

CITY OF DANA POINT
AGENDA REPORT

Reviewed By:	
DH	X
CM	X
CA	X

DATE: NOVEMBER 26, 2003

TO: CITY MANAGER/CITY COUNCIL

**FROM: LAWRENCE D. PIERCE, INTERIM DIRECTOR OF PUBLIC WORKS AND ENGINEERING SERVICES
CINDY ASHER, ADMINISTRATIVE MANAGER**

SUBJECT: CONSIDERATION OF AN ORDINANCE ESTABLISHING A CONSTRUCTION AND DEMOLITION WASTE RECYCLING PROGRAM

RECOMMENDED ACTION:

That the City Council:

1. Introduce an ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING TITLE 6 "HEALTH AND SANITATION" OF THE DANA POINT MUNICIPAL CODE TO ESTABLISH THE CONSTRUCTION AND DEMOLITION WASTE RECYCLING PROGRAM; and

2. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING AN APPLICATION FEE AND SECURITY DEPOSIT AMOUNTS FOR THE CONSTRUCTION AND DEMOLITION WASTE RECYCLING PROGRAM

ISSUES:

If the City does not adopt an ordinance mandating the diversion of construction and demolition waste, it will be required, pursuant to SB 1374, to adopt a model ordinance prepared by the State that may not reflect the unique needs of the City.

BACKGROUND:

The California Waste Management Act of 1989 (AB 939) required that each local jurisdiction in the State divert 50% of discarded materials from landfills by December 31, 2000. Dana Point reported a diversion rate of 36% for 2000 and

31% for 2001. The diversion rate for the year 2002 is not available, as the filing date for the 2002 Annual Report has been extended to allow for the State Board of Equalization's release of complete taxable sales data for 2002. Taxable sales data is necessary to calculate an adjustment-method-based diversion rate. The City applied for an extension under Senate Bill 1066 (SB 1066) last August when it failed to meet the 50% percent waste diversion requirement of AB 939.

The application for the SB 1066 extension required the submission of a plan identifying how the City would achieve the 50% diversion rate should the State grant an extension to the mandate. The City of Dana Point's SB 1066 plan made commitments of targeting C&D waste, including adopting an ordinance requiring recycling of C&D waste. Furthermore, SB 1374 mandates a higher recycling rate from the C&D waste. To attain these higher rates, a City ordinance requiring recycling of this waste is necessary.

DISCUSSION:

The C&D Waste Recycling Program, as established by this ordinance, will require that applicants who apply for a construction or demolition project requiring a permit, and that meet a defined threshold, must complete a "C&D Waste Reduction and Recycling Plan". This plan will identify the types of C&D materials, the estimated weight of the materials, and how the applicant plans on recycling or diverting the materials for a particular project. The C&D Compliance Official (a City employee designated by the City Manager) will approve the plan, collect a security deposit, and issue a permit for the project.

After project completion, an applicant submits to the C&D Compliance Official a report summarizing its C&D waste disposal plan, as well as weight slips from recycling facilities. The C&D Compliance Official will compare the project summary report to the original "C&D Waste Reduction and Recycling Plan." If the applicant is in compliance both with disposal goals as stated in its plan and with the ordinance, the security deposit will be refunded to the applicant. However, an applicant can avoid doing a summary report, and get a full refund of their security deposit, if they simply file a statement that all C&D waste went to a City certified recycling facility. Only those facilities that agree to divert at least 50% of C&D Debris received and to provide necessary reports to the City will be eligible for certification. The goal is to encourage the use of certified facilities to ensure maximum diversion is achieved.

A resolution (Action Document B) establishes the administration fee and security deposit amounts. Staff is recommending that the administrative fee be set at \$25.00 as this amount is a standard permit issuance fee already established. Once the program is implemented, staff will better be able to determine the cost of implementing it and will bring back to the City Council those costs for their review. Also included (Supporting Document C) is a comparative analysis of the C&D Program Administrative Fees and Security Deposits that are in effect for the cities

of Laguna Niguel, San Juan Capistrano Laguna Hills (proposed) and San Clemente (proposed). A minimum of (5) different ordinances, already adopted in other California communities, were reviewed by the participating cities. The participating cities who worked jointly to prepare the Construction & Demolition Program Ordinances were: Laguna Hills, Laguna Niguel, San Juan Capistrano, San Clemente and Stanton.

