

**CITY OF SAN MATEO
PROPOSED ORDINANCE**

Amending Section 1.04.050(a), “Enforcement—Citation Authority” of the San Mateo Municipal Code

WHEREAS, SB 1383 “Short-Lived Climate Pollutants” was adopted by the State of California in 2016, implementing a statewide comprehensive strategy to reduce emissions of short-lived climate pollutants; and

WHEREAS, the City of San Mateo adopted the “Mandatory Organic Waste Disposal Reduction Ordinance” (SB 1383 Ordinance) on December 6, 2021, as required by SB 1383; and

WHEREAS, the SB 1383 Ordinance provided for enforcement to begin on January 1, 2024; and

WHEREAS, San Mateo Municipal Code Section 1.04.050(a) authorizes persons who may issue administrative citations to enforce provisions of the San Mateo Municipal Code; and

WHEREAS, the Public Works Regulatory Compliance Division is responsible for enforcing the SB 1383 Ordinance as well as other San Mateo Municipal Code Sections relating to recycling and solid waste requirements, but are not authorized pursuant to Section 1.04.050(a); and

WHEREAS, amendments to the San Mateo Municipal Section 1.04.050(a) are necessary to reflect changes in position titles and to authorize appropriate persons to enforce provisions of San Mateo Municipal Code relating to the SB 1383 Ordinance, recycling, and solid waste requirements.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SAN MATEO ORDAINS AS FOLLOWS:

Section 1. Subsection (a) of Section 1.04.050 of the San Mateo Municipal Code is amended as follows:

1.04.050 Enforcement – Citation Authority.

(a) Persons employed in the following positions, or their designees, may enforce the provisions of the San Mateo Municipal Code and regulations adopted pursuant thereto by the issuance of administrative citations under Chapter 1.10 of this code.

Position	Code Title, Chapter, or Section
Community Development Director, Neighborhood Improvement and Housing Manager, Sr. Code Enforcement Officer, Code Enforcement Officer	Titles 7, 8, 10, 23, 25, 27, Chapters 5.06, 5.64, 5.66, Sections 11.40.110, 17.08.010, 17.08.020, 17.08.160, 17.08.170, 17.08.180(a), 17.20.010, 17.29.040
Building Official, Deputy Building Official, Building Inspector	Titles 7, 10, 23, 25, 27
Fire Chief, Battalion Chief, Fire Marshal, Deputy Fire Marshal, Fire Inspector, Fire Prevention Inspector	Titles 7, 10, 23, 25, 27
Director of Public Works, Deputy Director of Public Works, Construction Inspector, Senior Engineer, Regulatory Compliance Manager, Environmental Programs Coordinator, Environmental Compliance Inspector, Public Works Supervisor, Solid Waste and Recycling Programs Coordinator, Waste Management Supervisor	Chapters 7.33, 7.35, 7.38, 7.39, 17.08, 17.29, 25.04, 25.08
Harbor Patrol Officer, Park Ranger, Senior Park Ranger, Director of Parks and Recreation	Chapter 13.20, Sections 13.05.010-13.05.030, 13.25.015
Parks and Landscape Maintenance Manager, Tree Maintenance Specialist, Managing Arborist, Director of Parks and Recreation	Chapter 13.40
Community Service Officers, Parking Enforcement Representative	Titles 11, 17

Section 2. Environmental Determination. In accordance with California Environmental Quality Act (CEQA) Guidelines, Section 15378(b)(5), this action to amend San Mateo Municipal Code Section 1.04.050(a) updating the authority of persons to enforce various sections of the San Mateo Municipal Code is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment .

Section 3. Severability. In the event any section, clause or provision of this ordinance shall be determined invalid or unconstitutional, such section, clause or provision shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 4. Publication. This Ordinance shall be published in summary in a newspaper of general circulation, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the City Charter.

Section 5. Legislative History and Effective Date. This ordinance was introduced on Clerk to complete., and adopted on Clerk to complete., and shall be effective 30 days after its adoption.