ORDINANCE NO. 26-271

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE TITLE 5, CHAPTER 1, SECTION 5-1-7 (PREPARATION OF SOLID WASTE)

The Board of Directors for the Bear Valley Community Services District does ordain as follows:

SECTION 1. Findings. The Board of Directors finds as follows:

A. At the September 24, 2026 Regular Board meeting the board of directors, by unanimous vote 5/0, directed staff to amend the ordinance to allow for compliant compostable bags to be used for Organic Waste Disposal.

SECTION 2. District Code Section 5-1-7 of Chapter 1 of Title 5 of the Bear Valley Community Services District Code is amended:

5-1-7 PREPARATION OF SOLID WASTE:
Self-haulers shall source separate all recyclable materials, organic (food) waste, green waste, and household waste **prior** to hauling it to the district's Solid Waste Transfer Station in compliance with 14 CCR Sections 18988.1 through 18988.3. Compostable bags may be disposed of in the organic (food) waste containers if they meet the ASTM D6400 standard for compostability, or as otherwise described in 14 CCR Section 18984.1(a)(1)(A) or 18984.2(a)(1)(C).

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held to be invalid or unconstitutional such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. Environmental Quality Act. This ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines and is not a project which has the potential for causing a significant effect on the environment. The approval of the code amendments in the proposed ordinance does not approve any physical development and it would not result in a direct or indirect physical change in the environment. Any specific development project that may result from these changes will be subject to environmental review. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these District code amendments are exempt from review under CEQA and no further environmental review is necessary.

SECTION 5. Effective Date. The Secretary of the Board of Directors is directed to cause this ordinance to be published in the manner required by law. This Ordinance shall take effect and be enforced 30 days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Bear Valley Community Services District on the 12th day of November 2026, by the following vote:

AYES: Lewis, Frevert, Hernandez, Paparella
NOES: None
ABSENT: Tabor
ABSTAIN: None

Paul Paparella, Board President

ATTEST:

BY: _____
Denise Jelleschitz, Secretary of the Board of Directors

APPROVED AS TO FORM:

BY: _____
Jason Ewert, District Counsel