

MEMORANDUM

TO: Executive Board of Commissioners
FROM: Joey Catania, Compliance & Safety Manager
DATE: June 11, 2025
RE: The Lighthouse Restaurant Notice of Violation

SYNOPSIS

On April 16, 2025, the Lighthouse Restaurant and Lounge was issued a Proposed Order as the result of a Notice of Violation for failure to separate and divert food waste. That Proposed Order found the Lighthouse to have committed Unlawful Conduct by violating Section 3.8 and 3.9 of the Solid Waste Management Ordinance (SWMO) and required the Lighthouse to come into compliance with CSWD's SWMO and submit a corrective action plan to CSWD staff within 15 days of the Proposed Order.

As of the date of this memo, no corrective action plan has been submitted to CSWD staff, despite several efforts made to communicate with the Lighthouse.

Further, CSWD staff have documented that a compost tote that is now stationed at the Hampton Inn, adjacent to the Lighthouse, is not actively in use. Staff were able to document that the same liner remained in the tote, unused, for several days.

As such, a second NOV was issued on May 30, 2025, citing the Lighthouse remains out of compliance with section 3.8 and 3.9 of the SWMO. As of the date of this memo, no response to this NOV has been received by CSWD staff.

SWMO AUTHORITY

Penalties for Unlawful Conduct. Any Person who engages in any Unlawful Conduct shall be subject to a civil penalty of not more than Eight Hundred Dollars (\$800) for each violation or, if lower, the maximum amount allowed by law. Each instance of Unlawful Conduct shall be a separate violation. In the event of other Unlawful Conduct which is deemed "continuing", the Person who engages in such conduct shall be subject to a civil penalty of not more than Eight Hundred Dollars (\$800), plus not more than One Hundred Dollars (\$100) for each succeeding day, or, if lower, the maximum amounts allowed by law. All penalties for Unlawful Conduct under this Ordinance shall be paid to the District.

Should the Executive Board find that the violations are "continuing" and decide to pursue the full civil penalties, as written in the SWMO, the Executive Board would need to determine which date constitutes the start of the action. To calculate the extent of the civil penalties, relevant dates and amounts for the consideration of the Executive Board are listed below:

Action	Date Action Initiated	Cumulative Total – Allowable Penalties
First NOV issued	2/28/2025	\$12,200
Executive Board Meeting #1	3/17/2025	\$10,800
Executive Board Meeting #2	4/14/2025	\$7,900
Proposed Order issued	4/16/2025	\$7,700
15 days post Proposed Order	5/1/2025	\$6,300
Second NOV issued	5/30/2025	\$3,200

STAFF RECOMMENDATION

CSWD staff recommend the Executive Board find the Lighthouse Restaurant and Lounge in violation of Solid Waste Management Ordinance sections 3.8 and 3.9 and impose a civil penalty of Eight Hundred Dollars (\$800) per violation, for a total civil penalty of \$1,600. Staff is not pursuing daily, “continuing” civil penalties.

Staff further recommends that the Executive Board require the Lighthouse Restaurant and Lounge must come into compliance with all SWMO requirements, submit a Corrective Action Plan, as defined by CSWD Staff, and allow for a scheduled, on site, review of the implemented Corrective Action Plan with CSWD Staff and Lighthouse Management within fifteen (15) days of receipt of the Proposed Order.