

## Creating Effective Commercial Recycling Education and Outreach Activities

October 6, 2010

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## About the Institute

**Who:**

- Research & Education Affiliate of the League of California Cities and the California State Association of Counties

**Mission:**

- Promoting Good Government at the Local Level

## ILG Program Areas



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## Creating Effective Commercial Recycling Education and Outreach Activities

### Welcome and Introductions

- Yvonne Hunter, Program Director, California Climate Action Network, Institute for Local Government

### CalRecycle Regulatory Update

- Howard Levenson, Assistant Director, CalRecycle

### Questions and Discussion

### Creating Effective Education and Outreach Activities

- Brian Moura, Assistant City Manager, City of San Carlos
- Lynn France, Environmental Services Program Manager, Department of Public Works, City of Chula Vista
- Kit Cole, Director of Public Affairs, Waste Management, Greater Los Angeles Market Area

### Questions and Discussion



[www.ca-ilg.org](http://www.ca-ilg.org)



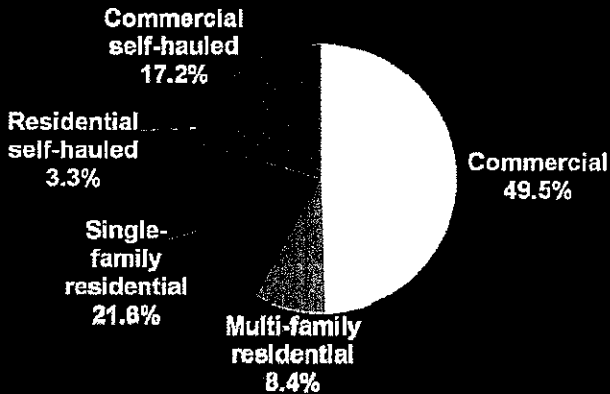
## Mandatory Commercial Recycling Regulation

Howard Levenson

October 6, 2010

CalRecycle

## Statewide Commercial Overall Disposal, 2008



Presentation Name

7

## Goals

- Goal: Reduction of 5 million metric tons CO<sub>2</sub>E
    - 27 million tons disposed by commercial sector
    - Will need to recycle about 3 millions tons by 2020
  - Flexible for jurisdictions and businesses
    - Does not specify which materials must be diverted
    - Allows jurisdictions to design program
    - Allows businesses various ways to recycle depending on local infrastructure
- Builds on existing AB 939 processes**

Presentation Name

5

## Draft Regulatory Approach: Business Requirements

Businesses and Multifamily (5 units or more) that generate 4 cubic yards of waste and/or recyclables per week must:

- Subscribe to recycling service, or
- Send materials to a mixed waste processing facility, or
- Self-haul recyclables

## Draft Regulatory Approach: Jurisdiction Requirements

Jurisdictions must implement commercial recycling program that consists of education, outreach, and monitoring by July 2012

- Regardless of meeting 50% per capita disposal target
- Can use existing programs
- Can decide how – e.g., ordinance, policy, franchise
- Flexibility to phase in program components
- Enforcement not mandatory
- Report to CalRecycle in Electronic Annual Report

## Draft Regulatory Approach: CalRecycle Responsibilities

Review jurisdictions' implementation upon receipt of Annual Reports in 2013

For jurisdictions on 2-year cycle, evaluation begins in 2014 and continues every two years

For jurisdictions on 4-year cycle, evaluation begins in 2016 and continues every four years.

