ORDINANCE NO. 22-07

AN ORDINANCE OF THE CITY OF INGLEWOOD, CALIFORNIA

1) ADDING SECTION 2-201 OF ARTICLE 5 (PURCHASING) OF CHAPTER
2 (ADMINISTRATION); 2) ADDING SECTION 5-112.1 OF ARTICLE 7
(WATER CONSERVATION) OF CHAPTER 5 (OFFENSES,
MISCELLANEOUS); 3) ADDING SECTION 7-53 OF ARTICLE 5 (SOLID
WASTE CODE) OF CHAPTER 7 (SANITATION AND HEALTH
REGULATIONS); 4) AND ADDING SECTION 7-79 OF ARTICLE 7
(CONSTRUCTION AND DEMOLITION RECYCLING PROGRAM) OF
CHAPTER 7 (SANITATION AND HEALTH REGULATIONS).

WHEREAS, California State Senate Bill No. 1383 (SB 1383), proposed by former State
Senator Lara and signed into law by former Governor Brown on September 19, 2016, aims to
reduce organic waste disposal in landfills by 75% and increase edible food recovery by 20%; and

WHEREAS, SB 1383 is the most significant and aggressive waste reduction mandate to
be adopted in the State of California in the last 30 years and requires all cities to implement a
mandatory organics and enforcement recycling ordinance by January 1, 2022, and implement
organics recycling collection programs that capture food scraps, yard and landscaping waste,
and paper products, among other organic waste materials, for all businesses, residents, and
multi-family properties; and

WHEREAS, SB 1383 tasked the California Department of Resources Recycling and
Recovery (CalRecycle), the State agency that administers California’s waste and recycling
programs, to develop prescriptive regulations to achieve SB 1383’s organic waste diversion
disposal goals by 2025. Over the last two years, CalRecycle conducted informal hearings with
local governments and stakeholders to develop regulations that will achieve the state goals; and

WHEREAS, SB 1383 builds upon existing Assembly Bill 1826 (AB 1826), which requires
business generating two (2) or more cubic yards of solid waste per week, and multi-family
properties with five or more units, to recycle their organic waste (under AB 1826, multi-family
properties are only required to recycle landscaping and yard waste and not food scraps).
Additionally, AB 1826 requires the City to implement a food scrap recycling collection program for businesses, and identify and notify non-compliant businesses. AB 1826 has resulted in a significant expansion of the City’s commercial organic waste recycling program, but additional measures must be taken to achieve the required 100% program participation rate and include residential organics recycling, per SB 1383; and

WHEREAS, SB 1383 allows cities to take an educational, non-punitive approach to enforcement on its residents and businesses for the first two years of the ordinance being in effect (2022 and 2023). Taking an educational approach will allow the City and its franchise waste hauler to work with the community and inform them of the ordinance being in effect and what, if any, actions need to be taken to be considered SB 1383 compliant; and

WHEREAS, The City Council enacts this Ordinance to satisfy state law mandates imposed by Senate Bill 1383 and CalRecycle regulations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1.

Section 2-201 of Article 5 (Purchasing) of Chapter 2 (Administration) of the Inglewood Municipal Code, is hereby added:

Section 2-201.

1. Definitions

A. “Paper Products” include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling, or as otherwise defined in 14 CCR Section 18982(a)(51).

B. “Printing and Writing Papers” include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications, or as otherwise defined in 14 CCR Section 18982(a)(54).

C. “Recycled-Content Paper” means Paper Products and Printing and Writing Paper that
consists of at least 30 percent, by fiber weight, postconsumer fiber, or as otherwise
defined in 14 CCR Section 18982(a)(61).

2. All vendors providing Paper Products and Printing and Writing Paper shall:
   A. If fitness and quality are equal, provide Recycled-Content Paper Products and
      Recycled-Content Printing and Writing Paper that consists of at least 30 percent
      (30%), by fiber weight, postconsumer fiber instead of non-Recycled products
      whenever Recycled Paper Products and Printing and Writing Paper are available at
      the same or lesser total cost than non-Recycled items or at a total cost of no more
      than 10% of the total cost for non-Recycled items.
   B. Provide Paper Products and Printing and Writing Paper that meet Federal Trade
      Commission Recyclability standard as defined in 16 Code of Federal Regulations (CFR)
      Section 260.12.
   C. Certify in writing, under penalty of perjury, the minimum percentage of
      postconsumer material in the Paper Products and Printing and Writing Paper offered
      or sold to the City. This certification requirement may be waived if the percentage of
      postconsumer material in the Paper Products, Printing and Writing Paper, or both
      can be verified by a product label, catalog, invoice, or a manufacturer or vendor
      internet website.
   D. Certify in writing, on invoices or receipts provided, that the Paper Products and
      Printing and Writing Paper offered or sold to the City are eligible to be labeled with
      an unqualified Recyclable label as defined in 16 Code of Federal Regulations (CFR)
      Section 260.12 (2013).
   E. Provide records to the City’s Finance Department/Purchasing Division of all Paper
      Products and Printing and Writing Paper purchases within thirty (30) days of the
      purchase (both Recycled-Content Paper and non-recycled-content paper, if any is
      purchased) made by any division or department or employee of the City. Records
      shall include a copy (electronic or paper) of the invoice or other documentation of
      purchase, written certifications as required for Recycled-Content Paper purchases,
purchaser name, quantity purchased, date purchased, and recycled-content
(including products that contain none), and if non-Recycled-Content Paper Products
or Printing and Writing Papers are provided, include a description of why Recycled-
Content Paper Products or Printing and Writing Papers were not provided.

F. Maintain records required for five (5) years.

SECTION 2.

Section 5-112.1 of Article 7 (Water Conservation) of Chapter 5 (Offenses, Miscellaneous)
of the Inglewood Municipal Code, is hereby added:


1. Definitions:

A. “Compost” has the same meaning as in 14 CCR Section 17896.2(a)(4), which stated,
as of the effective date of this ordinance, that “Compost” means the product
resulting from the controlled biological decomposition of organic Solid Wastes that
are Source Separated from the municipal Solid Waste stream, or which are separated
at a centralized facility.

2. Property owners or their building or landscape designers, including anyone requiring a
building or planning permit, plan check, or landscape design review from the City, who
are constructing a new (residential, public, institutional, or commercial) project with a
landscape area greater than 500 square feet, or rehabilitating an existing landscape with
a total landscape area greater than 2,500 square feet, shall comply with 23 CCR, Division
2, Chapter 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the Model Water Efficient
Landscaping Ordinance (MWELO), including sections related to use of Compost and
mulch as delineated in this section.

3. The following Compost and mulch use requirements that are part of the MWELO are
now also included as requirements of this ordinance. Other requirements of the MWELO
are in effect and can be found in 23 CCR, Division 2, Chapter 2.7.

4. Property owners or their building or landscape designers that meet the threshold for
MWELO compliance outlined in Section (2) above shall:
A. Comply with 23 CCR, Division 2, Chapter 2.7, Sections 492.6 (a)(3)(B)(C), (D) and (G) of the MWELO, which requires the submittal of a landscape design plan with a soil preparation, mulch, and amendments section to include the following:

i) For landscape installations, Compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.

ii) For landscape installations, a minimum three- (3) inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife up to five percent (5%) of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.

iii) Organic mulch materials made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local fuel modification plan guidelines or other applicable local ordinances.

5. The MWELO compliance items listed in this Section are not an inclusive list of MWELO requirements; therefore, property owners or their building or landscape designers that meet the threshold for MWELO compliance outlined herein shall consult the full MWELO for all requirements.

6. If, after the adoption of this ordinance, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Chapter 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the MWWLEO September 15, 2015 requirements in a manner that requires City to incorporate the requirements of an updated MWELO in a local ordinance, and the amended requirements include provisions more stringent than those
required in this Section, the revised requirements of 23 CCR, Division 2, Chapter 2.7 shall be enforced.

SECTION 3.

Section 7-53 of Article 5 (Solid Waste Code) of Chapter 7 (Sanitation and Health Regulations) of the Inglewood Municipal Code, is hereby added:

Section 7-53. Mandatory Organic Waste Disposal Reduction Ordinance

7-53.1 Purpose and Findings

The City finds and declares:

1. State Recycling law, Assembly Bill 939 of 1989, the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et seq., as amended, supplemented, superseded, and replaced from time to time), requires cities and counties to reduce, reuse, and Recycle (including composting) Solid Waste generated in their City to the maximum extent feasible before any incineration or landfill Disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment.

2. State Recycling law, Assembly Bill 341 of 2011 (approved by the Governor of the State of California on October 5, 2011, which amended Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, and added Sections 40004, 41734.5, and 41780.01 and Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and added and repealed Section 41780.02 of, the Public Resources Code, as amended, supplemented, superseded and replaced from time to time), places requirements on Commercial Businesses and Multi-Family Dwellings that generate a specified threshold amount of Solid Waste to arrange for Recycling services and requires jurisdictions to implement a mandatory Commercial Recycling program.

