



# City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

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Gil Coerper  
Mayor

September 18, 2007

Honorable Nancy Wieben Stock  
Presiding Judge of the Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

Dear Judge Stock:

**SUBJECT: GRAND JURY REPORT-- ASSEMBLY BILL 939 WASTE  
DIVERSION: ARE WE FINALLY MAKING PROGRESS?**

Per your request, the following is the City of Huntington Beach's response to the subject report.

**Finding F-6: The presence of non-franchised haulers and so-called "Ghost Haulers" bins, in cities which bypass the recycling system, needs to be corrected in order to establish the waste hauler's confidence that their municipalities are looking out for their best interests.**

**Response:** The City of Huntington Beach partially disagrees with finding. This type of activity has not been a major issue in the City of Huntington Beach, and the City of Huntington Beach and its franchised hauler have an excellent working relationship. The City of Huntington Beach agrees that municipalities that find their diversion rates adversely impacted by the presence of non-franchised haulers operating in their city could facilitate the waste diversion efforts of their franchised haulers by acting to curtail illegitimate hauling activity.

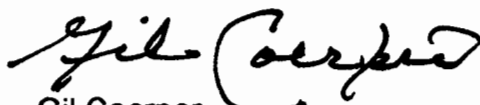
**Recommendation R-6: Municipalities need to solve their unauthorized waste bin problems by enacting city ordinances forbidding these practices, imposing fines, including stepped-up fines for additional violations, and impounding unauthorized bins.**

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Page 2

**Response:** Agree. This recommendation has been implemented by the City of Huntington Beach with the adoption of Municipal Code Chapter 8.21, Refuse Management, in 2002. City staff, in conjunction with our franchised hauler, posts unauthorized bins with a 24-hour notice to remove. Bins that are not removed in the prescribed time are impounded. The owner of the bin must pay an impound fee and the cost of hauling and disposal in order to recover the bin. Staff also works to educate contractors, business owners, and residents about the city's solid waste franchise to achieve compliance.

Thank you for the opportunity to respond to the 2006-2007 Orange County Grand Jury Report regarding waste diversion in the County of Orange.

Sincerely,

A handwritten signature in black ink that reads "Gil Coerper". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

Gil Coerper  
Mayor