## Draft Regulatory Approach: CalRecycle Responsibilities

Measure emission reductions statewide

Statewide baseline based on 2011 disposal

Emissions factors developed by ARB

Waste characterization studies conducted in 2014-15 and 2019-20

Determine if met GHG reduction goal

## Commercial Cost Study

- Cost to local governments and businesses is key
- Regulation is flexible for jurisdictions, allowing local design based on local conditions
- Draft cost study discussed at Sept 21 workshop

## Potential Revisions

- Transformation
- Mixed waste processing
- Rural exemptions
- Multi-family unit threshold

## Timeline

Initial Informal Stakeholder Feedback	Draft Regulation Development	Additional Informal Stakeholder Workshops	Formal Rule Making	Adoption/ Implementation
July – September, 2009	September 2009 – December 2010	June & Sept 2010, January 2011	January-March 2011	2011/2012

## More Information

- CalRecycle's web page at <http://www.calrecycle.ca.gov/Climate/Recycling/default.htm>

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Marshall Graham

Marshall.graham@calrecycle.ca.gov or 916-341-6270



## Questions?



[www.ca-ilg.org](http://www.ca-ilg.org)



## Creating Effective Commercial Recycling Education & Outreach

Brian Moura

Assistant City Manager

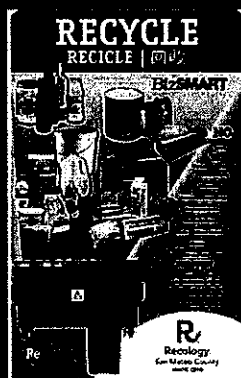
[bmoura@cityofsan-carlos.org](mailto:bmoura@cityofsan-carlos.org)

October 6, 2010



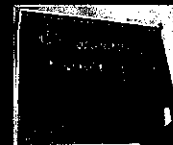
## Ordinance to Outreach

- Moving from passing ordinance to outreach
- Tie-in with new services
- "Recycling Blitz" – 6 months ahead of start for commercial, multi-family
- Using franchise programs for initial results



## Key Groups & Events

- Early Adopters/Leaders
- Chamber of Commerce
  - City/Chamber Liaison
  - Green Business Committee
  - Pulse of Business
- Community Workshops
- Community Events
  - Hometown Days
  - Farmers Market
  - Art & Wine Faire

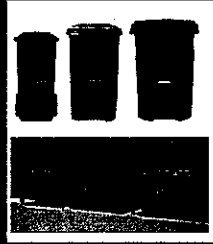




## Messaging

- **Program Branding**
  - └ BizSmart – Commercial
- **What is New?**
  - └ Single Stream Recycling
  - └ Automated Pickup
  - └ Mandatory Recycling
- **Incentives**
  - └ Reduce Costs, Garbage Bill
  - └ Extend Life of Landfill

**BizSMART**



## Existing Programs

- **Current Programs**
- **Commercial, Multi-Family**
  - └ Food Scraps & Organics (Restaurants, Grocery)
  - └ Door to Door HHW
- **Residential**
  - └ Battery & Cell Phone Recycling
  - └ Weedy Food Scraps & Clippings (+40% increase)
  - └ Door to Door Household Waste (over projections)



## Videos & DVDs

- **Informational Videos**
  - └ Recycle, Compost, Garbage
  - └ Work with Recology, Rethink Waste & Ad Agency (ISA)
- **Distribution**
  - └ Used at Meetings, Movie Theaters, Green Team
  - └ You Tube, Facebook, Twitter
  - └ City Cable Channel & Web
  - └ DVDs by request only – not mailed out to everyone



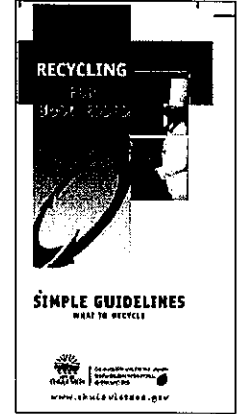
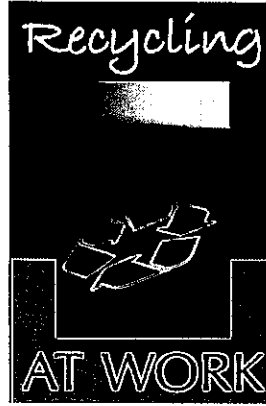
## Results So Far

- **Outreach & Education**
  - └ Businesses & Residents know programs coming
  - └ Awareness of assistance and resources
  - └ Questions about what is coming
- **Still to Come**
  - └ More community events and workshops
  - └ One on one meetings with key businesses
  - └ Tie in with current issues, problems, code enforcement
- **Interest is High & More Recycling Coming**



## Educate, Educate, and Follow-up

Lynn France  
Environmental Services Program Manager  
City of Chula Vista



### **"Recycling is important in your community."**

- Franchise agreements
- Pricing strategies
- Ordinances -Space allocation requirements
- Small Business Workshops
- Brochures, posters, etc.