3. State Organics Materials Recycling law, Assembly Bill 1826 of 2014 (approved by the Governor of the State of California on September 28, 2014, which added Chapter 12.9 (commencing with Section 42649.8) to Part 3 of Division 30 of the Public Resources Code, relating to Solid Waste, as amended, supplemented, superseded, and replaced
from time to time), requires Commercial Businesses and Multi-Family Dwellings that
generate a specified threshold amount of Solid Waste, Recyclable Materials, and
Organic Materials per week to arrange for Recycling services for that waste, requires
jurisdictions to implement a Recycling program to Divert Organic Materials from
Commercial Businesses and Multi-Family Dwellings subject to the law, and requires
jurisdictions to implement a mandatory Commercial Organic Materials Recycling
program.

4. Senate Bill (SB) 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires
CalRecycle to develop regulations to reduce Organic Waste in landfills as a source of
methane. The regulations place requirements on multiple entities including
jurisdictions, Residential households, Multi-Family Dwellings, Commercial Businesses,
Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery
Organizations, and Food Recovery Services to support achievement of the SB 1383
statewide Organic Waste Disposal reduction targets.

5. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires jurisdictions
to adopt and enforce an ordinance or enforceable mechanism to implement relevant
provisions of SB 1383 Regulations. This ordinance will also help reduce food insecurity
by requiring Commercial Edible Food Generators to arrange to have the maximum
amount of their Edible Food, that would otherwise be Disposed, be recovered for human
consumption.

7-53.2 Definitions

1. "Agreement" means the Agreement between the City and the Franchisee for the
Collection, Transportation, Recycling, Processing, and Disposal of Recyclable Materials,
Organic Materials, and Solid Waste, and other services related to meeting the goals and
requirements of Applicable Law, such as AB 939, AB 341, AB 1826, and SB 1383,
including all Exhibits and attachments, and any amendments thereto.

2. "Black Container" has the same meaning as in 14 CCR Section 18982(a)(28) and shall be
used for the purpose of storage and Collection of Black Container Waste, subsets of Solid
Waste. Black Containers may be gray or black, as specified in 14 CCR Section
18982(a)(28).

3. "Black Container Waste" means Solid Waste that is Collected in a Black Container that
is part of a three-Container Discarded Materials Collection service that prohibits the
placement of Prohibited Container Contaminants in the Black Container as specified in
14 CCR Sections 18984.1(a) and (b), or as otherwise defined in 14 CCR Section
17402(a)(6.6). Black Container Waste includes carpet and textiles.

4. "Blue Container" has the same meaning as in 14 CCR Section 18982(a)(5) and shall be
used for the purpose of storage and Collection of Source Separated Recyclable
Materials.

5. "Brown Container" has the same meaning as in 14 CCR Section 18982(a)(5.5) and shall
be used for the purpose of storage and Collection of Source Separated Food Waste.

6. "CalRecycle" means the State of California's Department of Resources Recycling and
Recovery, and, as this department was structured prior to January 1, 2010, the California
Integrated Waste Management Board or CIWMB.

7. "California Code of Regulations" or "CCR" means the State of California Code of
Regulations. CCR references in this ordinance are preceded with a number that refers
to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).

8. "City" means City of Inglewood, a municipal corporation and charter city, and all the
territory lying within the municipal boundaries of City as presently existing or as such
boundaries may be modified.

9. "City Enforcement Official" means the City Manager, Assistant City Manager, Public
Works Director, Code Enforcement Manager, Code Enforcement Officer, City Sanitation
Officer, chief, or other executive in charge or designated authorized Person(s) who
is/are partially or whole responsible for enforcing the ordinance.

10. "City Manager" shall mean the City Manager of the City of Inglewood, or their
designated representative.

11. "Collect" or "Collection" means to take physical possession, Transport, and remove Solid
Waste within and from the City.

12. "Commercial" refers to services performed at or for Commercial Premises.

13. "Commercial Edible Food Generator" includes Tier One Commercial Edible Food Generators and Tier Two Commercial Edible Food Generators, or as otherwise defined in 14 CCR Section 18982(a)(7). For the purposes of this definition, Food Recovery Organizations and Food Recovery Services are not considered Commercial Edible Food Generators.

14. "Commercial Premises" means Premises upon which business activity is conducted, including but not limited to retail sales, services, wholesale operations, manufacturing and industrial operations, but excluding Residential Premises upon which business activities are conducted when such activities are permitted under applicable zoning regulations and are not the primary use of the property. Notwithstanding any provision to the contrary herein, in the Inglewood Municipal Code, or otherwise, for purposes of this ordinance, Premises upon which the following uses are occurring shall be deemed to be Commercial Premises: adult Residential facilities, assisted living facilities, convalescent homes, dormitories, extended stay motels, group Residential facilities, group care facilities, hotels, and motels.

15. "Compliance Review" means a review of records by a City Manager or Designee to determine compliance with this ordinance.

16. "Community Composting" means any activity that Composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Compost on-site at any one time does not exceed one hundred (100) cubic yards and seven hundred and fifty (750) square feet, as specified in 14 CCR Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).

17. "Compost" has the same meaning as in 14 CCR Section 17896.2(a)(4), which stated, as of the Effective Date of this Ordinance, that "Compost" means the product resulting from the controlled biological decomposition of organic Solid Wastes that are Source Separated from the municipal Solid Waste stream, or which are separated at a
centralized facility.

18. "Compostable Plastics" or "Compostable Plastic" means plastic materials that meet the ASTM D6400 standard for compostability.

19. "Container Contamination" or "Contaminated Container" means a Container, regardless of color, that contains Prohibited Container Contaminants, or as otherwise defined in 14 CCR Section 18982(a)(55).

20. "Container(s)" means a receptacle for temporary storage of Discarded Materials. Containers include, but are not limited to, bins, carts, Spit Containers, barrels, roll-off boxes, compactors, cans, buckets, or other storage instruments.

21. "Construction and Demolition Debris" or "C&D Material(s)" means any combination of inert building materials and Solid Waste resulting from construction, remodeling, repair, cleanup, or demolition operations as defined in California Code of Regulations, Title 22 Section 66261.3 et seq. This term includes, but is not limited to, asphalt, concrete, Portland cement concrete, brick, lumber, gypsum wallboard, cardboard, and other associated packaging; roofing material, ceramic tile, carpeting, plastic pipe, and steel. The material may be commingled with rock, soil, tree stumps; and other vegetative matter resulting from land clearing and landscaping for construction or land development projects.

22. "Designee" means an entity that the City contracts with or otherwise arranges to carry out any of the City's responsibilities of this ordinance as authorized in 14 CCR Section 18981.2. A Designee may be a government entity, a hauler, Franchisee, a private entity, or a combination of those entities.

23. "Discarded Materials" are a form of Solid Waste and shall be regulated as such. For purposes of this ordinance, material is deemed to have been discarded, without regard to whether it is destined for Processing or Disposal, and whether or not is has been separated from other Solid Wastes, in all cases where a fee or other compensation, in any form or amount, is directly or indirectly solicited from, or, levied, charged, or otherwise imposed on, or paid by, the Generator or customer in exchange for handling
services. As used herein, handling services include, without limitation, the Collection, removal, Transportation, delivery, Processing, and/or Disposal of the material. Discarded Materials do not include Edible Food that is recovered for human consumption and is not discarded. Discarded Materials include Source Separated Recyclable Materials, Source Separated Organic Materials, Food Waste, Refuse, Black Container Waste, and C&D Material once the materials have been placed in Containers for Collection.

24. "Disposal," "Dispose," or "Disposed" means the ultimate disposition of Solid Waste Collected by Company at a landfill or otherwise in full regulatory compliance.

25. "Divert" or "Diversion" (or any variation thereof) means to prevent Discarded Materials from Disposal at landfill or transformation facilities, (including facilities using incineration, pyrolysis, distillation, gasification, or biological conversion methods) through source reduction, reuse, Recycling, composting, anaerobic digestion, or other method of Processing.

26. "Edible Food" means food intended for human consumption. For the purposes of this ordinance, Edible Food is not Solid Waste or Discarded Materials if it is recovered and not discarded. Nothing in this ordinance requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code. If the definition in 14 CCR Section 18982(a)(18) for Edible Food differs from this definition, the definition in 14 CCR Section 18982(a)(18) shall apply to this ordinance.

27. "Enforcement Action" means an action of the City to address non-compliance with this ordinance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.

