



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 3/19/2024

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DATE: March 14, 2024  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Introduce an Ordinance titled, "An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 1, Article III, 'Administrative Citations,' Chapter 11, 'Garbage, Refuse, and Weeds,' and Chapter 16, 'Noise' of the Town Code"

**RECOMMENDATION:**

Introduce an Ordinance titled, "An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 1, Article III, 'Administrative Citations,' Chapter 11, 'Garbage, Refuse, and Weeds,' and Chapter 16, 'Noise' of the Town Code."

**BACKGROUND:**

In September 2016, Governor Jerry Brown signed into law Senate Bill 1383 (SB 1383) with regulations finalized in November 2020. The purpose of this bill is to establish methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP).

While SB 1383 addresses a number of issues related to organics recycling, it also requires jurisdictions to have a mechanism to enforce a 65% recovery rate on construction and demolition (C&D) debris. All projects that require a local construction permit must divert at least 65% of their C&D away from landfills.

At the December 5, 2022 West Valley Solid Waste Management Authority (the Authority) Board Meeting, the Board directed the Authority to establish a non-exclusive system for collecting and recycling Construction and Demolition (C&D) debris, to become effective on March 1, 2024.

**PREPARED BY:** Marina Chislett  
Environmental Programs Specialist

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Director of Parks and Public Works

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SUBJECT: Introduce an Ordinance by Title Only, Amending Town Code Provisions Related to Construction and Demolition Debris, Organic Waste, and Waste Collection – Town Code Chapter 1 Article III, “Administrative Citations,” Chapter 11, “Garbage, Refuse, and Weeds,” and Chapter 16, “Noise”

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BACKGROUND (continued):

The Authority presented the Board with a recommendation to manage C&D materials in an effective way that allows for competition, improved service, compliance with SB 1383, and more accurate reporting. The Board accepted the recommendation and directed the Authority staff to develop regulatory documents and criteria for selecting C&D collection contractors and certified C&D processing facilities.

In reviewing the existing Town Code to make the Authority’s recommended changes, staff noticed that Town Code sections addressing administrative citations and noise limits for collection vehicles needed to be updated as well.

DISCUSSION:

Town staff worked closely with Authority staff develop the proposed updates to the Town Code. The updates provide for a non-exclusive construction and demolition debris removal process and correct inaccuracies regarding enforcement penalty amounts for non-compliance and redundancies. Changes are proposed to Chapter 1, Article III, “Administrative Citations,” Chapter 11, “Garbage, Refuse, and Weeds,” and Chapter 16, “Noise.” Below are summaries of the proposed changes. A redline showing the proposed change is attached as Attachment 1 and the clean ordinance for introduction is contained in Attachment 2.

CONCLUSION:

Staff recommends that the Town Council introduce an Ordinance titled, “An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 1, Article III, ‘Administrative Citations,’ Chapter 11, ‘Garbage, Refuse, and Weeds,’ and Chapter 16, ‘Noise’” of the Town Code Amending Town Code Provisions Related to Construction and Demolition Debris, Organic Waste, and Waste Collection.

FISCAL IMPACT:

This is no fiscal impact for this item.

ENVIRONMENTAL ASSESSMENT:

This Ordinance is not a project defined under CEQA.

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Attachments:

1. Draft Organic Waste Ordinance Redline
2. Organic Waste Ordinance