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Alameda County Waste Management Authority v. Waste Connections US, Inc.

Court of Appeal, First District, Division 2, California - August 18, 2021 - Cal.Rptr.3d - 2021 WL 3661201 - 21 Cal. Daily Op. Serv. 8550 - 2021 Daily Journal D.A.R. 8624

County waste management authority sued three out-of-county landfills that disposed of waste originating in the county, petitioning for injunctive or declaratory relief to enforce its authority to inspect specified records kept by the landfills.

The Superior Court granted county authority's motion for judgment on the pleadings and compelled landfills to allow inspection. Landfills appealed.

The Court of Appeal held that:

- The Integrated Waste Management Act authorized county authority to inspect and copy the records it sought without precondition, and
- County authority was entitled to judgment on the pleadings.

The language "as necessary to enforce the collection of local fees" in subsection of the Integrated Waste Management Act which governed local governments' rights to inspect and copy specified records related to waste originating in their jurisdiction did not impose as a precondition any factual showing of necessity; that language stated just one purpose for which local government entities could use the records, the mechanism provided for government entities to enforce their authority to inspect indicated inspection was a power or a right, "as necessary" did not inevitably mean "essential," and read in the context of the entire section and its legislative history, that language meant that local agencies with fee ordinances were entitled to inspect and copy the records without precondition.

County waste management authority was entitled to judgment on the pleadings in case in which county authority sued landfills to enforce its statutory authority to inspect and copy specified records kept by the landfills related to waste originating in the county, where the only issue where there was a real dispute was a legal one, regarding the interpretation of a subsection of the Integrated Waste Management Act which governed local governments' rights to inspect and copy such records, and the statute required no showing of factual necessity for county authority to be authorized to inspect and copy the records.