

LEMOORE MUNICIPAL CODE

4-1-4: REFUSE STORAGE REGULATIONS:

C. Placement Of Containers:

2. In areas of the city where refuse is required to be picked up at a front or side yard or alley location, all containers shall be placed at a location specified by the public works director not later than five o'clock (5:00) A.M. on the day of collection and all such containers shall be removed from public view on the same day as collection is made.

4-4-3: PROPERTY STANDARDS:

Unless expressly allowed by the zoning regulations, it is unlawful for any landowner or person leasing, occupying or having charge or possession of any real property in the city to keep, maintain, deposit or perform on such property any of the following and existence of any of the following is hereby declared a public nuisance:

J. City-provided garbage cans or other trash receptacles stored within the front yard or on street, except when placed in locations of collection at times of collection, not extending more than twenty four (24) hours. Any other garbage cans or receptacles visible from the street.



Automated Refuse Collection Service • Phone # 924-6744

CUSTOMER SERVICE NOTICE

Date _____

Service Address _____

Container Serial # _____

Employee's Initials _____

- SERVICE WAS PERFORMED TODAY**
However, your cooperation in correcting the items noted below will be appreciated.
- FOR THE REASON(S) CHECKED BELOW, WE WERE UNABLE TO PROVIDE YOUR SERVICE TODAY:**
- Items around container. We only service containerized refuse
- Container(s) too close to curb
- Overfilled (material must not spill when lifted)
- Packed too tightly
- Automobile too close to container, insufficient space to service container
- Basketball hoop too close to container
- Containers too close to each other. Need to be at least three feet apart
- Cans must be removed from street by 12 midnight on the day of service
- The above container was contaminated: _____

Refuse Recycling Green Waste

City of Lemoore Resolution 999-12 establishes fees for violating the City's Recycling Program.

- First Violation - Warning**
- Subsequent Violation - \$35.00 Fine**

Any fees for violations of the City of Lemoore Recycling Program will be added to your monthly utility bill.

Mayor
Willard Rodarmel
Mayor Pro Tem
John Plourde
Council Members
John Gordon
John Murray
William Segel



Office of the
City Manager

119 Fox Street
Lemoore • CA 93245
Phone • (559) 924-6700
FAX • (559) 924-9003

August 04, 2011

RE: PROPER STORAGE AND MAINTENANCE OF REFUSE CONTAINERS

Dear Community Member,

After speaking to several Lemoore residents, it has been brought to our attention that many of our community members may be unaware that there are City Codes related to the proper storage of refuse containers between pick up dates. Therefore, we would like to take this opportunity to provide you with the following information:

City of Lemoore Municipal Codes 4-1-4 C, 4-1-4 D, and 4-4-3 J require that refuse containers be removed from public view on the same day that refuse is collected. "Removed from public view" means that your refuse containers must be screened from view by a fence or garbage enclosure. This includes all areas of your property that can be seen by the public (e.g. front, back and side yards, and alleyways). In addition, the Code requires your can to be kept in a clean and sanitary condition. While this has not been a major problem in the past, our community is becoming unsightly with the storage of multiple cans in full public view.

Code Enforcement staff members are tasked with eliminating blight from the community by citing property owners when maintenance violations are observed. Please take this opportunity to inspect your property and your refuse can storage areas to make sure that your cans are not visible from public view. If they are, please relocate them to a more suitable location. Storing your cans out of the public view will improve the appearance of your neighborhood and also prevent you from receiving a formal violation.

If you have any questions or concerns regarding this matter, please do not hesitate to contact my office at 924-6701. Office hours are Monday through Friday 8 a.m. to 5 p.m. For your convenience the Lemoore Municipal Code is available on our website at www.lemoore.com. Thank you in advance for your cooperation and for doing your part to help keep Lemoore looking beautiful.

Sincerely,

Nancy Blum
Code Enforcement Officer

Mayor
Willard Rodarmel
Mayor Pro Tem
John Flourde

Council Members
John Gordon
John Murray
William Siegel



EXHIBIT D
Redevelopment
Division

119 Fox Street
Lemoore CA 93245
Phone (559) 924-6701
FAX (559) 924-9003

September 22, 2011

Case Number: 2011-1592

[REDACTED]
[REDACTED] ANTELOPE DR
LEMOORE CA 93245

RE: Violations of Lemoore Municipal Code Sections on property located at [REDACTED] ANTELOPE DR Lemoore, CA (APN# [REDACTED]), hereinafter the 'Property'.