In the event the City falls short of the 50% diversion requirement after the establishment of the C&D Waste Recycling Program, provisions of AB 939 provide that local jurisdictions that have not met the 50% diversion requirement will be in compliance if they have illustrated a “good faith effort” to achieve the 50% diversion requirement. The “good faith effort” status can be attained by implementing recycling programs and other recycling goals, which the City of Dana Point is pursuing. The adoption of a C&D ordinance, for instance, is one of the mandated diversion requirements reported to and approved by the California Integrated Waste Management Board (CIWMB).

NOTIFICATION/FOLLOW-UP:

Melissa Vargas, CIWMB
Dean Ruffridge, CR&R

STRATEGIC PLAN IMPLEMENTATION

In compliance with the Strategic Plan Initiative to maintain, modernize and beautify the City’s infrastructure and neighborhoods, this item addresses recycling construction debris that will accomplish this tactical element.

FISCAL IMPACT:

There are no anticipated fiscal impacts to the City by adopting this ordinance. All costs to administer the ordinance will be covered by the administration fee imposed by the ordinance. All forfeited security deposits will be used for City recycling efforts in accordance to this ordinance.

ALTERNATIVE ACTIONS:

- 1. Other direction to Staff as determined by the City Council.

ACTION DOCUMENTS:

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SUPPORTING DOCUMENTS:

C. Comparative [Analysis](#) of Construction/Demolition Administrative Fees and Security Deposits..... 18

Action Document A – Ordinance**ORDINANCE NO. 03-_____****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING TITLE 6 “HEALTH AND SANITATION” OF THE DANA POINT MUNICIPAL CODE TO ESTABLISH THE CONSTRUCTION AND DEMOLITION WASTE RECYCLING PROGRAM**

WHEREAS, the California Integrated Waste Management Act of 1989 (Assembly Bill 939) requires that each city and county in the state reduce material landfilled by fifty percent (50%) by end of the year 2000; and

WHEREAS, pursuant to AB 939 each city and county in California, including the City of Dana Point (City), could face fines up to \$10,000 a day for not meeting the above-mandated goal; and

WHEREAS, the State of California enacted Senate Bill 1374, legislation requiring cities such as Dana Point to adopt regulations to mandate the diversion of construction and demolition waste in order to remain in compliance with AB 939 materials from the state’s landfills and submit appropriate findings summarizing its progress of diverting these materials from disposal; and

WHEREAS, if the City does not adopt an ordinance mandating the diversion of construction and demolition waste, it will be required, pursuant to SB 1374, to adopt a model ordinance prepared by the State that may not reflect the unique needs of the City; and

WHEREAS, the volume of recyclable construction and demolition debris going to the landfills constitutes a threat to the public health, safety and welfare in that the available landfill capacity and sites are quickly diminishing; and

WHEREAS, the City Council of the City of Dana Point finds and determines that the public interest, health, safety and welfare will be best served if C&D Debris, including that which is self-hauled, is Diverted from landfill disposal for appropriate processing and that the Diversion be monitored by the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DANA POINT DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds as follows:

- A. Title 6, Chapter 6 of the City of Dana Point Municipal Code regulates the storage, removal, transportation and disposal of solid waste.
- B. The State of California through its California Waste Management Act of 1989, Assembly Bill 939 (AB 939), requires that each local jurisdiction in the State divert 50% of discarded materials from landfills by December 31, 2000.
- C. The City of Dana Point has not met its 50% diversion requirement within the timeframes required by AB 939 and hence applied for and received an extension of time to do so pursuant to AB 1066.
- D. In order to maintain its AB 1066 extension, both the terms of said extension and Senate Bill 1374 require the City to track Construction and Demolition Debris generated in the City, and to adopt an ordinance mandating the diversion of 50% of Construction and Demolition Debris generated within the City.
- E. Senate Bill 1374 (SB 1374) requires the CIWMB to adopt a model ordinance by March 1, 2004, and requires, by an unspecified date, local jurisdictions to adopt the model ordinance if the local jurisdiction does not have an ordinance already in place; and further, absent the adoption of this ordinance, the requirement to adopt a model ordinance would not best serve the interests of the City.

SECTION 2. ADDITION OF CHAPTER 6.12.

The City of Dana Point Municipal Code is hereby amended to add a new chapter to Title 6 "Health and Sanitation" as follows:

6.12.010 Declaration of Purpose.

The purpose of this chapter is to promote the recycling of Construction and Demolition Debris in order to protect the public health, safety and welfare and to meet the City's obligations under both AB 939 and SB 1374, and to meet the requirements of the three (3) year extension approved by the California Integrated Waste Management Board under the provisions of Public Resources Code Section 41820 (Senate Bill 1066).

