

**San Francisco Department of Public Health
Environmental Health Section
1390 Market Street, Suite 210
San Francisco, CA 94102**



**Director's Rules and Regulations
Garbage and Refuse
ADOPTED JULY 8, 2010**

**Pursuant to Article 6, Sec. 291
of the San Francisco Health Code**

INTRODUCTION

Ongoing and adequate refuse collection service is necessary to protect public health and contribute toward the creation of a healthy community. In San Francisco, the owner of any dwelling or commercial property is required to subscribe and pay for adequate refuse collection service. This service must be provided by a licensed refuse collection company using permitted vehicles.

These regulations have been drafted pursuant to San Francisco Health Code Article 6, Section 291.2 (“Failure to Initiate Service, Maintain Adequate Service or to Provide Sufficient Refuse Containers”).

REGULATORY AUTHORITY

San Francisco Health Code Article 6 (Garbage and Refuse) regulates the generation, handling, transportation, and disposal of refuse in the City and County of San Francisco.

Section 291.2 of the San Francisco Health Code requires the owner to initiate adequate refuse collection service within 15 days of occupancy of a dwelling or commercial property. In order to ensure the initiation, adequacy and payment of refuse collection services the Director may adopt forms, regulations, and guidelines. The following regulations have been proposed to meet this requirement.

REGULATIONS

I. DEFINITIONS

“Adequate Refuse Collection Service” means that a dwelling or commercial property is serviced by a licensed collector for recyclables, compostables and trash, and that the level of service is sufficient to contain the refuse generated at that dwelling or commercial property.

II. REQUIREMENTS

Solid Waste Requirements for Property Owners and Property Managers of Multi-Family dwelling or Multi-Tenant Commercial Property

1. Property owners shall inform tenants of the requirement to subscribe to adequate licensed refuse collection service.
2. Property owners shall develop refuse disposal procedures for tenants.
3. Property owners shall inform tenants of refuse disposal procedures.
4. Property owners shall ensure all residential and commercial tenants are serviced by licensed refuse collection service.
5. Property owners shall ensure adequate licensed refuse collection service is provided.

6. Property owners shall ensure an adequate number of approved refuse containers are provided.
7. Property owners shall ensure bills for licensed refuse collection services are paid. Failure to pay for licensed refuse collection service shall result in a lien placed against the property, with the property owner responsible for all costs.
8. Property owners shall ensure that when a vacancy occurs, refuse collection service is stopped or reduced, unless the unit will be reoccupied within 30 days. Failure to do so may result in the continuation of service. Failure to pay for licensed refuse collection service shall result in a lien placed against the property, with the property owner responsible for all costs.
9. Property owners shall ensure refuse cans are accessible for the collector to empty.
10. Property owners shall ensure refuse storage areas are maintained in a clean and sanitary condition, so as not to create a public health nuisance, at all times.

Solid Waste Requirements for Employees and Contractors in Multi-Family dwelling or Multi-Tenant Commercial Property

1. Employees and Contractors shall ensure refuse is handled in a manner as to not create a public health nuisance.
2. Employees and Contractors shall ensure refuse is disposed in a manner consistent with property owner's procedures.

Solid Waste Requirements for Tenants and their visitors in Multi-Family dwelling or Multi-Tenant Commercial Property

1. Tenants shall ensure refuse is handled in a manner as to not create a public health nuisance.
2. Tenants shall ensure refuse is disposed in a manner consistent with property owners procedures.
3. If service subscription is under the tenant's name, failure to pay delinquent refuse bills will result in the placement of lien against the property. The property owner is legally responsible for payment of the lien.

Department of Public Health Roles and Responsibilities

1. DPH shall investigate complaints and referrals to ensure all residential and commercial tenants have an adequate licensed refuse collection service.
2. DPH shall require adequate licensed refuse collection service is provided when deemed necessary.
3. DPH shall require an adequate number of refuse containers are provided.
4. DPH shall initiate refuse collection service if the owner/tenant does not when required.

5. DPH shall ensure bills for licensed refuse collection services are paid, either following a complaint of nonpayment for residential service or noncompliance with an order for commercial service.
6. DPH may order administrative fines and penalties when refuse service is not subscribed to or delinquent charges are not paid by the owner of the property.
7. DPH shall process payments for residential refuse service following a complaint of nonpayment, and for commercial service following noncompliance with an order of the Director of Public Health, and place a lien on the property in the amount paid, with the property owner responsible for all costs.
8. DPH shall require refuse cans are accessible for the collector to empty.
9. DPH shall require refuse storage areas are maintained in a clean and sanitary manner, so as not to create a public nuisance, at all times.