

ORDINANCE NO. G-9213

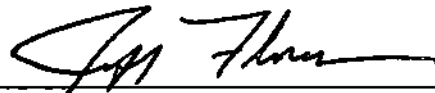
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN, STATE OF CALIFORNIA ESTABLISHING THE SCHEDULE OF UNIVERSAL SOLID WASTE COLLECTION CHARGES IN THE EASTERN KERN UNIVERSAL COLLECTION AREA FOR FISCAL YEAR 2023-2024 AND PROVIDING FOR THE COLLECTION OF THE SAME ON THE TAX ROLL

The following Ordinance, consisting of eight (8) Sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Kern, State of California, at a regular meeting of the Board of Supervisors held on the 23rd day of May, 2023, by the following vote, to wit:

AYES: Peters, Scrivner, Flores, Couch

NOES: None

ABSENT: Perez

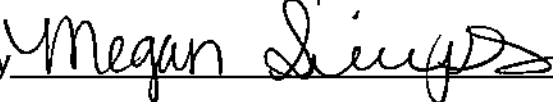


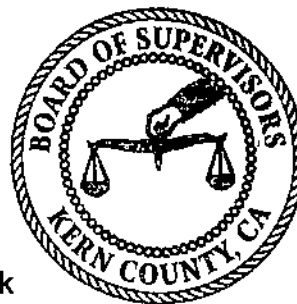
Chairman, Board of Supervisors
County of Kern, State of California

(SEAL)

ATTEST:

KATHLEEN KRAUSE
Clerk of the Board of Supervisors

By , Deputy Clerk



THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN ORDAINS AS FOLLOWS:

Section 1. This Ordinance, which shall take effect and be in full force on and after the 23rd day of June, 2023, shall have a summary published in accordance with the provisions of Government Code Section 25124(b)(1).

Section 2. Findings and Determinations.

1. The Eastern Kern Universal Collection Area was established pursuant to Kern County Ordinance 8.28.081 and designated by the Board of Supervisors as an area where solid waste collection services are required for all properties, except vacant land or uninhabitable properties.
2. A written Report containing a description of each parcel of real property subject to universal solid waste collection in the Eastern Kern Universal Collection Area and receiving collection services and the amount of the charge for services for each parcel for Fiscal Year 2023-2024 has been prepared by the Public Works Department and filed with the Clerk of the Board of Supervisors.
3. Prior to the adoption and approval of the Report, a properly noticed hearing has been held, all objections or protests heard, considered and ruled upon.
4. At the conclusion of the hearing and concurrently with this Ordinance, the Report, including the findings and charges for service were approved and adopted by this Board.
5. This Board hereby certifies that these rates are set in full compliance with the provisions of Proposition 218.

Section 3. Establishment of Universal Solid Waste Collection Charges for Fiscal Year 2023-2024 for the Eastern Kern Universal Collection Area.

1. Pursuant to Kern County Ordinance 8.28.084, the schedule of Universal Solid Waste Collection Charges for the Eastern Kern Universal Collection Area for Fiscal Year 2023-2024 is hereby established in Exhibit A.

Section 4. Collection of Charges on the Tax Roll. In accordance with the provisions of California law and Kern County Ordinance 8.28.084, this Board hereby approves and provides that the charges herein provided for shall be placed on the tax roll and collected at the same time and in the same manner as property taxes for Kern County. The Clerk of the Board of Supervisors is directed to file with the Auditor-Controller-County Clerk a copy of this Ordinance. The Clerk is further directed to include an endorsed statement that the Ordinance has been approved and adopted by the Board of Supervisors. The Auditor-Controller-County Clerk is directed to enter the amounts of the service charges against the respective lots or parcels as they appear on the current assessment roll.

Section 5. If any clause, provision, sentence, or paragraph of this Ordinance, or the application thereof, is deemed to be invalid as to any person, entity, establishment or circumstance, such invalidity shall not affect the other provisions of this Ordinance which still remain in effect, and to its end, it is hereby declared that the provisions of this Ordinance are severable.

