

[Administrative Code - Public Health Solid Waste Penalties Fund]

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

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

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

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130133 and is incorporated herein by reference.

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

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

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

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

*(1) Increasing enforcement programs;*

*(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 (d) In 2013 and 2014, before the Board of Supervisors considers the proposed budget  
6 for the Department of Public Health for Fiscal Year 2013-14 and Fiscal Year 2014-15, the  
7 Department shall submit to the Board of Supervisors a report stating the Public Health Solid  
8 Waste Penalties Fund balance, accrued interest, and amounts and description of all deposits  
9 to and expenditures from the Fund in the previous year.

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

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

18 APPROVED AS TO FORM:  
19 DENNIS J. HERRERA, City Attorney

20 By: \_\_\_\_\_  
21 JON GIVNER  
22 Deputy City Attorney

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