

**RESOLUTION NO. 593**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMADOR CITY  
DECLARING THE PURPOSE AND NEED FOR A RURAL EXEMPTION FROM THE  
ORGANIC WASTE COLLECTION REQUIREMENTS SPECIFIED IN THE SB 1383  
REGULATIONS**

**WHEREAS**, SB 1383 (Chapter 395, Statutes of 2016) directed the California Department of Resources Recycling and Recovery ("CalRecycle") to adopt regulations to reduce organic waste in landfills by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025; and

**WHEREAS**, CalRecycle promulgated regulations as directed in SB 1383 in Chapter 12 (Short-Lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations ("SB 1383 Regulations"); and

**WHEREAS**, the SB 1383 Regulations require the City of Amador City ("City") and other jurisdictions to adopt and enforce an ordinance or enforceable mechanism to implement relevant provisions of SB 1383 Regulations by January 1, 2022, including organic waste collection requirements specified in Article 3, Chapter 12 of Title 14 of the California Code of Regulations; and

**WHEREAS**, Section 18984.12(c) of Title 14 of the California Code of Regulations requires CalRecycle to grant an exemption from compliance with the organic waste collection requirements specified in Article 3, Chapter 12 of the SB 1383 Regulations to jurisdictions that meet the definition of a "rural jurisdiction" in Public Resources Code Section 42649.8 if the jurisdiction adopts a resolution that includes a finding as to the purpose of and need for the exemption; and

**WHEREAS**, Public Resources Code Section 42649.8 defines "rural jurisdiction" as a jurisdiction that is located entirely within one or more rural counties, and which further defines "rural county" as a county that has a total population of less than 70,000 persons; and

**WHEREAS**, the City meets the definition of "rural jurisdiction" as it is entirely located in Amador County, California, which had a population of 40,474 as of April 1, 2020 as reported by the U.S. Census Bureau for the 2020 Census and an estimated population of 37,377 on January 1, 2021 as reported by the California Department of Finance at the time of this Resolution; and

**WHEREAS**, the City Council must adopt a resolution that includes a finding as to the purpose of and need for the exemption in order to apply for such an exemption; and

**WHEREAS**, the City Council finds that adopting this Resolution for the purpose of exempting the City from the requirements of Article 3, Chapter 12 of Title 14 of the California Code of Regulations is necessary because it will result in cost savings and savings in staff time from not having to implement said requirements and keep solid waste collection rates for customers lower.

**WHEREAS**, such an exemption shall be valid until December 31, 2026 or until five (5) years after CalRecycle makes a determination that the statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during the 2014 calendar year, whichever is later.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Amador City that:

1. The City Council hereby finds and determines that the foregoing recitals are true and correct and are incorporated herein by this reference.

2. The City Council hereby elects to exempt the City of Amador City from the organic waste collection requirements specified in Article 3, Chapter 12 of Title 14 of the California Code of Regulations, pursuant to Section 18984.12(c) of Title 14 of the California Code of Regulations.

3. The City Council declares the purpose and need for the rural exemption pursuant to Section 18984.12(c) of Title 14 of the California Code of Regulations is to realize cost savings and savings in staff time from not having to implement the organic waste collection requirements under Article 3, Chapter 12 of Title 14 of the California Code of Regulations, and to keep solid waste collection rates for customers lower.

4. The rural exemption shall take effect on January 1, 2022, and shall be valid until December 31, 2026, or until five (5) years after CalRecycle makes a determination that the statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during the 2014 calendar year, whichever is later.

The foregoing Resolution is hereby **PASSED, APPROVED, AND ADOPTED** this 21<sup>st</sup> day of December, 2021.

AYES: *Kel-Artinian, Brogstad, Robinson,*

NOES: *marks*

ABSENT: *0*

ABSTAIN: *Smith*

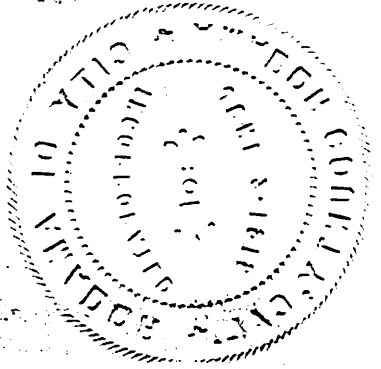
ATTEST:

  
*Joyce Davidson*  
\_\_\_\_\_  
Joyce Davidson, City Clerk

*AK*

\_\_\_\_\_  
Anne Kel-Artinian, Mayor

1. *Chrysomelidae* (Colorado potato beetle)  
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 9. *Chrysomelidae* (Colorado potato beetle)  
 10. *Chrysomelidae* (Colorado potato beetle)



# Rural Exemption Application

CalRecycle is providing this form as a convenience to assist jurisdictions in applying for a rural exemption under 14 CCR 18984.12(c). Use of this form is optional and not a regulatory requirement.

A rural jurisdiction may apply to CalRecycle for an exemption from complying with the organic waste collection requirements within Article 3 in 14 CCR 18984 through 18984.14.

To qualify for a rural exemption the following requirements must be met:

- The jurisdiction must meet the definition of a "rural jurisdiction" as defined in PRC § 42649.8.
- The jurisdiction's governing body is to adopt a resolution that includes a finding as to the purpose of and need for the exemption.

CalRecycle approved exemptions are only valid until December 31, 2026, or until five years after CalRecycle makes a determination that the statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during the 2014 calendar, whichever is later. An approved waiver does not waive a jurisdiction from its obligation to comply with the other requirements of the SB 1383 regulations including, but not limited to, promoting and providing information to generators about waste prevention, community composting, managing organic waste on-site, and other means of recovering organic waste.

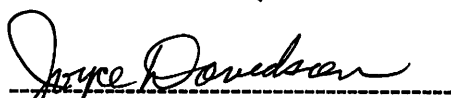
Please clearly print or type your responses. Attach additional pages as necessary.

|                                                   |                            |
|---------------------------------------------------|----------------------------|
| Jurisdiction Name: <b>Amador City</b>             | County: <b>Amador</b>      |
| Person Completing the Application                 |                            |
| First Name: <b>Joyce</b>                          | Last Name: <b>Davidson</b> |
| Title: <b>City Clerk</b>                          |                            |
| Mailing Address: <b>P. O. Box 200</b>             |                            |
| City: <b>Amador City</b>                          |                            |
| Zip Code: <b>95601</b>                            |                            |
| E-mail Address: <b>city.clerk@amador-city.com</b> |                            |
| Phone Number: <b>209-267-0682</b>                 |                            |

|                                                                                                                                                   |                                         |                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------|
| 1. Do you meet the definition of a "rural jurisdiction" as defined in PRC §42649.8?                                                               | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 2. Has the governing body of the jurisdiction adopted a resolution that includes a finding as to the purpose of and need for the rural exemption? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

Please attach the resolution that includes a finding as to the purpose of and need for the rural exemption.

I hereby certify under penalty of perjury that the information provided herein is true and correct to the best of my knowledge.

  
Signature

**Joyce Davidson**  
Printed Name

**City Clerk 1-6-2022**  
Title Date