

**RESOLUTION NO. 2009-01**

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SAN JUAN BAUTISTA SETTING PENALTIES  
FOR FAILURE TO MEET SOLID WASTE DIVERSION  
REQUIREMENTS OF SAN JUAN BAUTISTA MUNICIPAL  
CODE SECTION 5-4-510**

**WHEREAS**, pursuant to a provision of an ordinance introduced this date by this Council, the issuance of a building or demolition permit requires the permit holder to divert 50% of the construction or demolition waste from disposal; and

**WHEREAS**, said provision provides that a permit holder failing to divert 50% of the construction or demolition waste from disposal will be required to pay a penalty as established by City Council resolution;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY RESOLVES AS FOLLOWS:**

**SECTION 1.** The penalty for violation of Section 5-4-510 of the San Juan Bautista Municipal Code shall be as follows: A permit holder who has not diverted 50% of the construction or demolition waste from disposal shall be required to pay the City of San Juan Bautista an amount equal to the rate per ton for disposal of mixed waste at John Smith Road Landfill existing at the time the penalty is calculated times the number of tons of waste that were not properly diverted as required by said Section 5-4-510.

**SECTION 2.** This resolution shall become effective thirty days following adoption of the ordinance amending Title 5 of the San Juan Bautista Municipal Code, said ordinance as introduced at a regular meeting of this Council held on January 20, 2009.

**PASSED AND ADOPTED** this 20<sup>th</sup> day of January, 2009, at a regular meeting of the City Council, by the following vote:

**AYES: Edge, Laverone, Hill, Moore, Bilich**

**NOES: None**

**ABSTAIN: None**

**ABSENT: None**

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Rick Edge, Mayor

Attest:

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Trish Paetz, Deputy City Clerk