

RESOLUTION NO. 2003-11-25-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ESTABLISHING THE CONSTRUCTION AND DEMOLITION RECYCLING PROGRAM PARAMETERS

WHEREAS, on October 28, 2003, the City Council adopted Ordinance No. 2003-9 establishing the Construction and Demolition Recycling Program (Title 5, Chapter 48) in order to protect the public health, safety, and welfare of the community, and to achieve the goals of the California Waste Management Act; and

WHEREAS, pursuant to Title 5, Chapter 48 of the Laguna Hills Municipal Code, each applicant who applies for a building permit for Covered Projects under Laguna Hills Municipal Code Section 5-48.060 shall remit a security deposit in an amount set forth in a Resolution of the City Council; and

WHEREAS, pursuant to Laguna Hills Municipal Code Section 5-48.040, the City Council is to establish the minimum construction and demolition waste diversion requirement by City Council Resolution; and

WHEREAS, pursuant to Laguna Hills Municipal Code Section 5-48.050, the thresholds for Covered Projects and the "City Project C&D Waste Policy" are established by Resolution of City Council; and

WHEREAS, pursuant to Laguna Hills Municipal Code Section 5-48.130, the City Council is to establish an appropriate Application Fee by City Council Resolution; and

WHEREAS, pursuant to Laguna Hills Municipal Code Section 5-48.150, the City Council is to establish an appropriate Appeal Fee by City Council Resolution; and

WHEREAS, Covered Projects shall mean projects as defined in Laguna Hills Municipal Code Section 5-48.050 and this Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. Minimum Diversion Requirement. Covered Projects shall divert fifty (50) percent of construction and demolition waste.

SECTION 2. Covered Project Thresholds. For each application the following thresholds apply. Projects equal to or above the threshold are required to divert fifty (50) percent of all project-related construction and demolition debris from landfills.

- A. Residential new construction, room additions, re-models, demolition, and alterations: The scope of the project is 1,000 square feet or greater.
 - (1) Residential pool, spa, retaining wall, and re-roof projects are not considered Covered Projects.
- B. Commercial new construction, room additions, re-models, demolition, and alterations: The scope of the project is 2,000 square feet or greater.
 - (1) Commercial retaining wall and re-roof projects are not considered Covered Projects.
- C. Encroachment Permits: The scope of the project generates five cubic yards or greater of debris.

SECTION 3. Security Deposit. For each application that meets the thresholds identified in section 2 the following Security Deposits shall apply:

- A. For residential new construction, room additions, re-models, demolition, and alterations the Security Deposit is \$.20 per square foot not to exceed \$ 2,500.
- B. For commercial new construction, room additions, re-models, demolition, and alterations the Security Deposit is \$.35 per square foot not to exceed \$5,000.
- C. For encroachment permits, the Security Deposit is \$500.

SECTION 4. The Application Fee for each application for Covered Projects is \$31.00. This is the estimated cost of City Staff's review and monitoring.

SECTION 5. The Appeal Fee for each application for Covered Projects is \$400.00. This is the estimated cost of City Staff review, as well as City Attorney fees to review and provide a staff report on an appeal.

SECTION 6. The "City Project C&D Waste Policy" is as follows:


- A. All contractors who are constructing a city-owned project will be required by their contract with the City to divert at least fifty (50) percent of all project-related construction and demolition debris from landfills.
- B. Upon completion of a city-owned project a contractor must show proof of diversion by:
 - (1) Submitting a letter on company letterhead to the City that states the estimated tons of construction and demolition debris prior to start of project, a brief description of how project-related debris was recycled or disposed of, and how

many tons were diverted from landfills after project completion.

- (2) Attaching weight slips from Certified Recycling Facilities, or other records of measurement, to the letter to exhibit that project-related construction and demolition debris was diverted from landfills in an appropriate manner.
- (3) The Notice of Completion of City-owned projects will not be recorded until these requirements are met to the satisfaction of the Director of Public Services.

SECTION 7. The provisions of this Resolution shall become effective when Ordinance No. 2003-9 becomes effective, on November 27, 2003

PASSED, APPROVED, AND ADOPTED this 25th day of November 2003.


L. ALLAN SONGSTAD, JR., MAYOR

ATTEST:


MARY A. CARLSON, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Mary A. Carlson, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No.
2003-11-25-1 adopted by the City Council of the City of Laguna Hills, California, at a
Regular Meeting thereof held on the 25th day of November 2003, by the following vote:


AYES: Council Members Bressette, Carruth, Scott, Mayor Pro
Tempore Lautenschlegler, and Mayor Songstad

NOES: None

ABSENT: None

ABSTAIN: None

(SEAL)



MARY A. CARLSON, CITY CLERK