This letter is to address the following violation(s) of the Lemoore Municipal Code at [REDACTED] ANTELOPE DR Lemoore, CA (APN# [REDACTED]); a recent inspection showed that you are in violation of the following:

- | <u>Municipal Code</u> | <u>Violation</u> |
|-----------------------|---|
| 1. 4-4-3.C | Section 4-4-3.C of the City Code disallows one or more of the following: used or damaged lumber, junk, trash, debris, scrap metal, concrete, sand, asphalt, cans, bottles, tires, salvage materials, boxes, containers, bins, and abandoned, discarded, inoperative or unusable furniture, stove, refrigerator, freezer, sink, toilet, cabinet, or other household fixture, yard waste or equipment stored so as to be visible from a public street, alley or from an adjoining property for a period in excess of one week, except nothing herein shall preclude the placement of stacked firewood for use on the premises on the side or rear yards of the premises.

<u>Corrective Action</u>
All wood items, and any miscellaneous trash/debris on the front of your property to include adjacent to the gate shall be removed or stored so as not to be visible from a public street, alley or from an adjoining property within 14 days of the date of this notice. Failure to comply may subject you to penalties outlined in section 1-4-1 of the Lemoore Municipal Code which may include abatement of the problem. |
| 2. 4-4-3.J | Section 4-4-3.J of the City Code disallows City provided garbage cans or other trash receptacles stored within the front yard or on the street, except when placed in locations of collection at times of collection, not extending more than 24 hours. Any other garbage cans or receptacles cannot be visible from street.

<u>Corrective Action</u>
All trash receptacles on the front of your property, city provided or not shall be stored so as to not be visible from a public right of way or neighboring property within 2 days of the date of this notice. Failure to comply may subject you to penalties outlined in section 1-4-1 of the Lemoore Municipal code. (See attached.) |

Should you have any questions or require further information on this matter, please contact a representative of this office at 559-924-6709 between 8:00 A.M. and 5:00 P.M., Monday through Friday. Your anticipated cooperation in this matter is appreciated. If you would like to review the Lemoore Municipal Code go to www.lemoore.com.

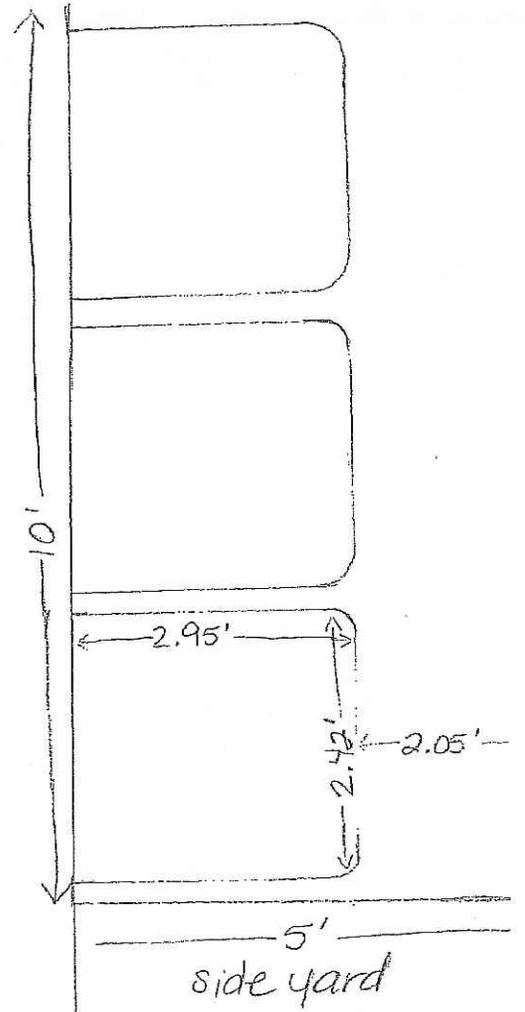
Respectfully,

A handwritten signature in black ink, appearing to read "Nancy Blum".

Nancy Blum

Code Enforcement Officer

EXHIBIT E



Garage

Mayor
John Murray
Mayor Pro Tem
John Grego
Council Members
Mary Hornsby
Ed Martin
Willard Rodarmel



**Redevelopment
Division**

210 Fox Street
Lemoore • CA 93245
Phone • (559) 924-6704
FAX • (559) 924-6743

Staff Report

ITEM
NO. 9

To: Lemoore City Council
From: Judy Holwell, Redevelopment Project Manager
Date: March 1, 2007
Subject: Storage of Refuse/Recycling/Green Waste Containers

Discussion:

Recently there has been a concern by community members regarding the refuse containers being visible from a public right-of-way or neighboring property when being stored on days there is no collection. Mayor Murray recently requested that this item be brought to the Council for discussion. Our Municipal Code clearly states that all such containers be removed from public view on the same day that refuse is collected (see attached ordinances). The City has not aggressively enforced these sections.

