



## Staff Report

**TO:** City Council  
**FROM:** Sue Foxworth, Solid Waste and Recycling Manager  
**DATE:** November 16, 2021  
**SUBJECT:** **Second Reading of an Ordinance Amending and Restating Chapter 8.12 (Solid Waste Management) of the City of Beaumont Municipal Code**

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### **Background and Analysis:**

The legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989, (AB 939 or the "Act" codified at Public Resources Code §§ 4000 et seq.) established a solid waste management process which requires cities and other local jurisdictions to implement plans for source reduction, reuse, and recycling as integrated waste management practices for solid waste attributed to sources within their respective jurisdictions.

The Act provides that aspects of solid waste handling of local concern include but are not limited to frequency of collection, means of collection and transportation, level of services, charges and fees, and nature, location and extent of providing solid waste services. The Act encompasses mandates including Assembly Bill (AB) 341 and AB 1826, as well as the newly adopted Short-Lived Climate Pollutants mandate, Senate Bill (SB) 1383.

SB 1383 builds on existing legislation, AB 341 and AB 1826. The stated purpose of SB 1383 is to reduce organic waste disposal, recover edible food waste from the waste stream, and reduce methane emissions. The goal of SB 1383 is to reduce greenhouse gas emissions to 40% below 1990 levels by year 2030. To achieve this, the target is to reduce organic waste that ends up in the landfill 50% by year 2020, and 70% by year 2025. In addition to reducing landfilled organics by 75% the State will also require recovery of edible food that is currently thrown away by 20% through programs such as establishing edible food recovery programs. In order to achieve the reduction of landfilled waste and increase recovery, the State has mandated the following:

1. Provide organics collection services to all residents, multi-family complexes and businesses;
2. Establish edible food recovery programs;
3. Conduct education and outreach to the community;
4. Procure recyclable and recovered organics products; and
5. Monitor compliance and conduct enforcement.

The proposed ordinance maintains the same structure as the existing code, but adds and addresses the required elements of SB 1383, including:

Collection Services: Trash, recyclable and organic collection services for all commercial, multi-family and residential accounts are required unless a commercial waiver is granted;

Commercial Edible Food Generator: These generators are required to recover the maximum amount of edible food that would otherwise be disposed in the waste stream and implement related programs. These generators shall maintain and provide record access to City staff;

Food Recovery Organizations: Shall maintain and provide record access to City staff;

Inspections and Investigations: City representatives are authorized to conduct inspections and investigations to conform compliance. Regulated entities shall provide access and cooperate with City staff during the process; and

Enforcement: Violation of any provision of the provisions of the ordinance shall be a misdemeanor that may be enforced by the City in any manner authorized by law, including but not limited to an administrative citation, criminal citation, nuisance abatement action, or civil action.

On May 7, 2017, the City Council unanimously approved a Collection Services Agreement for the Provision of Residential and Commercial Garbage, Recyclable Materials and Organics Waste Collection Services between the City and USA Waste of California, Inc., d.b.a. Waste Management of the Inland Empire. The agreement went into effect of July 1, 2019. The proposed ordinance contains the necessary provisions and enforcement mechanisms to ensure that residents and property owners, as well as the City's franchisee, Waste Manage of the Inland Empire, comply with the state law requirements concerning solid waste including SB 1383, Short-Lived Climate Pollutants mandate.

On November 2, 2021, the City Council approved the first reading of the ordinance amending and restating Chapter 8.12 (Solid Waste Management) of the City of Beaumont Municipal Code.

**Fiscal Impact:**

It is estimated that the cost to prepare this report is approximately \$500 and the cost to prepare the ordinance is approximately \$2,500.

**Recommended Action:**

Waive the second full reading and approve by title only, "An Ordinance of the City Council of the City of Beaumont, California, Amending and Restating Chapter 8.12 (Solid Waste Management) of the City of Beaumont Municipal Code."

**Attachments:**

- A. Ordinance
- B. Exhibit A to Ordinance