28. "Excluded Waste" means Hazardous Substance, Hazardous Waste, infectious waste, Designated Waste, volatile, corrosive, biomedical, infectious, biohazardous, and toxic substances or material, waste that Franchisee reasonably believes would, as a result of or upon Disposal, be a violation of local, State or Federal law, regulation or ordinance, including land use restrictions or conditions, waste that cannot be Disposed of in Class
III landfills, waste that in Franchisee’s reasonable opinion would present a significant 
risk to human health or the environment, cause a nuisance or otherwise create or 
expose Franchisee or City to potential liability; but not including de minimis volumes or 
concentrations of waste of a type and amount normally found in Residential Solid Waste 
after implementation of programs for the safe Collection, Recycling, treatment, and 
Disposal of batteries and paint in compliance with Sections 41500 and 41802 of the 
California Public Resources Code. Excluded Waste does not include used motor oil and 
filters, or household batteries when properly when such materials are defined as 
allowable materials for Collection through the City’s Collection programs and the 
Generator or customer has properly placed the materials for Collection pursuant to 
instructions provided by City or its Designee for Collection services.

29. “Food Distributor” means a company that distributes food to entities including, but not 
limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 
18982(a)(22).

30. “Food Facility” has the same meaning as in Section 113789 of the Health and Safety 
Code.

31. “Food Recovery” means actions to collect and distribute food for human consumption 
that otherwise would be Disposed, or as otherwise defined in 14 CCR Section 
18982(a)(24).

32. “Food Recovery Organization” means an entity that primarily engages in the Collection 
or receipt of Edible Food from Commercial Edible Food Generators and distributes that 
Edible Food to the public for Food Recovery either directly or through other entities, 
including, but not limited to:

A. A food bank as defined in Section 113783 of the Health and Safety Code;

B. A nonprofit charitable organization; and,

C. A nonprofit charitable temporary Food Facility as defined in Section 113842 of the 
   Health and Safety Code. If the definition in 14 CCR Section 18982(a)(25) for Food 
   Recovery Organization differs from this definition, the definition in 14 CCR Section
18982(a)(25) shall apply to this ordinance.

33. "Food Recovery Service" means a Person or entity that collects and Transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery; or as otherwise defined in 14 CCR Section 18982(a)(26).

34. "Food Scraps" means all food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, and eggshells. Food Scraps excludes fats, oils, and grease when such materials are Source Separated from other Food Scraps. Food Scraps is a subset of Food Waste.

35. "Food Service Provider" means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

36. "Food-Soiled Paper" means compostable paper material that has come in contact with food or liquid, such as, but not limited to, compostable paper plates, paper coffee cups, napkins, pizza boxes, and milk cartons.


38. "Franchisee" shall mean any Person(s), firm or corporation to whom a franchise has been granted by the City for the Collection, Processing, Recycling and/or Disposal of Discarded Materials.

39. "Generator" means any Person whose act first causes Discarded Materials to become subject to regulation under federal, State, or local regulations.

40. "Green Container" has the same meaning as in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and Collection of Source Separated Green Container Organic Waste.

41. "Green Waste" means tree trimmings, wood stumps, grass cuttings, dead plants, leaves,
branches, flowers, plant stocks, and dead trees (not more than six (6) inches in diameter or thirty-six (36) inches in length) and similar materials. Green Waste is a subset of Organic Waste.

42. “Grocery Store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).

43. “Hauler Route” means the designated itinerary or sequence of stops for each segment of the City’s Collection service area, or as otherwise defined in 14 CCR Section 18982(a)(31.5).

44. "Hazardous Substance" is defined to include any hazardous or toxic substance, material or waste, or a mixture of wastes, which is or becomes regulated by any local governmental authority, the State of California, or the United States Government. The term “Hazardous Material” includes, without limitation, any material or substance which is: (i) petroleum or oil or gas or any direct or derivate product or byproduct thereof; (ii) defined as a “Hazardous Waste,” “extremely Hazardous Waste” or “restricted Hazardous Waste” under Sections 25115, 25117 or 25122.7, or listed pursuant to Section 25140, of the California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control Law); (iii) defined as a “Hazardous Substance” under Section 25316 of the California Health and Safety Code, Division 20, Chapter 6.8 (Carpenter-Presley-Tanner Hazardous Substance Account Act); (iv) defined as a “hazardous material,” “Hazardous Substance,” or “Hazardous Waste” under Sections 25501(j) and (k) and 25501.1 of the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Materials Release Response Plans and Inventory); (v) defined as a “Hazardous Substance” under Section 25281 of the California Health and Safety Code, Division 20, Chapter 6.7 (Underground Storage of Hazardous Substances); (vi) “used oil” as defined under Section 25250.1 of the California Health and Safety Code;
(vii) asbestos; (viii) listed under Captor 11 of Division 4.5 of Title 22 of the California Code
of Regulations, or defined as hazardous or extremely hazardous pursuant to Chapter 10
of Division 4.5 of Title 22 of the California Code of Regulations; (ix) defined as waste or
a Hazardous Substance pursuant to the Porter-Cologne Act, Section 13050 of the
California Water Code; (x) designated as a “toxic pollutant” pursuant to the Federal
Water Pollution Control Act, 33 U.S.C. Section 1317; (xi) defined as “Hazardous Waste”
pursuant to the Federal Resource Conservation and Recovery Act, 42 U.S.C. Section
6901, et seq. (42 U.S.C. § 6903); (xii) defined as a “Hazardous Substance” pursuant to
the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C.
§ 6901; (xiii) defined as “Hazardous Material” pursuant to the Hazardous Materials
Transportation Act 29 U.S.C. Section 5101, et seq.; or (xiv) defined as such or regulated
by any “Superfund” or “Superlien” law, or any other federal, State or local law, statute,
ordinance, code, rule, regulation, order or decree regulating, relating to, or imposing
liability or standards of conduct concerning Hazardous Materials and/or oil wells and/or
underground storage tanks and/or pipelines, as now, or at any time hereafter, in effect.

45. "Hazardous Waste" means all substances defined as Hazardous Waste, acutely
Hazardous Waste, or extremely Hazardous Waste by the State of California in Health
and Safety Code §25110.02, §25115, and §25117 or in the future amendments to or
recodifications of such statutes or identified and listed as Hazardous Waste by the US
Environmental Protection Agency (EPA), pursuant to the Federal Resource Conservation
and Recovery Act (42 USC §6901 et seq.), all future amendments thereto, and all rules
and regulations promulgated thereunder.

46. “High Diversion Organic Waste Processing facility” means a facility that is in compliance
with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an
annual average Mixed Waste organic content Recovery rate of fifty (50) percent
between January 1, 2022 and December 31, 2024, and seventy-five (75) percent after
January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for Organic Waste
received from the “Mixed Waste Organic Collection Stream” as defined in 14 CCR
Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).


48. “Inspection” means a site visit where a City reviews records, Containers, and an entity’s Collection, handling, Recycling, or landfill Disposal of Recyclable Materials, Organic Waste, Solid Waste or Edible Food handling to determine if the entity is complying with requirements set forth in this Ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35).

49. “Large Event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than two thousand (2,000) individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event. If the definition in 14 CCR Section 18982(a)(38) differs from this definition, the definition in 14 CCR Section 18982(a)(38) shall apply to this ordinance.

50. “Large Venue” means a permanent venue facility that annually seats or serves an average of more than two thousand (2,000) individuals within the grounds of the facility per day of operation of the venue facility. For purposes of 14 CCR, Division 7, Chapter 12 and this ordinance, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of 14 CCR, Division 7, Chapter 12 and this ordinance, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue. If the definition in 14 CCR Section 18982(a)(39) differs from this definition, the definition in 14 CCR Section 18982(a)(39) shall apply to this ordinance.

51. “Local Education Agency” means a school district, charter school, or county office of
education that is not subject to the control of City or county regulations related to Solid
Waste, or as otherwise defined in 14 CCR Section 18982(a)(40).

52. "Multi-Family Dwelling" means any building or lot containing five (5) or more dwelling
units. Multi-Family Dwelling units generally receive Solid Waste Handling Services
through the use of shared Containers.

53. “Non-Compostable Paper” includes, but is not limited to, paper that is coated in a plastic
material that will not breakdown in the composting Process, or as otherwise defined in
14 CCR Section 18982(a)(41).

54. “Non-Local Entity” means the following entities that are not subject to the City’s
enforcement authority, or as otherwise defined in 14 CCR Section 18982(a)(42):
A. Special district(s) located within the boundaries of the City.
B. Federal facilities, including military installations, located within the boundaries of the
City.
C. Prison(s) located within the boundaries of the City.
D. Facilities operated by the State Park system located within the boundaries of the
City.
E. Public and district schools not bounded under the sovereignty of the local municipal
government; universities (including community colleges) located within the
boundaries of the City.
F. County fairgrounds located within the boundaries of the City.
G. State agencies located within the boundaries of the City.