As you know, our City has separate trash receptacles for garbage, green waste and recycling. The cans measure 29 inches wide, 35.5 inches deep, and 46.75 inches high. In a side yard with a five foot (5') setback, this leaves approximately 2 feet (2') of space to maneuver the cans for storage (see attached diagram). In addition, the width of the fence may reduce the actual amount of space available by several inches and there may be electrical and/or gas meters, air conditioning units, water faucets, etc. protruding into the setback area as well.

The majority of the approximately 5,410 active refuse accounts in our community currently store their containers on the side of their home; some have theirs screened by a fence, hedge, lattice work, stored in the garage or backyard (see attached pictures). However, for others that do not keep their containers concealed, conditions of blight occur. The following are some suggestions to reduce the number of cans improperly stored:

- Send out an informational flyer to all residences in Lemoore notifying them of such ordinance and encouraging screened storage
- Submit an article to the Lemoore Advance for publication reminding residents of the requirement to move the containers off the street and out of the front yard at times of no collection
- Require new residential developer to provide larger side yard setbacks to ensure adequate space for walkway and storage of containers

If Council recommends changing the Municipal Code, a public meeting should be scheduled to address concerns regarding placement and concealment of the containers.

Budget Impact:

Unknown at this time.

Recommendation:

That Council review and discuss the suggestions listed above and direct staff accordingly.

ITEM _____

**Minutes of the Regular Meeting of the
LEMOORE CITY COUNCIL
March 6, 2007**

ATTENDANCE:

Mayor Murray; Mayor Pro Tem Grego; Council Members Martin, Rodarmel; City Manager Briltz; City Attorney Cantú Montoy; Public Works Director Wlaschin; Parks and Recreation Director Hernandez; Finance Director Cota; Police Chief Morrell; Redevelopment Project Manager Holwell; Planning Director Smyth; Administrative Analyst Tyler; City Clerk Lima.

Council Member Hornsby was absent.

EMPLOYEE OF THE QUARTER – 4TH QUARTER OF 2006:

Mayor Murray presented R.T. Hensen with the Employee of the Quarter Award for the 4th Quarter of 2006.

SWEARING-IN POLICE OFFICER – MICHAEL LOMBARDO:

Police Chief Morrell administered the Oath of Office, Officer Lombardo's mother, Vicky, pinned on his badge. Mayor Murray congratulated Officer Lombardo.

PUBLIC COMMENT:

Council Member Martin introduced, Isabell Espinoza, the teacher and students of the Close Up Program. The program is part of migrant education and the student are learning about government; visiting the School Board, City Council, Board of Supervisors, the State capital and in June going to Washington, D.C. for a week.

CONSENT CALENDAR:

Council Member Rodarmel asked that Item 5E K-9 Officer Premium Pay be pulled for separate consideration.

It was moved by Council Member Martin, seconded by Council Member Rodarmel, and carried that the Council approve the following Consent Calendar:

- A. Approval – Minutes – February 20, 2007
- B. Approval – Minutes – Joint Meeting – February 20, 2007
- C. Approval – Minutes – Special Meeting – February 27, 2007
- D. Approval – Warrant Register

Ayes: Martin, Rodarmel, Grego, Murray

Absent: Hornsby

Council Member Rodarmel brought it to the Council's attention that the City previously had a K-9 unit, but this was the first time it had been included in the MOU.

It was moved by Council Member Rodarmel, seconded by Council Member Martin, and carried that the Council approve Item 5E K-9 Officer Premium Pay.

Ayes: Rodarmel, Martin, Grego, Murray

Absent: Hornsby

PUBLIC HEARING – REPORT AND RECOMMENDATION – RESOLUTION 2007-06 – MASTER USER FEES UPDATE:

Administrative Analyst Tyler reported that this is a routine annual updated based on the 2004 fee study. There are a few additions to the fee schedule and increases above the 4.1% from the *Employee Cost Index for State and Local Government Employees*. The Alcoholic Beverage Control Review fee set by resolution in 1996 was added to the schedule. Animal Control Fees have increased due to the increases included in the City-County Animal Control Services Agreement. Parking-in-Lieu fees were added to the schedule for the downtown area, and PUD Plot Plan Review fees for pre-plotted and non-pre-plotted were added to the schedule.

At 7:52 p.m. Mayor Murray opened the Public Hearing to accept testimony regarding the Master User Fee Schedule.

Jane Dart, 370 E. Bush Street. Asked how long the parking-in-lieu fees had been established. City Manager Britz responded the last time it was paid was approximately 20 years ago.

At 8:03 p.m. the Public Hearing closed.

Council discussed Animal Control and shopping carts at length. Staff was directed to bring back a discussion item for a future study session on shopping carts.

It was moved by Council Member Rodarmel, seconded by Council Member Grego, and carried that the Council approve Resolution 2007-06 establishing the 2007 Master User Fee Schedule.

