



# Visalia City Council

Visalia City Council  
707 W. Acequia  
Visalia, CA 93291

## Staff Report

**File #:** 22-0107

**Agenda Date:** 4/4/2022

**Agenda #:** 5.

### Agenda Item Wording:

Second reading and adoption of Ordinance 2022-05 and discussion of proposed revisions of Visalia Municipal Code section 8.28, Solid Waste Collection and Disposal. Revisions incorporate recent State mandates related to commercial and multifamily recycling as well as an inclusion of State Senate Bill (SB)1383 regulatory requirements to reduce the qualifying thresholds for mandatory recycling.

**Deadline for Action:** 4/4/2022

**Submitting Department:** Public Works

### Contact Name and Phone Number:

Jason Serpa, Public Works Manager, pretorian@comcast.net, 713-4533

Wyndi Ferguson, Interim Public Works Director, wyndi.ferguson@visalia.city, 713-4186

### Department Recommendation:

Staff recommends that Council approve and adopt the revised version of chapter 8.28 Solid Waste Collection and Disposal to bring the code up to date with current state law recycling requirements.

### Background Discussion:

This is the second reading of Ordinance 2022-05 which modifies two sections of Chapter 8.28 of the Visalia Municipal Code. The first reading was held on March 21, 2022. These modifications are updates to the Municipal Code to bring the City into compliance with new SB 1383 requirements that lower the AB341 and AB1826 thresholds in which commercial entities must be prescribed recycling services.

At the July 18, 2018 City Council meeting, Council approved and adopted Ordinance 2018-03 to bring the code into compliance with current and future recycling laws. At that time, these laws required that covered commercial businesses that generated 4 yards or more of trash be subscribed to recycling and organics recycling. Since then, the required threshold for recycling has been lowered to 2 yards or more of trash. This change in threshold is part of chapter 8.28.150 and 8.28.160 section revisions below.

Current List of Sections Modified	
8.28.150	Mandatory Commercial and Multi-Family Recycling Requirements (AB 341)
8.28.160	Mandatory Commercial and Multi-Family Organic Recycling Requirements (AB 1826)

### **8.28.150 Mandatory Commercial and Multi-Family Recycling Requirements (AB341)**

Revised Section F, Subsection 3(a) to reduce the threshold for mandatory recycling service to any commercial generator of 2 cubic yards or more of solid waste per week.

**8.28.160 Mandatory Commercial and Multi-Family Organics Recycling Requirements (AB1826)**

Revised Section F, Subsection 3 to reduce the threshold for mandatory recycling service to any commercial generator of 2 cubic yards or more of solid waste per week. Deleted Section F, Subsection 4 for redundancy.

Since the main revisions for the recycling laws were made in the Council approval of Ordinance 2018-03 in 2018, only these small edits need to be made to bring the City into compliance.

**Fiscal Impact:**

None

**Prior Council Action:**

June 18, 2018 - Adoption of Ordinance 2018-03. This revised Visalia Municipal Code Section 8.28 to comply with State Assembly Bills AB341 and AB1826 to the requirements at that time.

March 21, 2022 - First reading of Ordinance 2022-05

**Other:**

N/A

**Alternatives:**

Alternative is to not approve and adopt Ordinance 2022-05 and the associated revisions to Visalia Municipal Code chapter 8.28.

**Recommended Motion (and Alternative Motions if expected):**

I move to approve and adopt Ordinance 2022-05 and the associated revisions to the Visalia Municipal Code chapter 8.28, Solid Waste Collection and Disposal.

**Environmental Assessment Status:**

N/A

**CEQA Review:**

N/A

**Attachments:**

Draft Ordinance Revision  
Ordinance 2018-03 Adoption