

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING SECTION 13.6 OF THE OCEANSIDE CITY CODE RELATING TO ILLICIT SCAVENGING OF SOLID WASTE AND RECYCLABLE MATERIALS

WHEREAS, Chapter 13 of the Oceanside City Code regulates the management of solid waste and recyclables or salvageable materials generated within the City of Oceanside;

WHEREAS, Assembly Bill 939 of the California Integrated Waste Management Act passed in 1989 requires that each city in California to divert 50% of all solid waste generated within the city from landfill disposal;

WHEREAS, Oceanside City Code Section 13.38 identifies and defines recyclable and salvageable materials that are to be removed from the landfill disposal process;

WHEREAS, Oceanside City Code Section 13.8 states that when solid waste materials, including recyclable materials, are placed at the curbside or within a designated container, it shall become the property of the City or its authorized collector upon collection;

WHEREAS, the authorized solid waste collector for the City of Oceanside has the authority to collect, process and redeem the materials for fair market value to comply with the City Solid Waste contract; and

WHEREAS, there exists a need to clarify the illegal removal, theft or scavenging of recyclable or salvageable materials by anyone other than the generator, the City or its authorized solid waste collector.

NOW, THEREFORE, the City Council of the City of Oceanside, California does ordain as follows:

SECTION 1. Oceanside City Code Section 13.6 is hereby amended to read as follows:

“Section 13.6: Illicit scavenging of solid waste and recyclable materials.

a) It shall be unlawful for any person to do any of the following:

- 1) Scavenge, tamper with, move, steal, tip, deface or destroy any solid waste collection container, or contents thereof, for any personal, professional or commercial use;