Ayes: Rodarmel, Grego, Martin, Murray

Absent: Hornsby

REPORT AND RECOMMENDATION – FIRST READING ORDINANCE 2007-02 - ELEMENTARY SCHOOL DISTRICT SCHOOL SITE PURCHASES:

Planning Director Smyth reported the ordinance, which by State law only applies to elementary schools, would ensure that developers could not purchase land and then sell it directly to the districts for elementary schools at an exorbitant profit.

It was moved by Council Member Martin, seconded by Council Member Rodarmel, and carried that the Council waive the first reading of Ordinance 2007-02

adding Section 8-7I-7 to the Dedications and Reservations section of the Lemoore Municipal Code.

Ayes: Martin, Rodarmel, Grego, Murray

Absent: Hornsby

DISCUSSION – SOLAR POWER – NEW DEVELOPMENT:

Administrative Analyst Tyler turned the item over to Council Member Grego. Council Member Grego briefly reviewed the items the Solar Ad Hoc Committee explored:

1. Local Building Code must be in agreement with State Building Codes.
2. What can proactively be done to promote solar applications?
3. Incentives.
4. Available State Funds.
5. Mandates

The committee recommended placing a cap on the permitting fees for solar applications in an effort to encourage such applications.

Council discussion and direction to staff was to look at requiring pre-wiring and pre-plumbing for solar, for new development to offer solar systems as an option, removing the permitting fee for 1-2 years, and look at possible low-interest financing for solar systems.

DISCUSSION – SCREENING OF REFUSE/RECYCLING/GREEN WASTE CONTAINERS:

Redevelopment Project Manager Howell gave a brief slide presentation showing the storage of the containers around the City. Ms. Howell reviewed the Municipal Code with the Council. Public Works Director Wlaschin assisted Ms. Howell with a demonstration of the three containers within the normal side yard setback.

Council discussion and direction to staff included requiring future development to provide a screening/space for the three containers and an educational campaign to educate the citizenry of the law requiring the containers to be out of sight.

DEPARTMENT/CITY MANAGER REPORTS:

Public Works Director Wlaschin reported that on March 17th there will be e-waste and u-waste recycling at Lemoore Elementary School and the upcoming newsletter on recycling will also include the coupon for taking spring clean-up items to Kings Waste and Recycling at no charge for one load.

Mr. Wlaschin also notified Council of possible water issues as a header pipe is being replaced at G Street this month.

COUNCIL REPORTS AND REQUESTS FOR INFORMATION:

Mayor Murray inquired if the City is close to resolving the issue regarding Council Member Hornsby's property. Mr. Murray closed inviting all to stop by and see his solar application.

RDA MEETING: At 9:07 p.m., Council adjourned to sit as the Redevelopment Agency of the City of Lemoore and reconvened as City Council at 9:10 p.m.

CLOSED SESSION:
At 9:11 p.m., the Board adjourned to Closed Session regarding Labor Negotiations. There was no announcement.

ADJOURNMENT:
The meeting adjourned at 9:30 p.m.

Full digital audio recording is available.

Approved the 20th day of March, 2007.

John F. Murray, Mayor

Attest:

Nanci C. O. Lima, City Clerk

Mayor
John Murray
Mayor Pro Tem
John Grego
Council Members
Mary Hornsby
Ed Martin
Willard Rodarmel



Redevelopment Division

210 Fox Street
Lemoore • CA 93245
Phone (559) 924-6701
FAX (559) 924-6743

What to do with not One, not Two, But Three Refuse Containers...

This is a friendly reminder that your refuse containers are to be removed from public view on the same day as collection is made. This means that cans should be placed in backyards, side yards, garages, etc.

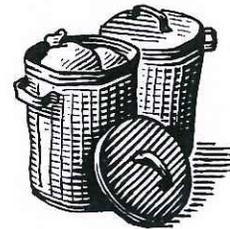


The Lemoore Municipal Code section 4-1-4.C.2 states...

In areas of the city where refuse is required to be picked up at a front or side yard or alley location, all containers shall be placed at a location specified by the public works director not later than 5 o'clock (5:00) A.M. on the day of collection and ALL SUCH CONTAINERS SHALL BE REMOVED FROM PUBLIC VIEW ON THE SAME DAY AS COLLECTION IS MADE.

Here is a listing of what some community members are doing to reduce the visual blight created when numerous trash receptacles are left in public view:

Store the containers... in a fenced side or backyard
behind lattice work
behind a brick or wooden fence on your side yard
behind a hedge planted around the storage area
in your garage



Alleys are public rights-of-way too! Again, refuse containers are to be stored in backyards or screened.

City staff will be more active in enforcing the Lemoore Municipal Code. Please do your part to keep our community looking its best!