

**ORDINANCE 22-1**  
**AMENDING ORDINANCE 16-1**

**AN ORDINANCE OF THE CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY**  
**AMENDING THE ADMINISTRATIVE CITATIONS AND OTHER REMEDIES**  
**ORDINANCE**

**WHEREAS**, On February 25, 2016, the Central Contra Costa Solid Waste Authority (“CCCSWA”) Board of Directors adopted Ordinance 16-1 (Administrative Citations and Other Remedies), providing a system for administrative citations and enacting administrative procedures that govern the imposition, enforcement, collection, and administrative review of administrative fines and penalties for violations of CCCSWA’s ordinances; and

**WHEREAS**, CCCSWA Ordinance 16-1 at Section 1(B) provides: “The administrative enforcement permitted by this ordinance will not be used at this time in unincorporated [Contra Costa] County areas;” and

**WHEREAS**, On December 9, 2021, the CCCSWA Board of Directors adopted Ordinance 21-1 (Mandatory Organic Waste Disposal Reduction), as required by California Department of Resources Recycling and Recovery (“CalRecycle”) regulations implementing Senate Bill 1383 (Short-Lived Climate Pollutant Reduction Act of 2016) (“SB 1383”). The SB 1383 regulations generally address requirements applicable to organic waste collection services, inspection of waste containers for prohibited contaminants, regulation of commercial edible food generators, provision of education and outreach information to generators, reporting to CalRecycle on compliance with the SB 1383 regulations, and maintenance of records of compliance with the SB 1383 regulations, with the goal of achievement of statewide organic waste disposal reduction targets; and

**WHEREAS**, CCCSWA Ordinance 21-1 implements relevant provisions of the SB 1383 regulations on behalf of CCCSWA’s member agencies throughout CCCSWA’s territory, including the portions of unincorporated Contra Costa County within CCCSWA’s territory (“County Unincorporated Area”);

**WHEREAS**, CCCSWA Ordinance 21-1 at Section 12 describes CCCSWA’s enforcement authority for violations of Ordinance 21-1, beginning January 1, 2024;

**WHEREAS**, Notwithstanding CCCSWA Ordinance 16-1 at Section 1(B), County desires CCCSWA to enforce CCCSWA Ordinance 21-1 in the County Unincorporated Area within CCCSWA’s territory, including, beginning January 1, 2024, taking enforcement actions for violations of Ordinance 21-1 following the procedures contained in CCCSWA Ordinance 16-1;

**WHEREAS**, CCCSWA wishes to amend Ordinance 16-1 to confirm that CCCSWA may apply Ordinance 16-1 to County Unincorporated Area within CCCSWA’s territory for the purpose of enforcing Ordinance 21-1 (but no other CCCSWA ordinance).

**NOW, THEREFORE**, the Board of Directors (“Board”) of the CCCSWA hereby ordains as follows:

**Section 1.**     **Adoption.** This Ordinance 22-1 amends Ordinance 16-1 (Administrative Citations and Other Remedies), as set forth in Exhibit A. Text to be added is indicated in underlined font (e.g., underlined) and text to be deleted is indicated in ~~strikeout~~ font (e.g., ~~strikeout~~).

**Section 2.**     **Severability.** If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance 22-1 is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance irrespective of the invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

**Section 3.**     **CEQA.** The Board finds that this Ordinance 22-1 is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines (Title 14 of the California Code of Regulations) Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change in the environment, directly or indirectly. Further, this action is exempt from CEQA under CEQA Guidelines Section 15061(b)(3) (the amendments are exempt because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

**Section 4.**     **Effective Date.** This Ordinance 22-1 shall be effective 30 days after its adoption.

**Section 5.**     **Publication.** The Board Secretary shall either (a) have this Ordinance 22-1 published once within 15 days after adoption in a newspaper of general circulation in Contra Costa County, or (b) have a summary of this Ordinance with the names of the Board members voting for and against the Ordinance published twice in a newspaper of general circulation, once 5 days before its adoption and again within 15 days after its adoption, and with a certified copy of the entire Ordinance posted at the CCCSWA offices.

The foregoing Ordinance was introduced at a regular meeting of the Board on December 8, 2022, and adopted and ordered published at a regular meeting of the Board on January 26, 2023 by the following vote:

AYES:	Members:	ANDERSEN, ARNERICH, CARLSON, DAWSON, FRANCOIS, GERRINGER, HILLIS, MILLER, RILEY, SILVA, SOS
NOES:	Members:	NONE
ABSTAIN:	Members:	NONE
ABSENT:	Members:	MORGAN



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Renata Sos, Chair  
Central Contra Costa Solid Waste Authority,  
County of Contra Costa, State of California

COUNTER-SIGNED:



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Janna E. McKay, Secretary of the Board  
for the Central Contra Costa Solid Waste  
Authority, County of Contra Costa, State  
of California

APPROVED AS TO FORM:



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Deborah L. Miller, Counsel for the  
Central Contra Costa Solid Waste Authority  
County of Contra Costa, State of California