6.12.020 Definitions.

For the purpose of this Chapter, the following definitions shall apply:

- A. "Applicant" means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever who applies to

- the City for the applicable permits to undertake any construction, demolition, or renovation project within the City.
- B. "C&D Compliance Official" means the person designated by the City Manager who is authorized and responsible for implementing this chapter.
 - C. "Construction" means the building, rehabilitation, remodeling, renovation or repair of any facility or structure or any portion thereof, including any tenant improvements to an existing facility or structure.
 - D. "Construction and Demolition Debris" or "C&D Debris" means all waste building materials resulting from Construction or Demolition operations as defined in Title XIV, Division VII, Article IV, Section 17381, subdivision e, of the California Code of Regulations.
 - E. "Covered Project" shall have the meaning set forth in Section 6.12.030 of this Chapter.
 - F. "Demolition" means the decimating, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.
 - G. "Divert", "Diverted," or "Diversion" means to use material for any purpose other than disposal in a landfill or transformation facility.
 - H. "Security Deposit" means the deposit required as security for performance for covered projects to ensure that the Applicant complies with the requirements of this Chapter.

6.12.030 Covered and Non-Covered Projects.

- A. Covered Projects: Except as otherwise set forth herein, all Construction and Demolition projects within the City requiring a building permit, demolition permit, or encroachment permit, are deemed to be Covered Projects for purposes of this Chapter. Concurrent permits at the same site shall be considered "one" Covered Project.
- B. Non-Covered Projects: The following shall not constitute Covered Projects for purposes of this Chapter:
 - (1) Construction or Demolition on residentially zoned premises when the scope thereof is less than 150 square feet.
 - (2) The Construction on pools, spas, or retaining walls on residentially zoned premises.

- (3) Construction or Demolition on commercially zoned premises when the scope thereof is less than 250 square feet.
- (4) The Construction of retaining walls on commercially zoned premises.
- (5) The re-roofing of any residential or commercial structure that does not include the tear-off of an existing roof.

6.12.040 Minimum Construction and Demolition Diversion Requirements.

Every Applicant shall Divert from the landfills or disposal sites a minimum of fifty percent (50%), measured by tonnage, of all Construction or Demolition Debris generated as a result of any Covered Project.

6.12.050 Waste Reduction and Recycling Plan Required.

- A. Prior to issuance of a building, demolition or encroachment permit for any Covered Project, the Applicant shall complete and submit a Waste Reduction and Recycling Plan ("WRRP") to the C&D Compliance Official .
- B. The C&D Compliance Official is authorized to create guidelines setting forth the information to be included in a WRRP, as well as the form thereof. At a minimum, the WRRP shall delineate all of the following:
 - (1) The estimated weight of C&D Debris to be generated by the Covered Project, listed by material types; and
 - (2) The estimated weight of C&D Debris generated by the Covered Project to be Diverted, listed by material types; and
 - (3) The facility or facilities to which C&D Debris will be taken, listed by material types; and
 - (4) The estimated weight of C&D Debris generated by the Covered Project that will be landfilled, listed by material types.

6.12.060 Security Deposit Required.

Except as otherwise specified in this chapter, each applicant who applies for a building, demolition or encroachment permit for a Covered Project, shall remit a Security Deposit in the amount set forth by Resolution of the City Council. The Security Deposit shall be remitted at the same time the permit application is filed, and shall be in the form of cash or cash equivalent such as a cashier's check or credit card payment to the City.

6.12.070 Review of WRRP.

- A Notwithstanding any other provision of this Chapter, no building or demolition permit shall be issued by the City for any Covered Project prior to approval of the WRRP by the C&D Compliance Official. Approval shall not be required if an emergency demolition is required to protect public health or safety.
- B The C&D Compliance Official shall approve a WRRP only if:
- (1) The WRRP provides all the information set forth in Section 6.12.050 and complies with all guidelines as may be established by the C&D Compliance Official; and,
 - (2) The Applicant has paid the Security Deposit required by Section 3.12.060.

