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**REGULATION NO. 810.02**  
**KIRKWOOD MEADOWS PUBLIC UTILITY DISTRICT**  
**SOLID WASTE RECEPTACLE – RELATED REGULATIONS**

A. PURPOSE AND AUTHORITY

The purpose of this regulation are to (1) control and regulate who may lawfully use the District Bins for Solid Waste disposal, (2) prohibit the disposal of certain types of hazardous, dangerous, heavy and excessive Solid Waste at the District Bins, and (3) require Contractors who perform construction work in the Kirkwood area to provide and maintain Bins for Solid Waste generated by their construction projects. This ordinance is adopted pursuant to Public Utilities Code Sections 16072 and 16461, Government Code Sections 53069.4, 54342, 54343 and 54350, Public Resource Code Sections 40053 and 40059, and other applicable law.

B. DEFINITIONS

The following definitions shall apply for purpose of this regulation:

1. Authorized User Areas shall mean the real property contained within the homeowners' association that request and receive limited solid waste collection and disposal service from the District. The District Manager shall prepare, maintain and update as necessary a list and map of the Authorized User Areas, which shall be made available to interested Persons upon request.
2. Bin shall mean a bin or other receptacle or container intended for Solid Waste disposal. The use of alternative containers shall be at the approval of the District Manager.
3. Contractor shall mean any contractor, builder or other person, whether or not licensed by the State Contractors' License Board, who performs any construction, demolition, remodeling, alteration, repair or improvement work that requires a building permit issued by the county building official.

4. District Bins shall mean the 4 and 7 cubic yard Bins maintained by the District and located within the District's boundaries.
5. Person shall mean a person, corporation, partnership, public agency or other legal entity.
6. Solid Waste shall mean all putrescible and nonputrescible solid, semisolid, and liquid waste, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts, discarded home and industrial appliances, sewage sludge, manure, and vegetable and animal solid and semisolid wastes.

#### C. PROHIBITED USES OF DISTRICT BINS

1. No Persons shall dispose of or discard Solid Waste at or into the District Bins, except the following authorized Persons:
  - a. District employees and officers.
  - b. Persons who reside permanently, or on a temporary, transient or visiting basis, within an Authorized User Area.
  - c. Persons disposing of or discarding Solid Waste generated or emanating from an Authorized User Area.
  - d. Other Persons authorized in writing by the District Manager, if the Manager finds out that permitting use by such other Person would further a substantial interest of the District.
2. No Person shall dispose of or discard any of the following waste types at or into the District Bins; highly flammable waste or substance; explosive waste or substance; sewage sludge or substance; radioactive waste or substance; paint; highly infectious or contagious material; dead animals; car or truck batteries; furniture; major household appliances, aka white goods (e.g., refrigerator, washer, drier, dishwasher); heavy metal items (e.g., auto parts); tires; tree stumps, logs, Christmas Trees or other plant material longer than 4 feet or thicker than 6 inches (unless reduced to chipped form); discarded carpet and other floor coverings; or, debris generated or emanating from a construction, demolition, remodeling, alteration, repair or improvement project (e.g., lumber, concrete, bricks, cinder blocks, sheet rock, roofing materials, and siding materials).

#### D. CONSTRUCTION BINS

1. Any Contractor performing any work in the District that requires a building permit issued by the county building official shall, at its sole cost and expense,

- (a) provide for and maintain a Bin at the work site to collect Solid Waste generated or emanating from the work, and (b) make arrangements for the periodic disposal of the Solid Waste collected in the construction Bin at a lawful Solid Waste landfill or other disposal site located outside the District. The Solid Waste collected in the construction Bin shall be disposed of as frequently as necessary in order to ensure that sufficient Bin space is available to collect construction, etc. debris and to avoid overfilling of the Bin.
2. The required Bin size shall be determined in accordance with the following:
    - a. For a project involving the construction of a single family house or a project of like or smaller scope and magnitude, as determined by the District Manager, the Contractor shall provide at least one bin of a size at least 7 cubic yards.
    - b. For any project larger than that described in subsection a, the Bin or Bins shall be of a larger size as determined by the District Manager on a case-by-case basis considering the size and scope of the project and the anticipated Solid Waste to be generated by the project. The District Manager shall make this determination in consultation with the Contractor at the time of the District's review of the project construction plans.
  3. The Bin shall be in place prior to the commencement of work, and it shall be continuously maintained during the course of the work. If the Contractor also may discontinue the Bin during that period. The Bin shall be placed again prior to the commencement of work after the winter work stoppage.

#### E. ENFORCEMENT

In addition to any other remedy provided law, the District may enforce this regulation as follows:

1. Any Person who violates any provision of this regulation shall be subject to an administrative fine up to \$100 for a first violation, \$200 for a second violation within one year, and \$500 for each additional violation within one year. The fine shall be imposed pursuant to District Regulation No. 610.06.
2. If any Person violates any provision of this regulation, who also is a District water service customer, then the District, upon at least three days prior written notice to the violator and affected property owner (if different from the violator), may terminate District water service to the violator's property.

3. Construction Bins. The District Manager shall enforce the construction Bins regulation (Section D) in consultation and coordination with the county building officials and affected Contractors. The District may disapprove submitted construction plans if a Contractor refuses to agree to comply with Section D. If a Contractor violates Section D, the District, upon at least three days prior written notice to the Contractor and affected property owner (if different from the Contractor), may terminate District water service to the work site property.