

RESOLUTION 04-144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION VIEJO ESTABLISHING FEES AND CHARGES RELATED TO THE DIVERSION FROM LANDFILLS OF CONSTRUCTION AND DEMOLITION WASTE GENERATED BY COVERED PROJECTS

WHEREAS, on October 4, 2004, the City Council adopted Ordinance No. 04-225 establishing a Construction and Demolition Recycling Program to promote the reduction, reuse, and recycling of construction and demolition waste in order to protect the public health, welfare, and safety and to assist the City in meeting the 50 percent diversion mandate of the California Integrated Waste Management Act of 1989.

WHEREAS, administration of the Ordinance will require City staff to review Waste Diversion Plans and Report Summaries, collect and return deposits, and respond to questions about the Ordinance; and

WHEREAS, pursuant to Mission Viejo Municipal Code Section 6.10.1125, an applicant for a permit for a Covered Project that requires the submission of a Waste Diversion Plan shall submit an administrative fee; and

WHEREAS, Covered Projects shall mean projects as defined in Mission Viejo Municipal Code Section 6.10.1105.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MISSION VIEJO DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The following fees and charges apply to permit applications submitted to the City that involve the diversion from landfills of construction and demolition waste generated by covered projects, as provided for in Division 10 of Chapter 6.10 of Title 6 of the Mission Viejo Municipal Code:

1. Administrative fee payable by an applicant for a permit for a covered project, as authorized by Section 6.10.1125 of Division 10 of Chapter 6.10. Applicants who elect to use the City's waste hauler's construction roll-off bin shall not be required to pay the administrative fee set forth in this Section:

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| (a) | Administrative fee for covered projects: | \$100.00 |
| (b) | Covered projects utilizing City's waste hauler construction roll-off bin: | No Fee |

2. Diversion Performance Deposit required to be paid by applicants for permits for covered projects, as authorized by Section 6.10.1130 of Division 10 of Chapter 6.10:

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| (a) | The construction of a new residential or commercial structure that involves 250 square feet or more of floor area, and that has a valuation equal to or exceeding \$10,000: | \$1,000.00 |
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| (b) | The renovation of an existing residential or commercial structure that involves 250 square feet or more of floor area, and that has a valuation equal to or exceeding \$10,000: | \$500.00 |
| (c) | The construction of an accessory structure or other addition to an existing residential or commercial structure that involves 250 square feet or more of floor area, and that has a valuation equal to or exceeding \$10,000: | \$750.00 |
| (d) | A demolition project that involves a residential or commercial structure or structures on the same or abutting property that equals or exceeds 250 square feet in floor area, and that has a valuation equal to or exceeding \$10,000: | \$1,000.00 |
| (e) | The re-roofing of a structure that requires the removal of the existing roof: | \$500.00 |

SECTION 2. The City Council finds and determines that the new fees and charges established by this resolution are in an amount that is reasonably necessary to recover the costs and expenses to be incurred by the City in reviewing and processing the documents for which those fees and charges are imposed, or are authorized to be imposed, and in administering the provisions of Division 10 of Chapter 6.10 of Title 6 of the Mission Viejo Municipal Code.

SECTION 3. The new fees and charges set forth in this resolution will become effective upon the effective date of Ordinance No. 04-225, which ordinance amends Chapter 6.10 of Title 6 of the Municipal Code by adding a new Division 10.

SECTION 4. The City Clerk shall certify the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 15th day of November, 2004.



 Gail Reavis
 Mayor

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Mission Viejo at a regular meeting thereof, held on the 15th day of November, 2004, by the following vote of the Council:

AYES:	Craycraft, Kelley, MacLean, and Reavis
NOES:	Ledesma
ABSENT:	None



 Karen Hamman
 City Clerk