6.12.080 Exemptions.

- A. Neither a Waste Reduction and Recycling Plan nor a Security Deposit shall be required for, and the provisions of this Chapter shall not apply to any otherwise Covered Project which meets one or more of the following criteria:
- (1) Work for which only a plumbing permit, only an electrical or only a mechanical permit is required.
 - (2) Seismic tie-down projects.
 - (3) Installation of pre-fabricated patio enclosures and covers where no foundation or other structural building modifications are required.
 - (4) Installation of pre-fabricated accessories such as signs or antennas where no structural building modifications are required.
 - (5) Other work that the C&D Compliance Official determines will not produce a significant quantity of construction or demolition waste.
 - (6) Projects less than 150 square feet in size.
 - (7) Projects which have a valuation of less than \$10,000.
 - (8) Roofing projects that do not include the tear-off of the existing roof.
- B. In order for an Applicant to receive an exemption from an otherwise Covered Project on the basis it falls within one of the exempt categories noted in subdivision A of this Section 6.12.080, the Applicant shall submit

an application for exemption, stating the grounds for the requested exemption, to the C&D Compliance Official who shall grant the exemption request if he determines that the otherwise Covered Project meets one or more of the criteria set forth in subdivision A of this Section 6.12.080.

6.12.090 Summary Report Required.

- A. Within sixty (60) days following the completion of a Covered Project, the Applicant shall, as a condition precedent to release of the Applicant's Security Deposit, submit a Construction and Demolition Waste Recycling and Disposal Report Summary to the C&D Compliance Official, summarizing the Applicant's compliance with the requirements of its Waste Reduction and Recycling Plan.
- B. The C&D Compliance Official is authorized to create guidelines setting forth the information to be included in a Construction and Demolition Waste Recycling and Disposal Report Summary, as well as the form thereof. At a minimum, the Construction and Demolition Waste Recycling and Disposal Report Summary shall contain the following:
- (1) The actual weight of C&D Debris generated by the Covered Project that was Diverted, by material type, the Diversion method utilized, and the actual weight of C&D Debris that was not Diverted, supported by evidence deemed reasonably satisfactory by the C&D Compliance Official to demonstrate the accuracy of the information supplied (such as originals or photocopies of receipts and weight tags or other records of measurement from recycling companies, contractors and/or landfill and disposal companies); and
 - (2) The identity of any processing facility utilized to Divert C&D Debris generated at the Covered Project; and
 - (3) Any barriers encountered that prohibited Diversion of C&D Debris; and
 - (4) Any recommended actions that would further the efforts to Divert and or Recycle C&D Debris; or
- C. As an alternative to providing a Construction and Demolition Waste Recycling and Disposal Report Summary, the Applicant may file a certification under penalty of perjury that all C&D Debris generated by the Covered Project was processed at a City Certified C&D Processing Facility, accompanied by copies of receipts, weight tickets, or other evidence deemed reasonably satisfactory by the C&D Compliance Official to demonstrate that the material in question was processed by a City Certified C&D Processing Facility.

6.12.100 Refund of Security Deposit.

- A. The C&D Compliance Official shall authorize the refund of any Security Deposit which he determines was erroneously paid or collected.
- B. The C&D Compliance Official shall authorize the refund of any Security Deposit when the building permit, demolition permit, or encroachment permit application is withdrawn or cancelled before any work has begun.
- C. The C&D Compliance Official shall authorize the refund of any Security Deposit if the Applicant submits documentation in compliance with Section 6.12.090, subdivision C, demonstrating that all C&D Debris generated by the Covered Project was processed at a City Certified C&D Processing Facility.
- D. The C&D Compliance Official shall authorize the refund of any Security Deposit if the Applicant submits a Construction and Demolition Waste Recycling and Disposal Report Summary in compliance with Section 6.12.090, and demonstrates that the 50% minimum diversion requirement set forth in Section 6-12.040 has been met.
- E. The C&D Compliance Official shall authorize a partial refund of a Security Deposit if the Applicant submits a Construction and Demolition Waste Recycling and Disposal Report Summary in compliance with Section 6.12.090, but less than the minimum diversion requirement is met. The partial refund shall not exceed a percentage of the Security Deposit that is equal to the demonstrated diversion rate for C&D Debris generated by the Covered Project.
- F. The C&D Compliance Official may return all of the Security Deposit if the 50% minimum diversion requirement of Section 6.12.040 is not met, but he nevertheless determines that the Applicant has made a good faith effort to comply with the requirements of this Chapter, and was prevented from doing so. In considering this issue, the C&D Compliance Official may consider information submitted by the Applicant, the availability of markets for the C&D Debris that was not Diverted, the size and type of the Covered Project, the documented efforts of the Applicant to Divert C&D Debris, and barriers to Diversion encountered by the Applicant.
- G. If a Covered Project involves both Demolition and Construction, and if the Applicant does not meet the 50% minimum diversion requirement for the Demolition phase, the C&D Compliance Official may, as an alternative to the other remedies set forth in this Chapter, and as a prerequisite to the return of any Security Deposit, require a diversion rate for the Construction phase of the Covered Project which is high enough to ensure that the combined diversion rate for entirety of the Covered Project (i.e., both

demolition and construction) meets the 50% minimum diversion requirement.