55. “Notice of Violation (NOV)” means a notice that a violation has occurred that includes a
compliance date to avoid an action to seek penalties, or as otherwise defined in 14 CCR
Section 18982(a)(45) or further explained in 14 CCR Section 18995.4.

No Discarded Material shall be considered to be Organic Materials, however, unless it is
separated from Recyclable Materials and Solid Waste. Organic Materials are a subset of
Organic Waste.
57. "Organic Waste" means Solid Wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, Paper Products, Printing and Writing Papers, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined by 14 CCR Section 18982(a).

58. "Paper Products" include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling, or as otherwise defined in 14 CCR Section 18982(a)(51).

59. "Person" means any individual, firm, association, organization, partnership, corporation, business trust, joint venture, the United States, the State of California, the County of Los Angeles, cities, and special purpose districts.

60. "Premises" means any land or building in City where Solid Waste is generated or accumulated.

61. "Printing and Writing Papers" include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications, or as otherwise defined in 14 CCR Section 18982(a)(54).

62. "Process," "Processed," or "Processing" means the controlled separation, Recovery, volume reduction, conversion, or Recycling of Solid Waste including, but not limited to, organized, manual, automated, or mechanical sorting, the use of vehicles for spreading of waste for the purpose of Recovery, and/or includes the use of conveyor belts, sorting lines, or volume reduction equipment, or as otherwise defined in 14 CCR Section 17402(a)(20).

63. "Prohibited Container Contaminants" means the following: (i) Discarded Materials placed in the Blue Container that are not identified as acceptable Source Separated Recyclable Materials for the Franchisee’s Blue Container; (ii) Discarded Materials placed
in the Green Container that are not identified as acceptable Organic Materials for the Franchisee’s Green Container; (iii) Discarded Materials placed in the Black Container that are acceptable Source Separated Recyclable Materials and/or Source Separated Green Container Organic Waste to be placed in Franchisee’s Green Container and/or Blue Container; and (iv) Excluded Waste placed in any Container.

64. “Recovered Organic Waste Products” means products made from California, landfill-diverted recovered Organic Waste Processed in a permitted or otherwise authorized facility, or as otherwise defined in 14 CCR Section 18982(a)(60).

65. “Recovery” means any activity or process described in 14 CCR Section 18983.1(b), or as otherwise defined in 14 CCR Section 18982(a)(49).

66. "Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials for the purpose of returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. Recycling includes processes deemed to constitute a reduction of landfill Disposal pursuant to 14 CCR, Division 7, Chapter 12, Article 2. Recycling does not include gasification or Transformation, as defined in Public Resources Code Section 40201.

67. "Recyclable Materials" or “Recyclables” means materials, by-products, or components of such materials set aside, handled, packaged, or offered for Collection in a manner different from Solid Waste for the purpose of Recycling.

68. "Refuse" means a form of Solid Waste and shall be regulated as such. Refuse refers specifically to Black Container Waste.

69. “Regional Agency” means regional agency as defined in Public Resources Code Section 40181.

70. “Renewable Natural Gas” or “RNG” means gas derived from Organic Waste that has been Diverted from a landfill and Processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recover Organic Waste, or as otherwise defined in 14 CCR Section 18982(a)(62).
71. "Residential" refers to services performed at and for Residential Premises.

72. "Residential Premises" means Premises upon which dwelling units exist, including, without limitation, Single Family and Multi-Family Dwellings, apartments, boarding or rooming houses, condominiums, mobile homes, efficiency apartments, and second units. Notwithstanding any provision to the contrary herein, in the Inglewood Municipal Code, or otherwise, for purposes of this ordinance, Premises upon which the following uses are occurring shall not be deemed to be Residential Premises, and rather shall be deemed to be Commercial Premises: adult Residential facilities, assisted living facilities, convalescent homes, dormitories, extended stay motels, group Residential facilities, group care facilities, hotels and motels. Other businesses not specifically listed at which residency is transient in nature and hence may be classified as Commercial Premises, as determined by City on a case-by-case basis.

73. “Responsible Party” means the owner, property manager, tenant, lessee, occupant, or other Designee that subscribes to and pays for Recyclable Materials, Organic Materials, and/or Solid Waste Collection services for a Premises/Dwelling in the City, or, if there is no such subscriber, the owner or property manager of a Single Family Dwellings, Multi-Family Dwellings, or Commercial Premises. In instances of dispute or uncertainty regarding who is the Responsible Party for a Premises, Responsible Party shall mean the owner of a Residential Premises or Commercial Premises.

74. “Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-Premises or immediate consumption, or as otherwise defined in 14 CCR Section 18982(a)(64).

75. “Route Review” means a visual Inspection of Containers along a Hauler Route for the purpose of determining Container Contamination and may include mechanical Inspection methods such as the use of cameras, or as otherwise defined in 14 CCR Section 18982(a)(65).

76. "SB 1383" means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and
Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time. For the purposes of this ordinance, SB 1383 specifically refers to the Short-Lived Climate Pollutants (SLCP): Organic Waste Reductions Regulations developed by CalRecycle and adopted on November 3, 2020 that created Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR.

77. “SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this ordinance, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.

78. “Self-Hauler” or “Self-Haul” means a Person who hauls Refuse, Organic Waste, or Recyclable Materials they have generated to another Person as defined in 14 CCR Section 18982(a)(66). Self-Hauler also includes a Person who Back-hauls Discarded Materials. Back-haul means generating and Transporting Recyclable Materials or Organic Waste to a destination owned and operated by the Generator using the Generator’s own employees and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).

79. "Single Family Dwelling(s)" means a building or lot containing four (4) or fewer Residential dwelling units.

80. "Solid Waste" means all discarded putrescible and non-putrescible solid, semisolid, and liquid wastes, including Refuse, Construction and Demolition Debris, Bulky Items, Recyclable Materials, and Organic Waste, or any combination thereof which are permitted to be Disposed of in a Class III landfill. "Solid Waste" includes all Solid Wastes generated by Residential, Commercial, and industrial sources, and all Solid Waste generated at construction and demolition sites, and at treatment works for water and wastewater, which are Collected and Transported under the authorization of the City or
are Self-Hauled by residents or contractors. Solid Waste does not include agricultural
crop residues, mining waste and fuel extraction waste, forestry wastes, ash from
industrial boilers, furnaces and incinerators or Hazardous Material, any waste which is
not permitted to be Disposed of at a Class III landfill and which fall within the definition
of “Non-hazardous Solid Waste” set forth in Title 23, Chapter 15, Section 2523(a) of the
California Code of Regulations as amended or designated Class II wastes. Materials shall
be deemed “Solid Waste” consistent with the meaning of California Public Resources
Code Section 40191.

81. "Source Separated" means materials, including commingled Recyclable Materials, that
have been separated or kept separate from the Refuse stream, at the point of
generation, for the purpose of additional sorting or Processing of those materials for
Recycling, composting, or reuse in order to return them to the economic mainstream in
the form of raw material for new, reused, or reconstituted products which meet the
quality standards necessary to be used in the marketplace, or as otherwise defined in
14 CCR Section 17402.5(b)(4). For the purposes of this ordinance, Source Separated shall
include separation of materials by the Generator, property owner, property owner’s
employee, property manager, or property manager’s employee into different
Containers for the purpose of Collection such that Source Separated materials are
separated from Black Container Waste and other Solid Waste for the purposes of
Collection and Processing.

82. “Source Separated Blue Container Organic Waste” means Source Separated Organic
Waste that can be placed in a Blue Container that is limited to the Collection of those
Organic Wastes and Non-Organic Recyclables as defined in 14 CCR Section 18982(a)(43);
or as otherwise defined by 14 CCR Section 17402(a)(18.7). Source Separated Blue
Container Organic Waste is a subset of Organic Waste and Source Separated Recyclable
Materials, for the purposes of this ordinance.

83. “Source Separated Green Container Organic Waste” or means Source Separated Organic
Waste that can be placed in a Green Container that is specifically intended for the


85. "Split-Container" means a Container that is split or divided into segregated sections, instead of an entire Container, or as otherwise specified in 14 CCR, Division 7, Chapter 12, Article 3.

86. "State" means the State of California.

87. "Supermarket" means a full-line, self-service retail store with gross annual sales of two million dollars ($2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items, or as otherwise defined in 14 CCR Section 18982(a)(71).

88. "Tier One Commercial Edible Food Generator" means a Commercial Edible Food Generator that is one of the following, each as defined in 14 CCR Section 18982:

A. Supermarket.

B. Grocery Store with a total facility size equal to or greater than 10,000 square feet.

C. Food Service Provider.

D. Food Distributor.

E. Wholesale Food Vendor.

F. If the definition in 14 CCR Section 18982(a)(73) of Tier One Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(73) shall apply to this ordinance.