Most franchise agreements have a clause that allows for meeting and conferring when laws and regulations change.

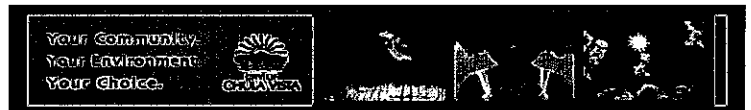
*...Contractor and City agree to cooperate with each other in reaching a modification to this Franchise to the extent required by law at any time it should be deemed necessary in the future.*



*In the event of any Change in Law that materially affects City's consideration or Contractor's operational requirements, the parties agree to meet and confer to develop reasonable modifications to this Agreement...*

City keeps the marketing and public education responsibility with hauler funding and support.

- \$69,000 annually to help pay for Recycling Specialist
- Provides City with full access to billing inserts to minimize postage expenses

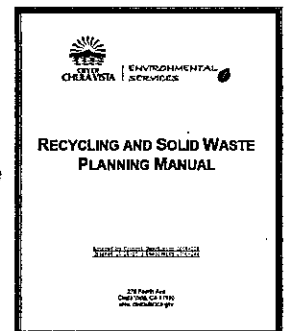


Incorporated unique commercial recycling pricing

- \$50.13 per month for up to 8 cubic yards of service any configuration
- The option of going to residential cart service for trash
  - 3 c.y. trash bin 2 times a week = \$201.11
  - 3 c.y. recycle bin 2 times a week = \$53.13
  - Residential cart service \$20.00 per month
  - additional carts \$5.00 each – up to six carts

Educate the planning department

- Space allocation ordinance
- Recycling and Solid Waste Planning Manual







**Space Allocation Ordinance states:**

All subdivisions and any new construction requiring a building permit or costing more than \$20,000 to construct shall include adequate, accessible, and convenient areas dedicated for the accumulation, temporary storage and removal of designated recyclables and solid waste.

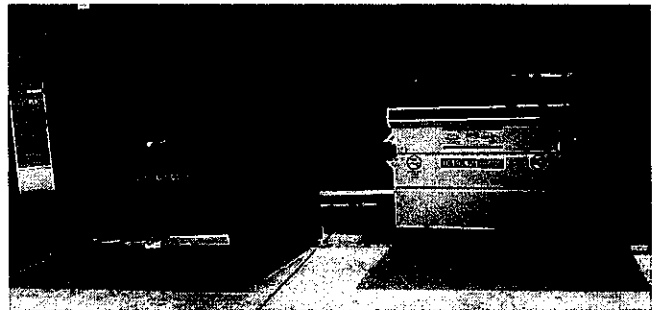
**Recycling and Solid Waste Planning Manual**

The Manual provides recycling and solid waste space allocation regulations, design standards, and guidelines for consideration project design



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Section VI Sample Drawings of Enclosures	13

**Recycling and Solid Waste Standards for Commercial and Industrial Businesses- Central Collection – Bin Service**







**NO MORE SORTING!**  
**¡AHORA RECIKLAR ES MÁS FÁCIL!**  
 Todos los artículos reciclables pueden ser puestos en el mismo contenedor.

Now, ALL RECYCLABLES can go in the same bin!

PLEASE DON'T MIX RECYCLABLES WITH TRASH!

Implementation of a recycling collection program does not mean that your work is done!



