

ORDINANCE NO. _____

ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA,
STATE OF CALIFORNIA, AMENDING CHAPTER 22 OF THE SONOMA COUNTY CODE
TO ALLOW FOR THE ISSUANCE OF FRANCHISE AGREEMENTS ON SUCH TERMS
AND CONDITIONS AS APPROVED BY THE BOARD OF SUPERVISORS

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I. Section 22-9 of the Sonoma County Code is hereby amended to add the following which reads as follows:

“No person shall collect, haul or transport refuse on or from any public highway within the county or transport any refuse collected within the county over any public highway within the county, without: (1) first making application to the director of public works and receiving an appropriate license under the terms and conditions of Chapter 22; or (2) a franchise agreement executed by the County Board of Supervisors under the terms and conditions of the approved franchise agreement. The provisions of this section shall not apply to persons hauling household refuse from their own residences, nor to farming or agricultural operations, nor to municipalities or public agencies, nor to industrial, commercial or business establishments, nor to building contractors, nor to any of those hauling their own refuse or refuse generated by themselves, nor to any person transporting refuse from a transfer station pursuant to a contract between that person and the county of Sonoma. It is the intent of this section to prohibit any person from hauling refuse for hire without first receiving a license or franchise agreement pursuant to this chapter.”

SECTION II. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION III. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in The Press Democrat, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the day of _____, 2009, and finally passed and adopted this __ day of _____, 2009, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

BROWN ____ **KERNS** ____ **ZANE** ____ **CARRILLO** ____ **KELLEY**

AYES ____ **NOES** ____ **ABSTAIN** ____ **ABSENT**

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Clerk of the Board of Supervisors