89. "Tier Two Commercial Edible Food Generator" means a Commercial Edible Food Generator that is one of the following, each as defined in 14 CCR Section 18982:

A. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.

B. Hotel with an on-site Food Facility and 200 or more rooms.
C. Health facility with an on-site Food Facility and 100 or more beds.
D. Large Venue.
E. Large Event.
F. A State agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
G. A Local Education Agency facility with an on-site Food Facility.
H. If the definition in 14 CCR Section 18982(a)(74) of Tier Two Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(74) shall apply to this ordinance.

90. “Transfer” means the act of transferring the materials Collected by Franchisee in its route vehicles into larger vehicles for Transport to other facilities for the purpose of Recycling, Processing, or Disposing of such materials.

91. “Transportation,” “Transport,” or “Transporting” means the act of conveying Collected materials from one location to another.

92. “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR Section 189852(a)(76).

93. “Waiver Holder” means a Commercial Business that may apply for a waiver under Section 7-53.7. Under these circumstances, the City Manager or their Designee may issue special written permits (waivers) authorizing variations from the provisions of this Chapter. Special written permits include de minimis waivers and physical space waivers.

7-53.3 Requirements for Franchisee and Facility Operators

1. Requirements for Franchisee

A. Franchisee providing Recyclable Materials, Organic Waste, and/or Solid Waste Collection services to Generators within the City’s boundaries shall meet the following requirements and standards as a condition of approval of its Agreement with the City to Collect Recyclable Materials, Organic Materials, and/or Solid Waste:
i. Through written notice to the City annually on or before November 1st of each year, identify the facilities to which they will Transport Discarded Materials, including facilities for Source Separated Recyclable Materials, Source Separated Organic Materials, and Solid Waste unless otherwise stated in the Agreement with the City.

ii. Transport Source Separated Recyclable Materials to a facility that recovers those materials; Transport Source Separated Organic Materials to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2; Transport Solid Waste to a Disposal facility or Transfer facility or operation that Processes or Disposes of Solid Waste.

iii. Obtain approval from the City to haul Organic Waste, unless it is Transporting Source Separated Organic Waste to a Community Composting site or lawfully Transporting C&D Debris in a manner that complies with 14 CCR Section 18989.1, Section 7-53.11 of this ordinance, and City’s C&D ordinance located in Chapter 7, Article 7.

B. Franchisee, authorized to Collect Recyclable Materials, Organic Materials, and/or Solid Waste shall comply with education, equipment, signage, Container labeling, Container color, contamination monitoring, reporting, and other requirements contained within its Agreement with City.

C. The City and its duly authorized agents, servants and employees, or any other contractors with whom the City may at any time enter into a contract or franchise therefor, and the agents, servants and employees of such contractors, while any such contract shall be in force, shall have the exclusive right to services as identified in this Chapter, and in the Agreement, from all Premises in the City (unless otherwise noted herein or in the Agreement); and no Person shall provide services, convey or Transport any material in, along or over any public street, alley or highway in the City, or take any materials from any Container in which the same may be placed for
Collection or removal, or interfere with or disturb any such Container, or remove any such Container from any location where the same is placed by the owner thereof.

D. Requirements for Facility Operators and Community Composting Operations

i. Owners of facilities, operations, and activities located in the City’s boundaries that recover Organic Waste, including, but not limited to, Compost facilities, in-vessel digestion facilities, and publicly owned treatment works shall, upon City request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the City shall respond within sixty (60) days.

ii. Community Composting operators with operations located in the City’s boundaries, upon City request, shall provide information to the City to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation. Entities contacted by the City shall respond within sixty (60) days.

iii. Owners of facilities, operations, and activities located in the City’s boundaries that receive Recyclable Materials, Organic Materials, and/or Solid Waste shall provide to the City on a quarterly basis copies of all reports they are required to report to CalRecycle, including at minimum, those required by AB 901 and SB 1383.

7-53.4 Requirements for Single Family Dwellings

(a) Responsible Parties of Single Family Dwellings shall comply with the following requirements:

1) Subscribe to and pay for Franchisee provided three Container Collection services for weekly Collection of Recyclable Materials, Organic Materials, and Solid Waste generated by the Single Family Dwellings and comply with requirements of those services as described below. City shall have
the right to review the number and size of a Generator’s Containers to evaluate adequacy of capacity provided for each type of Collection service for proper separation of materials and containment of materials. The Responsible Parties for Single Family Dwellings shall adjust their service level for their Collection services as requested by the City or its Designee.

2) Participate in the Franchisee provided Collection service(s) in the manner described below.

3) Place and/or direct its Generators to place Source Separated Organic Materials, including Food Waste, in the Organic Materials Container; Source Separated Recyclable Materials in the Blue Container; and Refuse in the Black Container.

4) Not place and/or direct its Generators to not place Prohibited Container Contaminants in Collection Containers and not place materials designated for the Organic Materials Container or Blue Container in the Black Container.

7-53.5 Requirements for Multi-Family Dwellings

a) Responsible Parties of Multi-Family Dwellings shall:

1) Subscribe to and pay for Franchisee provided Collection services and comply with requirements of those services for all Recyclable Materials, Organic Materials, and Refuse generated at the Multi-Family Dwelling as further described below in this Section 7-53.5. City shall have the right to review the number and size of the Multi-Family Dwelling’s Collection Containers and frequency of Collection to evaluate adequacy of capacity provided for each type of Collection service for proper separation of materials and containment of materials. The Responsible Party of a Multi-Family Dwelling shall adjust their service level for their Collection services as requested by the City or its Designee.

2) Participate in Franchisee provided Container Collection service(s) for at least
weekly Collection of Recyclable Materials, Organic Materials, and Solid Waste
in the manner described below.

E. A three- or three-plus-Container Collection service (Blue Container, Organic
Materials Container(s), Black Container, and if applicable, Brown Container):

a) Place and/or direct its Generators to place Source Separated Organic
Materials, including Food Waste, in the Organic Materials Container;
Source Separated Recyclable Materials in the Blue Container; and
Solid Waste in the Solid Waste Container.

b) Not place and/or direct its Generators to not place Prohibited
Container Contaminants in Collection Containers and to not place
materials designated for the Organic Materials Containers or Blue
Containers in the Solid Waste Containers.

3) Supply and allow access to adequate number, size, and location of Collection
Containers with sufficient labels or colors for employees, contractors,
tenants, and customers, consistent with Franchisee’s Blue Container, Organic
Materials Container, and Solid Waste Container Collection service or, if Self-
Hauling, consistent with the Multi-Family Dwelling’s approach to complying
with Self-Hauler requirements in Section 7-53.9 of this ordinance.

4) Provide Containers for the Collection of Source Separated Recyclable
Materials and Source Separated Organic Materials in all indoor and outdoor
areas where Solid Waste Containers are provided for customers, for materials
generated by that Commercial Business. Such Containers shall be visible and
easily accessible. Such Containers do not need to be provided in restrooms. If
a Commercial Business does not generate any of the materials that would be
Collected in one type of Container, then the Responsible Party of the
Commercial Business does not have to provide that particular Container in all
areas where Solid Waste Containers are provided for customers. Pursuant to
14 CCR Section 18984.9(b), the Containers provided by the Responsible Party
of the Commercial Business shall have either:

a) A body or lid that conforms with the Container colors provided through the Collection service provided by Franchisee, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. The Responsible Party of the Commercial Business is not required to replace functional Containers, including Containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those Containers, or prior to January 1, 2036, whichever comes first.

b) Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that Container, or Containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the Container. Pursuant 14 CCR Section 18984.8, the Container labeling requirements are required on new Containers commencing January 1, 2022.

5) To the extent practical through education, training, Inspection, and/or other measures, prohibit employees from placing materials in a Container not designated for those materials per the Franchisee’s Blue Container, Organic Materials Container, and Solid Waste Collection service or, if Self-Hauling, per the instructions of the Commercial Business’s Responsible Party to support its compliance with Self-Hauler requirements of this ordinance in Section 7-53.9.

6) Periodically inspect Blue Containers, Organic Materials Containers, and Solid Waste Containers for contamination and inform employees if Containers are contaminated and of the requirements to keep contaminants out of those Containers pursuant to 14 CCR Section 18984.9(b)(3).
7) Annually provide information to employees, contractors, tenants, and customers about Recyclable Materials and Organic Waste Recovery requirements and about proper sorting of Recyclable Materials, Organic Materials, and Solid Waste.

8) Provide education information before or within fourteen (14) days of occupation of the Premises to new tenants that describes requirements to Source Separate Recyclable Materials and Organic Materials and to keep Source Separated Organic Materials and Source Separated Recyclable Materials separate from each other and from Solid Waste (when applicable) and the location of Containers and the rules governing their use at each property.