6.12.110 Forfeiture of Security Deposit.

If the C&D Compliance Official determines that the Applicant has not made a good faith effort to comply with this chapter, or if the Applicant fails to submit the documentation required by Sections 6.12.090 and 6.12.100 within the required time periods, then the deposit shall be forfeited to the City.

6.12.120 City Certified C&D Processing Facilities.

- A. A City Certified C&D Processing Facility means a recycling, processing, composting, materials recovery, or re-use facility for which the C&D Compliance Official has issued a certification pursuant to regulations promulgated by the C&D Compliance Official.
- B. The regulations promulgated by the C&D Compliance Official to certify a facility as a City Certified C&D Processing Facility shall at a minimum require that the owner or operator of the facility demonstrate to the reasonable satisfaction of the C&D Compliance Official:
 - (1) that the facility will be able to obtain a Diversion rate of not less than 50% for all C&D Debris delivered to it from Covered Projects in the City; and
 - (2) that the facility will provide satisfactory documentation to the C&D Compliance Official, at such intervals as he may require, demonstrating a Diversion rate of not less than 50% has been achieved for all C&D Debris delivered to it from Covered Projects in the City.
- C. The C&D Compliance Official may revoke any certification it grants pursuant to the regulations he promulgates.
- D. The City shall make available to each Applicant a list of City Certified C&D Processing Facilities.

6.12.130 Administrative Fee.

As a part of any application for, and prior to the issuance of, any building or demolition permit that involves the creation of construction and demolition debris, every applicant for Covered Projects, unless exempt, shall pay to the City a cash fee sufficient to compensate the City for all expenses incurred in reviewing the Waste Reduction and Recycling Plan and reviewing performance of the plan. The amount of this fee shall be set forth in a resolution of the City Council.

6.12.140 Appeals.

The Applicant or any interested person may appeal to the City Manager any decision of the C&D Compliance Official. Notice of any appeal from the decision of the C&D Compliance Official must be filed with the City Manager's Office within ten (10) calendar days of the date of the decision being appealed. The Notice of Appeal shall set forth in concise language that particular decision or decisions complained of and the reason why the person feels aggrieved thereby. Failure to file a notice of appeal within the time prescribed herein shall constitute a waiver of any objection to the decision(s) of the C&D Compliance Official and such decision(s) shall be final; otherwise the decision of the City Manager shall be final. The fee for any appeal authorized herein shall be as set forth by City Council Resolution.

6.12.150 Violations.

- A. Violation of any provision of this Chapter may be enforced by civil action including an action for injunctive relief.
- B. Violations of any provision of this Chapter shall constitute an infraction punishable by a fine as outlined in Section 1.10 of the City of Dana Point Municipal Code. Where the violation is the failure to achieve the 50% minimum diversion requirement and the C&D Debris from the Covered Project has already been landfilled, the violation shall be deemed to have ceased after a period of ten (10) days.

SECTION 3: SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase, or portion of this Ordinance is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, paragraph sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or effective. To this end the provisions of this Ordinance are declared to be severable.

SECTION 3: POSTING OF ORDINANCE.

The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2003.

WILLIAM L. OSSENMACHER, MAYOR

ATTEST:

CATHY CATLETT, INTERIM CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF DANA POINT)

I, Cathy Catlett, Interim City Clerk of the City of Dana Point, California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 03-____ introduced at a regular meeting of the City Council held this _____ day of _____, 2003, and passed and adopted at a regular meeting held _____, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

CATHY CATLETT, INTERIM CITY CLERK

Action Document B – Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING AN APPLICATION FEE AND SECURITY DEPOSIT AMOUNTS FOR THE CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING ORDINANCE PROGRAM

WHEREAS, Senate Bill (SB) 1374 was signed into law in 2002 requiring local jurisdictions to adopt Ordinances to increase the diversion of Construction and Demolition Waste from landfills; and,

WHEREAS, the California Integrated Waste Management Board granted the City of Dana Point a time extension to the 50% diversion requirement, conditioned upon the City adopting such an Ordinance; and,

