



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

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- a. Receive an oral presentation from the County of Monterey Health Department's Environmental Health Bureau regarding work on a policy development workplan to address mandatory solid waste collection and exemptions; and
- b. Provide direction and feedback, as appropriate, regarding the policy development workplan for mandatory solid waste collection and exemptions.

RECOMMENDATION:

It is recommended that the Health, Housing, Homelessness, and Human Services (HHHHS) Committee of the Board of Supervisors:

- a. Receive an oral presentation from the County of Monterey Health Department's Environmental Health Bureau regarding work on a policy development workplan to address mandatory solid waste collection and exemptions; and
- b. Provide direction and feedback, as appropriate, regarding the policy development workplan for mandatory solid waste collection and exemptions.

SUMMARY:

The Environmental Health Bureau (EHB) will provide an overview of the County of Monterey mandatory solid waste collection services and exemption process. The Monterey County Code (MCC) at Title 10. HEALTH AND SAFETY, Chapter 10.41. SOLID WASTE COLLECTION AND DISPOSAL, MCC Section 10.41.030 Mandatory collection., provides as follows:

10.41.030 Mandatory collection.

- A. Collection Required. Permittees and franchisees shall collect all solid waste generated from all stores, shops, offices, restaurants, hospitals and commercial or industrial establishments and all residential properties designated or specified in this Chapter or by resolution of the Board establishing mandatory residential collection services, regardless of whether or not these services were requested by the affected property owner, tenant or person having possession or control of the real property. All solid waste shall be collected from every occupied residence, apartment, or business as designated pursuant to this Subsection at least once a week.
- B. Payment. Residents within mandatory areas designated pursuant to Subsection A and owners of commercial and industrial businesses or the property owners of the property within the designated residential areas or the property on which such businesses are located shall pay the rates established by the Board.
- C. Exemptions and Criteria. Mandatory solid waste collection does not apply to those places or premises in mandatory collection areas which meet one of the criteria specified in this

Subsection if such exemption is applied for annually by the owner or the franchisee awarded the area and granted by the Director of Health or his or her designee. The Director of Health or his or her designee shall make periodic inspections of such premises and if it is found that solid waste is present or that the property no longer qualifies for an exemption, the regular solid waste collection shall be resumed promptly at the expense of the property owner.

Criteria:

1. The property is undeveloped or vacant.
2. All solid waste generated on the premises is recycled or composted.
3. Residential properties with long, narrow, or steep driveways in instances where the franchisee in the opinion of the Director of Health, is unable to properly and safely use franchisee's equipment and granting such an exemption does not create a nuisance. (Ord. 4190, 2003; Ord. 2661, 1980)

EHB will review the existing exemption process to develop a transparent and administratively practical program that supports the provisions of MCC Chapter 10.41. SOLID WASTE DISPOSAL AND COLLECTION, Section 10.41.030 Mandatory collection., and aligns with California Government Code Section 25827(b) which requires counties with mandatory collection programs to provide reduced charges, rebates or exemptions for properties that do not require regular collection service and, by resolution or ordinance, exempt undeveloped property from compulsory service.

DISCUSSION:

On December 3, 2024, the Board of Supervisors (Board) of the County of Monterey (County) approved a Unified Franchise Agreement (UFA) between the County and USA Waste of California, Inc. DBA Carmel Marina Corporation, commonly known as Waste Management (WM) for exclusive waste hauling services in the unincorporated areas of the County for a ten-year term, January 1, 2025 through January 1, 2035, with the option to extend for five additional years. On June 23, 2026, the Board directed staff to review the mandatory solid waste collection and exemption process and corresponding application forms in collaboration with WM.

MCC Section 10.41.030 Mandatory collection requires all designated residential, commercial, industrial, and institutional properties within mandatory collection areas to receive solid waste collection service regardless of whether the owner or occupant requests it. Occupied properties receive solid waste collection at least once per week, and property owners are required to pay the collection rates established by the Board pursuant to MCC Section 10.41.030.B. Payment., and as set forth in the UFA as may be amended from time to time.

MCC Section 10.41.030.C. provides for exemptions from mandatory collection when approved by the Director of Health or their designee. MCC Section 10.41.030.C. provides that exemptions may be granted upon annual application by the property owner or franchisee when one or more of the following conditions exist:

1. The property is undeveloped or vacant.
2. All solid waste generated on the premises is recycled or composted.
3. Residential properties with long, narrow, or steep driveways in instances where the franchisee in the opinion of the Director of Health, is unable to properly and safely use franchisee's equipment

and granting such an exemption does not create a nuisance. (Ord. 4190, 2003; Ord. 2661, 1980)

In the event the property no longer qualifies for an exemption, MCC Section 10.41.030.C. provides, in pertinent part:

...The Director of Health or his or her designee shall make periodic inspections of such premises and if it is found that solid waste is present or that the property no longer qualifies for an exemption, the regular solid waste collection shall be resumed promptly at the expense of the property owner..

Consistent with the Board's direction, EHB has created a work plan to evaluate the current exemption process to develop recommendations that are transparent and administratively practical. EHB's review will ensure the program supports MCC Chapter 10.41. SOLID WASTE DISPOSAL AND COLLECTION, Section 10.41.030 Mandatory collection., and complies with California Government Code section 25827(b) which requires counties with mandatory collection programs to provide reduced charges, rebates or exemptions for properties that do not require regular collection service and, by resolution or ordinance, exempt undeveloped property from compulsory service. EHB's review will also seek to establish objective and narrowly tailored exemption criteria based on local public health, safety, and collection service limitations.

As part of this effort, EHB will:

- Research mandatory garbage collection and exemptions implemented by other California counties and jurisdictions.
- Develop standard procedures for determining exemptions from mandatory solid waste collection that would include initial application forms, review procedures, renewals, loss of exemption status, and an administrative appeal process.
- Establish, advocate and promote mandatory solid waste collection as the default policy while limiting exemptions to local, objective, safety-based criteria.
- Evaluate whether amendments to MCC Section 10.41.030 and/or the UFA are necessary to support mandatory solid waste collection and ensure consistency with reviewing requests for exemptions.

This work supports the County Health Department 2025-2028 Strategic Plan Goal: Deepen Organizational Effectiveness and Support Long-Term Sustainability. It also supports the following of the ten essential public health services, specifically: Enforce laws and regulations that protect health and ensure safety.

OTHER AGENCY INVOLVEMENT/COMMITTEE ACTIONS:

The item is being presented to the Health, Housing, Homelessness and Human Services Committee for informational purposes and discussion.

FINANCING:

There is no fiscal impact associated with receipt of this presentation and discussion item.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

Participation in solid waste collection services supports the long-term financial stability and efficiency of the County's solid waste collection system. The exemption process ensures that only eligible properties are removed from the service requirement, helping maintain equitable cost distribution while promoting waste reduction practices such as recycling and composting. The program reduces environmental and public safety risks associated with unmanaged waste and illegal disposal. It also recognizes unique safety concerns by allowing exemptions for properties where steep, narrow, or otherwise inaccessible driveways prevent safe collection by franchised haulers.

Mark a check next to the related Board of Supervisors Strategic Plan Goals:

- ☐ Well-Being and Quality of Life
- ☒ Sustainable Infrastructure for the Present and Future
- ☒ Safe and Resilient Communities
- ☐ Diverse and Thriving Economy
- ☐ Dynamic Organization and Employer of Choice

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Attachments:

Staff Report

Presentation