9) Provide or arrange access for City or its Designee to their properties during all Inspections conducted in accordance with this ordinance to confirm compliance with the requirements of this ordinance.

7-53.6 Requirements for Commercial Businesses

(a) Responsible Parties of Commercial Businesses shall provide or arrange for Recyclable Materials, Organic Materials, and Solid Waste Collection services consistent with this ordinance and for employees, contractors, tenants, and customers.

(b) Except Responsible Parties of Commercial Businesses that meet the Self-Hauler requirements in Section 7-53.9 of this ordinance. Responsible Parties of Commercial Premises shall:

Subscribe to and pay for Franchisee provided Collection services and comply with requirements of those services for all Recyclable Materials, Organic Materials, and Solid Waste generated at the Commercial Premises as further described below in this Section 7-53.6. City shall have the right to review the number and size of a Commercial Premises’ Containers and frequency of Collection to evaluate adequacy of capacity provided for each type of Collection service for proper separation of materials and containment of materials. The Responsible Party of the Commercial Business shall adjust their service level for their Collection services as
requested by the City or its Designee.

F. Participate in the City’s approved Collection service(s) for at least weekly Collection of Recyclable Materials, Organic Materials, and Solid Waste in the manner described below.

i. A three- and three-plus-Container Collection service (Blue Container, Organic Materials Container(s), Black Container, and if applicable, Brown Container):

   Place and/or direct its Generators to place Source Separated Organic Materials, including Food Waste, in the Organic Materials Container; Source Separated Recyclable Materials in the Blue Container; and Refuse in the Refuse or Black Container.

   Not place and/or direct its Generators to not place Prohibited Container Contaminants in Collection Containers and to not place materials designated for the Organic Materials Containers or Blue Containers in the Refuse or Black Containers.

G. Supply and allow access to adequate number, size, and location of Collection Containers with sufficient labels or colors (conforming with Section 7(b)(4) below) for employees, contractors, tenants, and customers, consistent with Franchisee’s Blue Container, Organic Materials Container, and Solid Waste Container Collection service or, if Self-Hauling, consistent with the Commercial Premises’ approach to complying with Self-Hauler requirements in Section 7-53.9 of this ordinance.

H. Provide Containers for the Collection of Source Separated Recyclable Materials and Source Separated Organic Materials in all indoor and outdoor areas where Solid Waste Containers are provided for customers, for materials generated by that Commercial Business. Such Containers shall be visible and easily accessible. Such Containers do not need to be provided in restrooms. If a Commercial Business does not generate any of the materials that would be Collected in one type of Container, then the Responsible Party of the Commercial Business does not have to provide that particular Container in all areas where Solid Waste Containers are provided for
customers. Pursuant to 14 CCR Section 18984.9(b), the Containers provided by the Responsible Party of the Commercial Business shall have either:

i. A body or lid that conforms with the Container colors provided through the Collection service provided by Franchisee, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. The Responsible Party of the Commercial Business is not required to replace functional Containers, including Containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those Containers, or prior to January 1, 2036, whichever comes first.

ii. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that Container, or Containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the Container. Pursuant 14 CCR Section 18984.8, the Container labeling requirements are required on new Containers commencing January 1, 2022.

I. To the extent practical through education, training, Inspection, and/or other measures, prohibit employees from placing materials in a Container not designated for those materials per the Franchisee’s Blue Container, Organic Materials Container, and Solid Waste Collection service or, if Self-Hauling, per the instructions of the Commercial Business’s Responsible Party to support its compliance with Self-Hauler requirements of this ordinance in Section 7-53.9.

J. Periodically inspect Blue Containers, Organic Materials Containers, and Solid Waste Containers for contamination and inform employees if Containers are contaminated and of the requirements to keep contaminants out of those Containers pursuant to 14 CCR Section 18984.9(b)(3).

K. Annually provide information to employees, contractors, tenants, and customers about Recyclable Materials and Organic Waste Recovery requirements and about

L. Provide education information before or within fourteen (14) days of occupation of the Premises to new tenants that describes requirements to Source Separate Recyclable Materials and Organic Materials and to keep Source Separated Organic Materials and Source Separated Recyclable Materials separate from each other and from other Solid Waste (when applicable) and the location of Containers and the rules governing their use at each property.

M. Provide or arrange access for City or its Designee to their properties during all Inspections conducted in accordance with this ordinance to confirm compliance with the requirements of this ordinance.

2. If the Responsible Party of a Commercial Business wants to Self-Haul, meet the Self-Hauler requirements in Section 7-53.9 of this ordinance.

3. Nothing in this Section prohibits a Responsible Party or a Generator of a Commercial Business from preventing or reducing Discarded Materials generation, managing Organic Waste on site, or using a Community Composting site pursuant to 14 CCR Section 18984.9(c).

4. Responsible Parties of Commercial Businesses that are Tier One or Tier Two Commercial Edible Food Generators shall comply with Food Recovery requirements, pursuant to Section 7-53.11 of this ordinance.

7-53.7 Waivers for Multi-Family Dwellings and Commercial Premises

1. The Responsible Party of a Commercial Premise may apply for waivers where practical difficulties make it impossible or extremely difficult to carry out the strict letter of this Chapter with respect to any Premise. Under these circumstances, the City Manager or their Designee may issue special written permits (waivers) authorizing variations from the provisions of this Chapter, subject to such terms and conditions as may deemed necessary to protect the public health and safety of the City. Special written permits include de minimis waivers and physical space waivers, as described below.

2. De Minimis Waivers: The City Manager or their Designee may waive a Commercial
Business’s obligation (including Multi-Family Dwelling’s obligations) to comply with some or all of the Organic Material requirements of this ordinance if the Commercial Business provides documentation, or if the City Manager or their Designee has evidence demonstrating, that the business generates below a certain amount of Organic Material as described in this section below. If the City Manager or their Designee has sufficient evidence demonstrating that a Commercial Business generates below a certain amount of Organic Waste as described below, it may verify that the Commercial Businesses’ Organic Waste generation meets the threshold without the receipt of a waiver application as described in below. As part of the Organic Waste generation verification process, the City Manager or their Designee may request documentation from the Commercial Business as described below.

A. The Commercial Business’ or Multi-Family Dwelling’s total Solid Waste Collection service is two (2) cubic yards or more per week and Recyclable Materials and Organic Materials subject to Collection in Blue Container(s) or Organic Materials Container(s) comprises less than twenty (20) gallons per week per applicable material stream of the Multi-Family Dwelling’s or Commercial Business’ total waste (i.e., Recyclable Materials in the Recyclable Materials stream are less than twenty (20) gallons per week or Organic Materials in the Organic Materials stream are less than twenty (20) gallons per week); or,

B. The Commercial Business’ or Multi-Family Dwelling’s total Solid Waste Collection service is less than two (2) cubic yards per week and Recyclable Materials and Organic Materials subject to Collection in a Blue Container(s) or Organic Materials Container(s) comprises less than ten (10) gallons per week per applicable material stream of the Multi-family Dwelling’s or Commercial Business’ total waste (i.e., Recyclable Materials in the Recyclable Materials stream are less than ten (10) gallons per week or Organic Materials in the Organic Materials stream are less than ten (10) gallons per week).

C. For the purposes of subsections (1) and (2) above, total Solid Waste shall be the sum
of weekly Container capacity measured in cubic yards for Solid Waste, Recyclable Materials, and Organic Materials Collection service.

3. Physical Space Waivers: City may waive a Commercial Business’ or Multi-Family Dwelling’s obligations to comply with some or all of the Organic Material Collection service requirements if the City has evidence from its own staff, Franchisee, licensed architect, or licensed engineer that the Premises lacks adequate space for compliance with the Organic Material Collection requirements below.

A. A physical space waiver may also be requested if a Commercial Business or property owner documents that the Premises lacks adequate space for Organic Material Container and Recyclable Material Containers.

B. The Responsible Party of a Commercial Business or property owner may request a physical space waiver through the following process:

i. Submit an application form specifying the type(s) of Collection services for which they are requesting a compliance waiver.

ii. Provide documentation that the Premises lacks adequate space for Recyclable Material Containers and/or Organic Material Containers including documentation from Franchisee, licensed architect, or licensed engineer.

iii. Provide written verification to City that it is still eligible for physical space waiver every five (5) years or when a Conditional Use Permit is issued, whichever is sooner, if City has approved application for a physical space waiver.

