

NOTICE OF PUBLIC HEARING

Notice is hereby given that on Tuesday, February 8, 2022, at 1:30 p.m., or as soon thereafter as the matter may be heard, the Nevada County Board of Supervisors will hold a public hearing to consider amending and restating Title 2, Chapter IV, Article 8 (Solid Waste) of the Nevada County Code, to ensure compliance with SB1383 mandates.

In 2016, Governor Edmund Brown, Jr. signed Senate Bill (SB) 1383 in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP). SB 1383 is administered by the California Department of Resources, Recycling and Recovery (CalRecycle) and requires the cities and counties in California to implement mandatory organic waste collection programs. Under SB 1383 Nevada County is required to adopt an enforceable ordinance to ensure that all covered residential and commercial generators are compliant with SB 1383 regulations and enable to County to enforce the regulations and assess penalties on noncompliant generators, beginning in 2024.

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

- Collection Services: Curbside trash, recyclable and organic collection services will be provided for all commercial, multi-family and residential properties; except those properties where it is reasonably determined to be impractical or impossible to access with curbside collection vehicles, where residents meet the self-hauler requirements identified in SB1383, or properties covered under a waiver(s) base on criteria outlined in SB1383.
- 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 County staff.
- Food Recovery Organizations: Organizations shall maintain and provide records to County staff.
- Inspections and Investigations: County Environmental Health representatives are authorized to conduct inspections and investigations to confirm compliance of commercial generators. Regulated entities shall provide access and cooperate with County staff during the process.
- Enforcement: Violation of any provisions of the ordinance shall be a misdemeanor that may be enforced by the County in any manner authorized by law, including, but not limited to, an administrative citation, criminal citation, nuisance abatement action, or civil action.

The revised ordinance contains the necessary provisions and enforcement mechanisms to ensure that residents and property owners, as well as the County's franchisee, Waste Management of Nevada County, comply with the state law requirements concerning solid waste including SB 1383, Short-Lived Climate Pollutants mandate.

The Short-lived Climate Pollutants (SLCP): Organic Waste Reductions, Final Regulation Text, is available at: www.calrecycle.ca.gov/organics/slcp.

In adherence to Governor Gavin Newsom's Executive Order pertaining to the COVID-19 pandemic and social distancing guidelines as outlined by the Nevada County Public Health Department, please see the February 8, 2022 agenda after posting; call the Clerk of the Board at (530) 265-1480; or email clerkofboard@co.nevada.ca.us for the most updated information regarding the location of the meeting, and the various options being made available for members of the public to provide public comment. Members of the public may submit written comments (an original and 9 copies) to the Clerk of the Board no later than 4:00 p.m. the evening prior to the noticed meeting in order for the correspondence to become part of the public record.

If approved, the amended and restated ordinance will become effective 30 days after adoption. A copy of the agenda packet and all documents on which the proposed amendments will be available for public review in the Clerk of the Board's office.

If you challenge the proposed amendments in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

NEVADA COUNTY BOARD OF SUPERVISORS

By: 
Julie Patterson Hunter, Clerk of the Board

Publish: January 29, 2022
The Union

Publish: February 4, 2022
Sierra Sun