

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE AMENDING RESOLUTION NO. 1060-21,
THE CITY'S FEES, RATES AND CHARGES RESOLUTION,
TO AMEND SECTION 9.07 (SOLID WASTE
ENFORCEMENT FEES) TO ADD ADMINISTRATIVE
CITATION FINES**

WHEREAS, the City Council of the City of Sunnyvale (“City”) adopted Resolution No. 1060-21, the Master Fee Schedule, on June 15, 2021; and

WHEREAS, the City Council is empowered to impose reasonable fees, rates, and charges to offset the costs for municipal services; and

WHEREAS, the City desires to amend Section 9.07, “Solid Waste Enforcement Fees” of the Master Fee Schedule in order to add administrative citation fines and make other administrative changes as set forth in Exhibit “A.”

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE AS FOLLOWS:

1. Section 9.07, “Solid Waste Enforcement Fees” of the Master Fee Schedule, is hereby adopted as set forth in Exhibit "A", attached hereto and incorporated herein.
2. The establishment of fees herein is exempt from the requirements of the California Environmental Quality Act pursuant to Public Resources Code 15378(b)(4) because it is related to the creation of government funding mechanisms or other fiscal activities which do not involve any commitment to any specific project.
3. All other provisions of Resolution No. 1060-21 shall remain in effect.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit A
City of Sunnyvale
Fee Schedule
Section 9.07 Solid Waste Enforcement Fees, **Administrative Citation Fines and Civil Penalties**

	Fiscal Year	Oracle Fund	Oracle Program	Natural Account*	Natural Account Title
	2021/22				
A. Collection and Disposal Fee for Impounded Receptacles	\$1,070.30	6101	14402	TBD	Other Code Violation Fines
B. Third-party costs	Actual Costs	6101	14402	TBD	Other Code Violation Fines
C. Administrative Fee	15% of Total Enforcement Costs	6101	14402	TBD	Other Code Violation Fines
D. Regulatory Compliance	Actual Cost	6101	14402	TBD	Other Code Violation Fines
E. Administrative Citation Schedule for Solid Waste Violations (SMC Ch. 8.16)					
(1) First violation	\$50-\$100	6101	14401	TBD	Other Code Violation Fines
(2) Second violation occurring within 12 months of the most recent citation date	\$100-\$200	6101	14401	TBD	Other Code Violation Fines
(3) Third violation occurring within 12 months of the most recent citation date	\$250-500	6101	14401	TBD	Other Code Violation Fines
F. Civil Penalties for Construction and Demolition (C&D) Diversion Violations (SMC 16.74)					
Failure to meet diversion mandate (16.74.020)	(Project square footage) X (diversion shortfall percent) X (\$1 per square foot)	6101	14402	TBD	Other Code Violation Fines