



Sunnyvale Municipal Code

Title 8. HEALTH AND SANITATION

Chapter 8.16. SOLID WASTE MANAGEMENT AND RECYCLING

8.16.180. Impounding of receptacles placed in violation of chapter.

- (a) Any person who violates Section 8.16.170(a) shall be notified in writing that the prompt and permanent removal is required of any receptacle placed on the premises for collection by a person who is not a city licensed disposal service operator. Written notice shall be posted prominently upon the receptacle. If the receptacle is identified with the name and address or telephone number of the person operating it, notice shall be provided by mail or telephone. Failure to notify any person by phone or by mail shall not invalidate the notice.
- (b) The notice shall inform the person who places or operates the receptacle that the city intends to impound any receptacle which is placed in violation of Section 8.16.170 within the time set forth in the notice, which shall not be less than twenty-four hours after posting of the notice, or not less than six hours after telephonic notification.
- (c) The city may impose fees, costs, charges, and penalties in the amount set forth by city council resolution, unless, within ten city working days from the date of notice, the person who places or operates the receptacle has requested a hearing on removal and impoundment by filing a written request for a hearing with the department of public works, attention solid waste manager. A hearing on impoundment shall be scheduled within three city working days after request.
- (d) Any person who violates this section shall be liable to the city for all penalties. That person or persons shall also be liable for any fees, costs and charges in connection with impounding, collection, transportation, storage and handling of such receptacle by the city, as well as cost recovery pursuant to the applicable utility fee schedule in effect on the date of hearing. The receptacle impounded by the city shall be retrieved by the owner upon proof of ownership of the receptacle after all applicable fees, penalties, costs and charges have been paid. Fees, penalties, costs and charges shall not apply if any person prevails in any hearing adjudicating the matter. In all cases, a receptacle not retrieved after three months shall be deemed abandoned.
- (e) Upon posting of a written notice of violation upon the unauthorized receptacle, no person using the unauthorized receptacle shall place solid waste and recyclable materials therein, or that person will be subject to fees, penalties, costs and charges in the amount set forth in city council resolution. (Ord. 2954-11 § 1; Ord. 2614-99 § 1 (part)).