C. Review and Approval of Waivers by City: Commercial Business or Multi-Family Dwelling shall:

i. Submit a completed application form to City Manager or their Designee for a waiver specifying the waiver type requested, type(s) of Collection services for which they are requesting a waiver, the reason(s) for such waiver, and documentation supporting such request.

ii. Upon waiver approval, City shall specify that the waiver is valid for five (5)
years.

iii. Waiver Holder shall notify City if circumstances change such that Commercial Business or Multi-Family Dwelling may no longer qualify for the waiver granted, in which case waiver will be rescinded.

iv. Any Waiver Holder must cooperate with the City for compliance Inspections and enforcement as stated in Sections 7-53.12 and 7-53.13.

v. Waiver Holder shall reapply to the City Manager or their Designee for a waiver upon the expiration of the waiver period and shall submit any required documentation, and/or fees/payments as required by the City. Failure to submit a completed application shall equate to an automatic denial of said application.

vi. City Manager or their Designee may revoke a waiver upon a determination that any of the circumstances justifying a waiver are no longer applicable.

7-53.8. Requirements for Commercial Edible Food Generators

1. Tier One Commercial Edible Food Generators must comply with the requirements of this Section 7-53.8 commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.

2. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024.

3. Commercial Edible Food Generators shall comply with the following requirements:
   
   A. Arrange to recover the maximum amount of Edible Food that would otherwise be Disposed.
   
   B. Contract with or enter into a written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the Collection of Edible Food for Food Recovery; or, (ii) acceptance of the Edible Food that the Commercial Edible Food Generator Self-
Hauls to the Food Recovery Organization for Food Recovery.

C. Not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.

D. Allow City's designated enforcement entity or their Designee entity to access the Premises and review records pursuant to 14 CCR Section 18991.4.

E. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

   i. A list of each Food Recovery Service or Organization that Collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

   ii. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).

   iii. A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:

           The name, address and contact information of the Food Recovery Service or Food Recovery Organization.

           The types of food that will be collected by or Self-Hauled to the Food Recovery Service or Food Recovery Organization.

           The established frequency that food will be collected or Self-Hauled.

           The quantity of food, measured in pounds recovered per month, collected or Self-Hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.

4. Nothing in this ordinance shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health
and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

7-53.9. Self-Hauler Requirements

1. Every Self-Hauler shall Source Separate its Recyclable Materials and Organic Materials (materials that City otherwise requires Generators or Responsible Parties to separate for Collection in the City’s Recyclable Materials and Organic Materials Collection program) generated on-site from Solid Waste in a manner consistent with 14 CCR Section 18984.1 and the Franchisee’s Collection program. Self-Haulers shall deliver their materials to facilities described in subsection (2) below.

2. Self-Haulers that Source Separate their Recyclable Materials and Organic Materials shall haul their Source Separated Recyclable Materials to a facility that recovers those materials; haul their Source Separated Organic Waste to a facility, operation, activity, or property that Processes or recovers Source Separated Organic Waste; haul their Solid Waste to a Disposal facility or Transfer facility or operation that Processes or Disposes of Solid Waste; and, Transport manure to a facility that manages manure in conformance with 14 CCR Article 12 and such that the manure is not landfilled, used as Alternative Daily Cover (ADC), or used as Alternative Intermediate Cover (AIC).

7-53.10. Requirements for Food Recovery Organizations and Services

1. Food Recovery Services Collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1):

A. The name, address, and contact information for each Commercial Edible Food Generator from which the service Collects Edible Food.

B. The quantity in pounds of Edible Food Collected from each Commercial Edible Food Generator per month.

C. The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
D. The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food to for Food Recovery.

2. Food Recovery Organizations Collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):

A. The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.

B. The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month.

C. The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.

3. Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to 14 CCR Section 18991.3(b) shall report to the City the total pounds of Edible Food recovered in the previous calendar year from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b). The annual report shall be submitted to the City upon City request.

4. In order to support Edible Food Recovery capacity planning assessments or other studies conducted by the County, City, Franchisee, or its designated entity, Food Recovery Services and Food Recovery Organizations operating in the City shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity that could be accessed by the City and its Commercial Edible Food Generators. A Food Recovery Service or Food Recovery Organization contacted by the City shall respond to such request for information within 60 days.

7-53.11. Compliance with CALGreen Recycling Requirements

1. Persons applying for a permit from the City for new construction and building additions
and alternations shall comply with the requirements of this Section 7-53.11, Chapter 7, Article 7 of the City’s municipal code, and all required components of the California Green Building Standards Code, 24 CCR, Part 11, known as CALGreen, as amended, if its project is covered by the scope of CALGreen. If the requirements of CALGreen are more stringent than the requirements of this Section, the CALGreen requirements shall apply. Project applicants shall refer to City’s building and/or planning code for complete CALGreen requirements.

2. For projects covered by CALGreen, the applicants must, as a condition of the City’s permit approval, comply with the following:

A. Where five (5) or more Multi-Family Dwelling units are constructed on a building site, provide readily accessible areas that serve occupants of all buildings on the site and are identified for the storage and Collection of Blue Container and Organic Materials Container materials, consistent with the three- or three-plus Collection program offered by Franchisee, or comply with provision of adequate space for Recycling for Multi-Family Dwellings and Commercial Premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate Recycling space effective January 1, 2020.

B. New Commercial or Multi-Family construction or additions resulting in more than 30% of the floor area shall provide readily accessible areas identified for the storage and Collection of Blue Container and Organic Materials Container materials, consistent with the Collection program offered by Franchisee, or shall comply with provision of adequate space for Recycling for Multi-Family Dwellings and Commercial Premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate Recycling space effective January 1, 2020.

C. Comply with CALGreen requirements and applicable law related to management of
C&D Debris, including Diversion of Organic Waste in C&D Debris from Disposal.
Comply with City's Construction and Demolition ordinance located in Chapter 7,
Article 7 of the City's municipal code, and all written and published City policies
and/or administrative guidelines regarding the Collection, Recycling, Diversion,
tracking, and/or reporting of C&D Debris.

7-53.12. Inspections and Investigations by City

1. City Manager or their Designee are authorized to conduct Inspections and investigations,
at random or otherwise, of any Collection Container, Collection vehicle loads, or
Transfer, Processing, or Disposal facility for materials Collected from Generators, or
Source Separated materials to confirm compliance with this ordinance by Franchisee,
Generators, Responsible Parties of Commercial Businesses, Responsible Parties of Multi-
Family Dwellings, Commercial Edible Food Generators, haulers, Self-Haulers, Food
Recovery Services, and Food Recovery Organizations, subject to applicable laws. This
Section does not allow City to enter the interior of a private Residential property for
Inspection.

2. Regulated entity shall provide or arrange for access during all Inspections (with the
exception of Residential Premises interiors) and shall cooperate with the City's
representative or its Designee during such Inspections and investigations. Such
Inspections and investigations may include confirmation of proper placement of
materials in Containers, Inspection of Edible Food Recovery activities, review of required
records, or other verification or Inspection to confirm compliance with any other
requirement of this ordinance. Failure of a Responsible Party to provide or arrange for:
(i) access to an entity's Premises; or (ii) access to records for any Inspection or
investigation is a violation of this ordinance and may result in penalties described in
Section 7-53.13.

3. Any records obtained by a City during its Inspections and other reviews shall be subject
to the requirements and applicable disclosure exemptions of the Public Records Act as
set forth in Government Code Section 6250 et seq.
4. City representatives, its designated entity, and/or Designee are authorized to conduct any Inspections or other investigations as reasonably necessary to further the goals of this ordinance, subject to applicable laws.

5. City shall receive written complaints from Persons regarding an entity that may be potentially non-compliant with SB 1383 Regulations, including receipt of anonymous complaints.

7-53.13. Enforcement

1. Violation of any provision of this ordinance may constitute grounds for issuance of a Notice of Violation and assessment of a fine by a City Enforcement Official or representative. Enforcement Actions under this ordinance are issuance of an administrative citation and assessment of a fine. The City’s procedures on imposition of administrative citations are located in Chapter 11, Article 11.4 of the municipal code, and are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, Collection, and review of administrative citations issued to enforce this ordinance and any rule or regulation adopted pursuant to this ordinance, except as otherwise indicated in this ordinance.

2. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations. City may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of City staff and resources.

3. Responsible Entity for Enforcement

A. Enforcement pursuant to this ordinance may be undertaken by the City Enforcement Official, which may be the City Manager or Designee or their designated entity, legal counsel, or combination thereof.

4. Process for Enforcement

A. City Manager and/or their Designee will monitor compliance with the ordinance randomly and through Compliance Reviews, Route Reviews, investigation of
complaints, and an Inspection program. Section 7-53.12 establishes City's right to conduct Inspections and investigations.