Section 6. At a properly noticed Public Hearing, the Kern County Board of Supervisors (Board) may approve future rate adjustments based on the prior fiscal year Consumer Price Index (CPI) for all Urban Consumers, Garbage and Trash Collection (Series ID: CUUR0000SEHG02) without a protest hearing for five years. If, in any year, the rate adjustment approved by the Board is lower than the amount resulting from the application of the CPI, the difference may be carried over and applied by the Board to future rate adjustments. In the event the cited index is substantively changed or is no longer published, the Board will select a substantially similar index.

Section 7. The schedule of Solid Waste Collection Charges shall become effective July 1, 2023.

Section 8. This Ordinance shall supersede and replace Kern County Ordinance G-9115.

#26Q2917-PWH

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|-------------------|
| COPIES FURNISHED: |
| CAO; Co Counsel. |
| Public Works; |
| Auditor |
| 6/7/2023 (10) |

EXHIBIT A

**SCHEDULE OF UNIVERSAL SOLID WASTE COLLECTION CHARGES
FISCAL YEAR 2023-2024
EASTERN KERN UNIVERSAL COLLECTION AREA**

| Use Code | Description | Annual Service Charge¹ |
|-----------------|---|--|
| 0017 | Licensed Manufactured Home | \$467.27 |
| 0027 | Licensed Manufactured Home | \$467.27 |
| 0067 | Licensed Manufactured Home | \$467.27 |
| 0068 | Licensed Manufactured Home | \$467.27 |
| 0077 | Licensed Manufactured Home | \$467.27 |
| 0087 | Licensed Manufactured Home | \$467.27 |
| 0097 | Licensed Manufactured Home | \$467.27 |
| 0098 | Two or more Licensed Manufactured Homes ² | \$467.27 |
| 0099 | Miscellaneous Improvements ² | \$467.27 |
| 0100 | Single Family Residence | \$467.27 |
| 0101 | Single Family Residence | \$467.27 |
| 0102 | Single Family Residence | \$467.27 |
| 0103 | Single Family Residence | \$467.27 |
| 0104 | Single Family Residence | \$467.27 |
| 0105 | Single Family Residence | \$467.27 |
| 0106 | Single Family Residence | \$467.27 |
| 0107 | Single Family Residence + 1 Manufactured Home ² | \$467.27 |
| 0108 | Single Family Residence + 2 or more Manufactured Homes ² | \$467.27 |
| 0180 | Manufactured Home | \$467.27 |
| 0181 | Manufactured Home | \$467.27 |
| 0182 | Manufactured Home | \$467.27 |
| 0183 | Manufactured Home | \$467.27 |
| 0186 | Multiple Residences ² | \$467.27 |
| 0189 | Multiple Manufactured Homes ² | \$467.27 |
| 0190 | Manufactured Home | \$467.27 |
| 0191 | Manufactured Home | \$467.27 |
| 0192 | Manufactured Home | \$467.27 |
| 0193 | Manufactured Home | \$467.27 |
| 0194 | Modular Home | \$467.27 |
| 0196 | Modular Home with Miscellaneous Improvements ² | \$467.27 |
| 0198 | Multiple Residences ² | \$467.27 |
| 0199 | Multiple Manufactured Homes ² | \$467.27 |
| 0200 | Duplex or Building with Two Living Units ² | \$467.27 |
| 0201 | Two Separate Residences ² | \$467.27 |
| 0207 | Multiple Residences ² | \$467.27 |

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NOTES:

- ¹ Annual Service Charge includes the Admin Fee of \$12.00 per residential unit.
- ² Annual Service Charge is shown on a per residential unit basis.
- ³ Any Multi-Family Dwelling with five or more residential living units that has been designated as an IRS Tax Code Section 42 (Low Income Tax Credit) property may request relief from the Annual Service Charge and removal of the charge from the property tax roll. The property will be required to use bin service and shall be allowed to negotiate directly for solid waste services with the appropriate Franchise Hauler utilizing published rates for Residential Bins. The negotiated services will be direct billed by and payable to the Franchise Hauler. This written request must be submitted on an annual basis to the Director of the Public Works Department, located at 2700 M Street, Suite 400, Bakersfield, CA 93301. Partial year charges may remain on the tax roll dependent on when the request is received by the Department.
- ⁴ Any Multi-Family Dwelling with five or more residential living units will be provided with bin service, but the bin service must be equal to a total of 240 gallons of refuse, recycling, and organics service per residential living unit.

