



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF NEVADA CITY TO ESTABLISH ROLES AND RESPONSIBILITIES TO IMPLEMENT SB 1383 REGULATIONS

WHEREAS, SB 1383 (Chapter 395, Statutes of 2016) requires the California Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations to reduce organic waste by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025, which regulations have been finalized and are now in effect (Division 7 of Title 14 of the California Code of Regulations) (the “SB 1383 Regulations”); and

WHEREAS, the SB 1383 Regulations require cities and counties, among other things, to implement programs requiring organic waste generators and waste haulers to meet minimum standards for organic waste collection services, inspect waste containers for prohibited contamination of materials, provide education and outreach information to organic waste generators, report to CalRecycle on compliance with the SB 1383 Regulations, and maintain records of compliance with the SB 1383 Regulations; and

WHEREAS, Section 18981.2(b)(2) of the SB 1383 Regulations authorizes the City of Nevada City to enter into a Memorandum of Understanding (“MOU”) with the County to fulfill its responsibilities under SB 1383; and

WHEREAS, pursuant to Section 18981.2(c), the City of Nevada City remains ultimately responsible for compliance with the requirements of the SB 1383 Regulations as to the City’s territory; and

WHEREAS, the Environmental Health Department of Nevada County is authorized to annually inspect commercial businesses in the City of Nevada City pursuant to Health & Safety Code sections 25511, 26250, 112040, and 114390; and

WHEREAS, the Parties wish to enter into this MOU to establish roles and responsibilities to implement the SB 1383 Regulations the County will assume on the City of Nevada City’s behalf under this MOU’s terms and conditions.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors authorizes the Chair of the Board to execute on behalf of the Nevada County the Memorandum of Understanding (MOU) with the City of Nevada City .