WHEREAS, the City is responsible for collecting and reporting this information to the California Integrated Waste Management Board, and

WHEREAS, pursuant to Title 6, Chapter 6.12 of the City of Dana Point Municipal Code, each applicant who applies for a building permit for Covered Projects under Section 6.12.030 shall remit a security deposit in an amount set forth in a resolution of the City Council; and,

WHEREAS, pursuant to Title 6, Chapter 6, Section 6.12.130 of the Dana Point Municipal Code, City Council is to establish an appropriate application fee by City Council Resolution; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Security Deposit. For each Covered Project as defined in Title 6, Chapter 6.12 of the Municipal Code the following Security Deposits shall apply:

For Construction or Demolition at residentially zoned premises the security deposit shall be 1% of the valuation of the construction or demolition project.

For Construction or Demolition at commercially zoned premises the security deposit shall be 1% of the valuation of the construction or demolition project.

For all residential re-roof projects requiring tear-off of existing material, the security deposit is 1% of the project valuation or \$100, whichever is greater.

For all non-residential re-roof projects requiring tear-off of existing material, the security deposit is 1% of the project valuation or \$200, whichever is greater.

The application fee for each application for Covered Projects is \$25.00. The provisions of this Resolution shall become effective when the Ordinance # _____ becomes effective.

PASSED, APPROVED, AND ADOPTED this 26th day of November 2003.

WILLIAM L. OSSENMACHER, MAYOR

ATTEST:

CATHY CATLETT, INTERIM CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF DANA POINT)

I, Cathy Catlett, Interim City Clerk of the City of Dana Point, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. _____ adopted by the City Council of the City of Dana Point, California, at a Regular Meeting thereof held on the 26th day of November 2003, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

CATHY CATLETT, INTERIM CITY CLERK

Supporting Document C - Comparative Analysis

Comparative Analysis of
Construction/Demolition Administrative Fees and Security Deposits

Laguna Niguel

Administrative Fee:	No Fee (if you use hauler, i.e., CR&R) Fee Under Review (if you self haul)
Security Deposit:	<p>\$250.00 Re-roofing</p> <p>\$500.00 Renovation in excess of \$10,000 improvement valuation</p> <p>\$750.00 Addition of accessory structure in excess of 250 sq. ft. or \$10,000</p> <p>\$1,000.00 New construction of residential or commercial structure</p> <p>\$1,000.00 Demolition of residential or commercial structure</p>

San Juan Capistrano

Administrative Fee:	\$65.00 (if you use hauler, i.e., CR&R) \$65.00 (if you self haul)
Security Deposit:	One percent (1%) of project valuation except those Projects with less than 250 sq. ft., value is less than \$10,000 or single-family infill unit with a value of less than \$500,000

Laguna Hills – Proposed

Administrative Fee:	\$31.00 (if you use hauler, i.e., CR&R) \$31.00 (if you self haul)
Security Deposit:	<p>\$.20 per sq. ft., in excess of 1,000 sq. ft. not to exceed \$2,500 for residential remodels, new construction and demolition</p> <p>\$.35 per sq. ft., in excess of 2,000 sq. ft. not to exceed \$5,000 for commercial remodels, new construction and demolition</p>

San Clemente – Proposed

Administrative Fee:	No Fee (if you use hauler, i.e., CR&R) \$50.00 Re-roofing
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\$75.00 Alteration or remodel
 \$100.00 Addition to residential or
 commercial structure
 \$150.00 New construction for
 residential or commercial
 structure
 \$15.00 Demolition of residential or
 commercial structure
 \$150.00 City-sponsored project

Security Deposit:

\$250.00 Re-roofing
 \$500.00 Renovation, alteration or
 remodel of residential or
 commercial structure
 \$750.00 Addition to residential or
 commercial structure
 \$1,000.00 New construction of
 residential or commercial
 structure
 \$1,000.00 Demolition of residential or
 commercial structure
 \$1,000.00 City-sponsored project

Dana Point –Proposed

Administrative Fee:

\$25.00 (if you use hauler, i.e., CR&R)
 \$25.00 (if you self haul)

Security Deposit:

One percent (1%) of project valuation
 except those Projects with less than 150
 sq. ft., value is less than \$10,000 except
 residential re-roof – 1% of project
 valuation or \$100.00 whichever is
 greater. Re-roof commercial 1% of
 project valuation or \$200.00 whichever is
 greater