

# Ordinance Fact Sheet

**TO:** City Council

**DATE:** February 28, 2022

**FROM:** City Attorney

**SUBJECT: ORGANICS RECYCLING ORDINANCE**

**TITLE OF PROPOSED ORDINANCE:**

**ORDINANCE OF THE CITY OF PASADENA ADDING A NEW CHAPTER 8.66 TO TITLE 8 OF THE PASADENA MUNICIPAL CODE ENTITLED "ORGANICS RECYCLING REQUIREMENTS FOR RESIDENTIAL AND COMMERCIAL GENERATORS, HAULERS, TREATMENT FACILITIES, EDIBLE FOOD GENERATORS AND RECOVERY ORGANIZATIONS"**

**PURPOSE OF THE ORDINANCE:**

This Ordinance is required to comply with a new organics recycling law (SB 1383) that requires jurisdictions expand organic waste recycling, reduce the amount of organic material going to landfills, and thereby reduce greenhouse gases such as methane that significantly contribute to climate change. SB1383 requires a 50% reduction in organic waste disposal by 2020 and 75% by 2025. Under the new law, cities in California are required to provide organic waste collection service to all residents and businesses.

SB1383 requires that the City provide adequate resources for the implementation of the following programs:

- Organic waste collection service to all residents and businesses;
- Establish edible food recovery and donation programs for Tier 1 (supermarkets, wholesale food vendors) and Tier 2 (hospitals, large venues, large restaurants) commercial edible food generators;
- Conduct education and outreach to all organic waste generators;
- Procure certain levels of recyclable and recovered organic products; and
- Monitor compliance and, effective January 1, 2024, conduct enforcement.

MEETING OF 02/28/2022

AGENDA ITEM NO. 12

**REASON WHY LEGISLATION IS NEEDED:**

At its January 24, 2022 meeting, the City Council directed the City Attorney to prepare this ordinance. SB1383 requires cities to adopt an ordinance to mandate that organic waste generators, haulers and other entities subject to cities' authority comply with SB1383 regulatory requirements, including residents, businesses, institutions, and food recovery organizations.

**PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:**

The Departments of Public Works; Finance; and Parks, Recreation and Community Services will be affected by this ordinance.

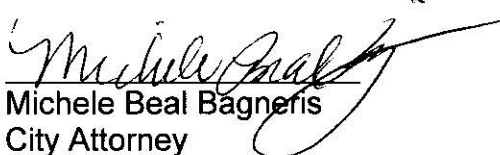
**FISCAL IMPACT**

With this action, the fiscal impact to the City's Refuse Fund is anticipated to be about \$400,000 per year. Currently, there are sufficient funds in the refuse fund account 40622088 to absorb these costs through the next fiscal year. A comprehensive rate study will be performed in 2022 to determine the overall cost of providing service and corresponding rate adjustments to cover continued operating costs and reserves as required. The last solid waste rate study was performed in 2010, with rates last updated in 2012. Staff will utilize the existing budget to provide technical assistance to impacted businesses and conduct community outreach and educate the public via print ads publicizing the new ordinance and new program best practices.


**ENVIRONMENTAL DETERMINATION:**

On January 24, 2022, the Council determined that the proposed action is exempt from review under the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15061(b)(3), the "general rule" that CEQA only applies to projects that have the potential for causing a significant effect on the environment.

Respectfully submitted,

  
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