

BOARD of SUPERVISORS



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MEMORANDUM

TO: Planning Department
Environmental Review Officer

FROM: Angela Calvillo, Clerk of the Board *by r m*

DATE: February 20, 2013

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Budget and Finance Committee

The Board of Supervisors Budget and Finance Committee has received the following, which is being referred to the Planning Department for determination as to whether the proposed legislation will impact the environment.

Please provide your findings within 10 days from the date of referral.

File: 130133

Administrative Code - Public Health Solid Waste Penalties Fund

Please return this cover sheet with the Commission's response to **Victor Young, Clerk, Budget and Finance Committee.**

C: Nannie Turrell, Major Environmental Analysis
Monica Pereira, Environmental Analysis
Joy Navarrete, Environmental Analysis

RESPONSE FROM PLANNING DEPARTMENT - Date: *February 21, 2013*

No Comment
 Recommendation Attached

Nannie Turrell for
Bill Wycko, Environmental Review Officer

*State Long Exemption, CCA Guidelines,
Section 15273, Rates, Tolls,
Fees and Charges.*

1 [Administrative Code - Public Health Solid Waste Penalties Fund]

2
3 **Ordinance amending the Administrative Code, by adding Section 10.100-217, to**
4 **establish a fund for the deposit of civil penalties assessed by the Department of Public**
5 **Health and paid by operators of solid waste facilities for violation of solid waste**
6 **disposal laws; and making environmental findings.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are *strike-through italics Times New Roman*.
9 Board amendment additions are double-underlined;
10 Board amendment deletions are ~~strikethrough normal~~.

11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. The Planning Department has determined that the actions contemplated in
13 this ordinance comply with the California Environmental Quality Act (California Public
14 Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the
15 Board of Supervisors in File No. ___ and is incorporated herein by reference.

16 Section 1. The San Francisco Administrative Code is hereby amended by adding
17 Section 10.100-217, to read as follows:

18 **SEC. 10.100-217. PUBLIC HEALTH SOLID WASTE PENALTIES FUND.**

19 (a) Establishment and Use of Fund. The Public Health Solid Waste Penalties Fund is
20 established as a category eight fund to receive civil penalties from the operators of solid waste facilities
21 as required by California Public Resources Code Section 45010.

22 (b) Use of Fund. The monies are to be used exclusively for enhancing solid waste enforcement,
23 including, but not limited to, all of the following:

24 (1) Increasing enforcement programs;

25 (2) Expanding the agency's enforcement capabilities;

1 (3) Bringing the solid waste facilities into compliance with state and local law; and,

2 (4) Remediating illegal or abandoned solid waste disposal sites.

3 (c) Administration of the Fund. The Director of Health shall approve all expenditures from
4 this fund.

5 Section 3. Effective Date. This ordinance shall become effective 30 days from the
6 date of passage.

7 Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
8 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
9 punctuation, charts, diagrams, or any other constituent part of the Administrative Code that
10 are explicitly shown in this legislation as additions, deletions, Board amendment additions,
11 and Board amendment deletions in accordance with the "Note" that appears under the official
12 title of the legislation.

13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By: 
16 VIRGINIA DARIO ELIZONDO
17 Deputy City Attorney

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