**EXHIBIT A
(continued)**

**SCHEDULE OF UNIVERSAL SOLID WASTE COLLECTION CHARGES
FISCAL YEAR 2023-2024
EASTERN KERN UNIVERSAL COLLECTION AREA**

| Use Code | Description | Annual Service Charge¹ |
|-----------------|--|--|
| 0300 | Triplex or Building with Three Living Units ² | \$467.27 |
| 0301 | Duplex and Single Residence ² | \$467.27 |
| 0302 | Three Separate Residences ² | \$467.27 |
| 0307 | Multiple Residences ² | \$467.27 |
| 0400 | Fourplex or Building with Four Living Units ² | \$467.27 |
| 0401 | Two Duplexes ² | \$467.27 |
| 0402 | Triplex and Single Residence ² | \$467.27 |
| 0403 | Four Separate Residences ² | \$467.27 |
| 0404 | Duplex and Two Residences ² | \$467.27 |
| 0407 | Multiple Residences ² | \$467.27 |
| 0500 | 5-9 Unit Apartment Complex ^{2,3,4} | \$467.27 |
| 0501 | 10-20 Unit Apartment Complex ^{2,3,4} | \$467.27 |
| 0502 | 21-30 Unit Apartment Complex ^{2,3,4} | \$467.27 |
| 0503 | 31+ Unit Apartment Complex ^{2,3,4} | \$467.27 |
| 0504 | Combination of Living Units totalling 5 or more ^{2,3,4} | \$467.27 |
| 0600 | Townhouse ² | \$467.27 |
| 0602 | Cooperative Housing ^{2,4} | \$467.27 |
| 0603 | Condominium ^{2,4} | \$467.27 |
| 0700 | Single Family Residence | \$467.27 |
| 1007 | Licensed Manufactured Home | \$467.27 |
| 1009 | Multiple Manufactured Homes ² | \$467.27 |
| 1019 | Multiple Manufactured Homes ² | \$467.27 |
| 1027 | Licensed Manufactured Home | \$467.27 |
| 1029 | Multiple Manufactured Homes ² | \$467.27 |
| 1200 | Combination of Residences, Stores, and Offices ² | \$467.27 |
| 1201 | Residence and Office ² | \$467.27 |
| 1203 | Residence and Store ² | \$467.27 |
| 1290 | Combination of Residences, Stores, and Offices ² | \$467.27 |
| 2900 | Manufactured Home Park or Trailer Park ² | \$467.27 |
| 2990 | Manufactured Home Park ² | \$467.27 |
| 4001 | Single Residence on Rural/Agricultural Land | \$467.27 |
| 4002 | Two Residences on Rural/Agricultural Land ² | \$467.27 |

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NOTES:

- ¹ Annual Service Charge includes the Admin Fee of \$12.00 per residential unit.
- ² Annual Service Charge is shown on a per residential unit basis.
- ³ Any Multi-Family Dwelling with five or more residential living units that has been designated as an IRS Tax Code Section 42 (Low Income Tax Credit) property may request relief from the Annual Service Charge and removal of the charge from the property tax roll. The property will be required to use bin service and shall be allowed to negotiate directly for solid waste services with the appropriate Franchise Hauler utilizing published rates for Residential Bins. The negotiated services will be direct billed by and payable to the Franchise Hauler. This written request must be submitted on an annual basis to the Director of the Public Works Department, located at 2700 M Street, Suite 400, Bakersfield, CA 93301. Partial year charges may remain on the tax roll dependent on when the request is received by the Department.
- ⁴ Any Multi-Family Dwelling with five or more residential living units will be provided with bin service, but the bin service must be equal to a total of 240 gallons of refuse, recycling, and organics service per residential living unit.

