g. Concrete, rock and dirt.
- h. Autos, auto parts (including tires) and trailers.
- i. Animals and animal carcasses.
- j. Household Hazardous Waste (HHW) including aerosol cans, cleaners, herbicides/pesticides, paints and varnishes, light bulbs, and batteries.

5. **Violations of these Rules and Regulations:**

- a. In accordance with District Code Section 1-12-4, any person violating any of the provisions of these Rules and Regulations may be issued an administrative citation under Chapter 12 of Title 1 of the District Code.
- b. In accordance with District Code Section 5-1-21, any person violating any of the provisions of these Rules and Regulations may be cited for an infraction or misdemeanor under District Code Section 1-4-1.