

ORDINANCE NO. 04-2021

CAMBRIA COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS

DATED: November 10, 2021

AN ORDINANCE ADDING CHAPTER 6.09, MANDATORY  
ORGANIC WASTE DISPOSAL REDUCTION, TO THE CAMBRIA  
COMMUNITY SERVICES DISTRICT MUNICIPAL CODE  
TO COMPLY WITH THE REQUIREMENTS OF SB 1383

**WHEREAS**, State recycling law, Assembly Bill 939 of 1989, the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et seq., as amended, supplemented, superseded, and replaced from time to time), requires cities, counties and districts to reduce, reuse, and recycle (including composting) Solid Waste generated in their jurisdiction to the maximum extent feasible before any incineration or landfill disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment; and

**WHEREAS**, State recycling law, Assembly Bill 341 of 2011 (approved by the Governor of the State of California on October 5, 2011, which amended Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, and added Sections 40004, 41734.5, and 41780.01 and Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and added and repealed Section 41780.02 of, the Public Resources Code, as amended, supplemented, superseded and replaced from time to time), places requirements on Commercial Businesses and Multi-Family Premises that generate a specified threshold amount of Solid Waste to arrange for recycling services and requires jurisdictions to implement a mandatory Commercial recycling program; and

**WHEREAS**, State Organics Materials recycling law, Assembly Bill 1826 of 2014 (approved by the Governor of the State of California on September 28, 2014, which added Chapter 12.9 (commencing with Section 42649.8) to Part 3 of Division 30 of the Public Resources Code, relating to Solid Waste, as amended, supplemented, superseded, and replaced from time to time), requires Commercial Businesses and Multi-Family Premises that generate a specified threshold amount of Solid Waste, Recyclable Materials, and Organic Materials per week to arrange for recycling services for that waste, requires jurisdictions to implement a recycling program to divert Organic Materials from Commercial Businesses and Multi-Family Premises subject to the law, and requires jurisdictions to implement a mandatory Commercial Organic Materials recycling program; and

**WHEREAS**, SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires CalRecycle to develop regulations to reduce Organic Waste in landfills as a source of methane. The regulations place requirements on multiple entities including jurisdictions, residential households, Multi-Family Premises, Commercial Businesses, Commercial

Edible Food Generators, haulers, Self-Haulers, Food Recovery Organizations, and Food Recovery Services to support achievement of the SB 1383 statewide Organic Waste disposal reduction targets; and

**WHEREAS**, SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires jurisdictions to adopt and enforce an ordinance or enforceable mechanism to implement relevant provisions of SB 1383 Regulations. This Ordinance will also help reduce food insecurity by requiring Commercial Edible Food Generators to arrange to have the maximum amount of their Edible Food, that would otherwise be disposed, be recovered for human consumption; and

**WHEREAS**, requirements in this Ordinance are consistent with other adopted goals and policies of the Cambria Community Services District; and

**WHEREAS**, the Board of Directors of the Cambria Community Services District now desires to add Chapter 6.09 to the Cambria Community Services District Municipal Code to provide for the implementation of SB 1383.

The Board of Directors of the Cambria Community Services District Ordains as follows:

**Section 1.** The above recitals are true and correct and are hereby incorporated herein by this reference.

**Section 2.** Chapter 6.09, entitled “Mandatory Organic Waste Disposal Reduction,” is hereby added to the Cambria Community Services District Municipal Code, as set forth in Exhibit A, which Exhibit is attached hereto and incorporated herein by this reference.

**Section 4.** A summary of this Ordinance shall be published in a newspaper published and circulated in the District at least five (5) days prior to the Board of Directors meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the Board Secretary. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those Board members voting for and against the Ordinance shall be published again, and the Board Secretary shall post a certified copy of the full text of such adopted Ordinance.

**Section 5.** This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage and Chapter 6.09 shall be effective commencing on January 1, 2022.

**Section 6.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

The foregoing Ordinance was adopted at a regular meeting of the Board of Directors of the Cambria Community Services District held on the 10<sup>th</sup> day of November, 2021.

AYES:

NAYS:

ABSENT:

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Cindy Steidel  
President, Board of Directors

APPROVED AS TO FORM:

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Ossana Terterian  
Board Secretary

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Timothy J. Carmel  
District Counsel