EXHIBIT A
(continued)

| SCHEDULE OF UNIVERSAL SOLID WASTE COLLECTION CHARGES | | |
|---|---|--|
| FISCAL YEAR 2023-2024 | | |
| EASTERN KERN UNIVERSAL COLLECTION AREA | | |
| Use Code | Description | Annual Service Charge¹ |
| 5001 | Single Residence on Rural/Agricultural Land | \$467.27 |
| 5002 | Two Residences on Rural/Agricultural Land ² | \$467.27 |
| 5007 | Multiple Residences on Rural/Agricultural Land ² | \$467.27 |
| 5008 | Multiple Residences on Rural/Agricultural Land ² | \$467.27 |
| 9000 | Residential Possessory Interest - Federal ² | \$467.27 |
| 9010 | Residential Possessory Interest - State ² | \$467.27 |
| 9020 | Residential Possessory Interest - County ² | \$467.27 |
| 9030 | Residential Possessory Interest - City ² | \$467.27 |
| 9040 | Residential Possessory Interest - Other ² | \$467.27 |
| 9200 | Residential Improvements - unsecured ² | \$467.27 |
| NOTES: | | |
| ¹ Annual Service Charge includes the Admin Fee of \$12.00 per residential unit. ² Annual Service Charge is shown on a per residential unit basis. ³ Any Multi-Family Dwelling with five or more residential living units that has been designated as an IRS Tax Code Section 42 (Low Income Tax Credit) property may request relief from the Annual Service Charge and removal of the charge from the property tax roll. The property will be required to use bin service and shall be allowed to negotiate directly for solid waste services with the appropriate Franchise Hauler utilizing published rates for Residential Bins. The negotiated services will be direct billed by and payable to the Franchise Hauler. This written request must be submitted on an annual basis to the Director of the Public Works Department, located at 2700 M Street, Suite 400, Bakersfield, CA 93301. Partial year charges may remain on the tax roll dependent on when the request is received by the Department. ⁴ Any Multi-Family Dwelling with five or more residential living units will be provided with bin service, but the bin service must be equal to a total of 240 gallons of refuse, recycling, and organics service per residential living unit. | | |

**EXHIBIT A
(continued)**

| SPECIAL SERVICES - 2023 Zones 1, 2 and 3 (Universal and Non-Universal Areas) | | |
|--|-------------|---|
| SERVICE | RATE | NOTES |
| Account Restart Fee | \$ 30.00 | |
| Bear Proof Cart | \$ 6.00 | \$/month |
| Bear Proof Cart Replacement | \$ 300.00 | |
| Bin Rental Fee | \$ 20.00 | \$/month |
| Bin Delivery Fee | \$ 55.00 | each |
| Cart Replacement (96-gal) | \$ 85.00 | |
| Cart Redelivery Fee (96-gal) | \$ 30.00 | |
| Certification (Customer Req'd) | \$ 50.00 | \$/hr/employee (FAA, Facility Safety Cert. etc) |
| Commercial Off-County Maintained Road | \$ 9.00 | \$/mo - Distance > 0.25 miles |
| | \$ 5.00 | \$/mo - Every additional 0.25 mile |
| Gravity Bin Service Fee | \$ 8.00 | \$/month, No installation fee |
| Individually Scheduled Bin Service | \$ 50.00 | \$/pick-up |
| Individually Scheduled/Extra Cart Service | \$ 30.00 | \$/pick-up (may apply to contaminated cart) |
| Individually Dispatched Bin Service | \$ 85.00 | \$/pick-up |
| Lock/unlock Customer Enclosure | \$ 12.00 | \$/month |
| Install Manual Bar Lock | \$ 55.00 | No monthly service fee |
| Install Gravity Lock | \$ 165.00 | No monthly service fee |
| Manually Rolling Bins | \$ 10.00 | \$/month/20' |
| Packer Truck Rate with Driver | \$ 180.00 | \$/hour |
| Residential Off-County Maintained Road (Must be on public access easement road) | \$ 1.00 | \$/pick-up |
| Residential Walk-in Service | \$ 5.00 | \$/pick-up (No charge with Medical Exemption) |
| NOTE: If a Special Service is required - it will be directly billed by the Franchise Hauler. | | |