B. City may issue an official notification to notify regulated entities of its obligations under the ordinance.

C. For incidences of Prohibited Container Contaminants found in Containers, City or their Designee will issue a notice of contamination to any Generator or Responsible Party found to have Prohibited Container Contaminants in a Container. Such notice will be provided via a cart tag or other communication immediately upon identification of the Prohibited Container Contaminants or within one (1) day after determining that a violation has occurred. If the City observes Prohibited Container Contaminants in a Responsible Party's Containers on more than one (1) occasion, the City or its Designee may assess contamination Processing fees or contamination penalties on the Generator.

D. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, City shall commence an action to impose penalties, via an administrative citation and fine, pursuant to the Chapter 11, Article 11.4 of the Inglewood Municipal Code.

5. Penalty Amounts for Types of Violations
   It shall be unlawful to violate this Section 7.53. The penalty levels are as follows:
   A. For a first violation, the amount of the base penalty shall be $50 to $100 per violation.
   B. For a second violation, the amount of the base penalty shall be $100 to $200 per violation.
   C. For a third or subsequent violation, the amount of the base penalty shall be $250 to $500 per violation.

6. Factors Considered in Determining Penalty Amount
   The following factors shall be used to determine the amount of the penalty for each violation within the appropriate penalty amount range:
   A. The nature, circumstances, and severity of the violation(s).
B. The violator's ability to pay.

C. The willfulness of the violator's misconduct.

D. Whether the violator took measures to avoid or mitigate violations of this chapter.

E. Evidence of any economic benefit resulting from the violation(s).

F. The deterrent effect of the penalty on the violator.

G. Whether the violation(s) were due to conditions outside the control of the violator.

7. Compliance Deadline Extension Considerations. City may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with this Section if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

A. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters;

B. Delays in obtaining discretionary permits or other government agency approvals; or,

C. Deficiencies in Organic Waste Recycling infrastructure or Edible Food Recovery capacity and the City is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

8. Appeals Process. Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation. A hearing will be held only if it is requested within the time prescribed and consistent with City's Chapter 11, Article 11.4 of the Inglewood Municipal Code.

9. Education Period for Non-Compliance. Beginning January 1, 2022 and through December 31, 2023, City will conduct Inspections, Route Reviews or waste evaluations, and Compliance Reviews, depending upon the type of regulated entity, to determine compliance, and if City determines that Generator, Franchisee, Responsible Party, Self-Hauler, hauler, Tier One Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this ordinance and a notice that compliance is required by January 1, 2022, and that violations may be subject
to administrative civil penalties starting on January 1, 2024.

10. Civil Penalties for Non-Compliance. Beginning January 1, 2024, if the City determines that a Generator, Responsible Party, Self-Hauler, hauler, Tier One or Tier Two Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance with this ordinance, it shall document the noncompliance or violation, issue a Notice of Violation, and take Enforcement Action pursuant to this Section, as needed.

SECTION 4.

Section 7-79 of Article 7 (Construction and Demolition Recycling Program (CDRP)) of Chapter 7 (Sanitation and Health Regulations) of the Inglewood Municipal Code, is hereby added:

Section 7-79. Accessible Area for Recycling

1. Definitions:

   A. "Commercial" refers to services performed at or for Commercial Premises.

   B. "Commercial Premises" means Premises upon which business activity is conducted, including but not limited to retail sales, services, wholesale operations, manufacturing and industrial operations, but excluding Residential Premises upon which business activities are conducted when such activities are permitted under applicable zoning regulations and are not the primary use of the property. notwithstanding any provision to the contrary herein, in the Inglewood Municipal Code, or otherwise, for purposes of this ordinance, Premises upon which the following uses are occurring shall be deemed to be Commercial Premises: adult residential facilities, assisted living facilities, convalescent homes, dormitories, extended stay motels, group residential facilities, group care facilities, hotels, and motels.

   C. "Multi-Family Dwelling" means any building or lot containing five (5) or more dwelling units. Multi-Family Dwelling units generally receive Solid Waste handling services through the use of shared containers.
D. "Organic Waste" means Solid Wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined by 14 CCR Section 18982(a).

E. "Premises" means any land or building in City where Solid Waste is generated or accumulated.

F. "Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials for the purpose of returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. Recycling includes processes deemed to constitute a reduction of landfill disposal pursuant to 14 CCR, Division 7, Chapter 12, Article 2. Recycling does not include gasification or transformation, as defined in Public Resources Code Section 40201.

G. "Solid Waste" means all discarded putrescible and non-putrescible solid, semisolid, and liquid wastes, including Refuse, Construction and Demolition Debris, Bulky Items, Recyclable Materials, and Organic Waste, or any combination thereof which are permitted to be Disposed of in a Class III landfill. "Solid Waste" includes all Solid Wastes generated by Residential, Commercial, and industrial sources, and all Solid Waste generated at construction and demolition sites, and at treatment works for water and wastewater, which are Collected and Transported under the authorization of the City or are self-hauled by residents or contractors. Solid Waste does not include agricultural crop residues, mining waste and fuel extraction waste, forestry wastes, ash from industrial boilers, furnaces and incinerators or Hazardous Material, any waste which is not permitted to be Disposed of at a Class III landfill and which fall within the definition of "Non-hazardous Solid Waste" set forth in Title 23, Chapter 15, Section 2523(a) of the California Code of Regulations as amended.
or designated Class II wastes. Materials shall be deemed "Solid Waste" consistent
with the meaning of California Public Resources Code Section 40191.

2. Accessible Areas for Recycling

As more fully described below, the Building Official, and permittees, shall ensure
adequate space for Recycling is incorporated into building plans as required by the
California Code of Regulations, Title 23, the California Green Building Standards Code,
Chapter 4 Residential Mandatory Measures, and Chapter 5 Nonresidential Mandatory
Measures.

3. Recycling by Occupants

A. Recycling by Occupants at Multi-Family Dwellings. Where 5 or more Multi-Family
Dwelling units are constructed on a building site, provide readily accessible area(s)
that serves all buildings on the site and are identified for the depositing, storage,
and collection of non-hazardous materials for Recycling, including (at a minimum)
paper, corrugated cardboard, glass, plastics, Organic Waste, and metals, or meet a
lawfully enacted local Recycling ordinance, if more restrictive.

B. Recycling by Occupants at Commercial Businesses. Provide readily accessible areas
that serve the entire building and are identified for the depositing, storage and
collection of non-hazardous materials for Recycling, including (at a minimum) paper,
corrugated cardboard, glass, plastics, Organic Waste, and metals or meet a lawfully
enacted local Recycling ordinance, if more restrictive.

4. Additions. All additions conducted within a 12-month period under single or multiple
permits, resulting in an increase of 30 percent or more in floor area, shall provide
Recycling areas, including an area for Organic Waste collection, on site.

SECTION 5.

Any provision of the City of Inglewood Municipal Code or appendices thereto,
inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no
further, are hereby repealed or modified to that extent necessary to effect the provisions of this
Ordinance.
SECTION 6.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7.

The City Clerk shall certify to the introduction, approval, passage, and adoption of this Ordinance by the City Council and shall cause the same to be published in accordance with the City Charter, and thirty days from the final passage and adoption, this Ordinance shall be in full force and effect.

Introduced at a regular meeting of the Inglewood City Council, this ___5th___ day of ___April___, 2022.

Passed and Adopted at a regular meeting of the Inglewood City Council, this ___12th___ day of ___April___, 2022.

CITY OF INGLEWOOD:

James T. Butts, Jr.,
Mayor

ATTEST:

Aisha L. Thompson,
City Clerk
I, AISHA L. THOMPSON, City Clerk of the City of Inglewood, California do hereby certify that the whole number of members of the CITY COUNCIL of said city is five; that the foregoing ordinance being Ordinance No. 22-07 is the full, true and correct original of Ordinance No. 22-07 of the said City of Inglewood, California entitled:

AN ORDINANCE OF THE CITY OF INGLEWOOD, CALIFORNIA 1) ADDING SECTION 2-201 OF ARTICLE 5 (PURCHASING) OF CHAPTER 2 (ADMINISTRATION); 2) ADDING SECTION 5-112.1 OF ARTICLE 5 (SOLID WASTE CODE) OF CHAPTER 7 (SANITATION AND HEALTH REGULATIONS); 4) AND ADDING SECTION 7-79 OF ARTICLE 7 (CONSTRUCTION AND DEMOLITION RECYCLING PROGRAM) OF CHAPTER 7 (SANITATION AND HEALTH REGULATIONS).

which was duly passed and adopted by the said City Council, approved and signed by the Mayor of said city, and attested by the City Clerk of said City, all at a meeting of said Council held on the 12th day of April, 2022 and that the same was so passed and adopted by the following vote:

Ayes: Council Members, Dotson, Padilla, Morales, Faulk;

Noes: None;

Absent: Mayor Butts, Jr.

WITNESS my hand and the seal of said City the 19th day of April, 2022.

(SEAL)

City Clerk of the City of Inglewood