Chula Vista Business-to-Business Workshop:  
**Save Time, Save Money.**  
 Ways to help your business's bottom line  
**Thursday, March 25**  
 2 - 4 pm  
 Chula Vista Woman's Club • 250 G Street  
 Don't miss out on this exciting opportunity to take advantage of these great business resources, all in one place!

- Special Grants and Incentive Details
- Business Expenses
- Program Information
- Free Counseling
- Life Improvements

Space is limited! RSVP to: 619.594.2888 by Tuesday, March 21.

With special presentations from:

Partner with your Chamber of Commerce and Economic Development Department



[www.chulavistaca.gov/clean](http://www.chulavistaca.gov/clean)





**General EC**

**General WC**

**General SW**

**SOLID WASTE REDUCTION (SW) Qualification Checklist**

**GENERAL SW**

**GENERAL PAPER REDUCTION**

GENERAL PAPER REDUCTION	Y	N	U
1. Develop a plan to reduce paper and materials to minimize the number of products that are discarded.			
2. Establish a paper flow to an approved local recycling center.			
3. Encourage employees to use paper wisely, reuse papers, and avoid unnecessary items like brochures, flyers, and reports.			
4. Encourage employees to use recycled paper products.			
5. Encourage employees to use electronic mail and other electronic communication methods.			
6. Encourage employees to use electronic signatures.			
7. Encourage employees to use electronic forms.			
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- Chula Vista Clean Businesses
- ARYA Cleaners
  - Spirit Graphics & Printing
  - Chamber of Commerce
  - South Bay Family YMCA
  - Third Avenue Village Association
  - San Diego Realty
  - Henry's Market Place - Eastlake and Third Ave
  - Coldwell Banker
  - El Primero Boutique Hotel
  - Red Lobster
  - Allied Waste Services
  - Sky Auto Detail



How You Can Use

Go to an office to read or see our residents, the City of Chula Vista's monthly publication, Community Connection features local stories, events and important city telethon numbers.

Phone Directory

Want to...

1/22/2010

1/27/2010

1/28/2010

1/28/2010

Latest News Releases

Council Meetings

City Calendar

Chula Vista

Home Carbon Upgrade Downgrade

Featured Service

Expanded Repurchase Flexible Program

Home Carbon Upgrade Downgrade

Free Plumber, Electrician and Composting Workshop

1/27/2010

1/27/2010

1/27/2010



## The Serengeti of the Trash Business

- More than 250 private haulers in LA City alone
- Significant competition – big, medium and small haulers alike
- Commercial hauling is most volatile and price-dependent



## Legal Framework is Important

- **How will commercial recycling be structured?**
  - Open competition
  - Exclusive franchise
  - Multiple haulers in franchise situation
  - Diversion requirements
  - Enforcement
  - If local gov't setting rates, considering linking increase to CPI and LF tip fee

## Recipe for Success

**Early consultation with haulers**

**+**

**Low cost or FREE recycling**

**+**

**Education effort (incl. door to door)**

**=**

**GET THE PARTICIPATION AND  
DIVERSION YOU WANT**

## Please Meet with Haulers Early

- **Please meet with haulers early to discuss:**
  - Education and outreach approach
  - How will businesses be told and when?
  - Who will be delivering the message?
- **The “money” side:**
  - Will businesses have to pay for recycling?
  - Rate structure







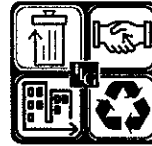
## Questions for All?



## Institute for Local Government Commercial Recycling Resources

- Sample Commercial Recycling Ordinance
- Educational and other resource materials
- Follow-up resources from this webinar
- Information about future webinars

[www.ca-ilg.org/commercialrecycling](http://www.ca-ilg.org/commercialrecycling)



[www.ca-ilg.org](http://www.ca-ilg.org)



**SAVE THE DATE:**  
Dec. 16 10:00-11:30 a.m.

Free webinar from the Institute for Local  
Government

**“Commercial Recycling: Strategies for  
Effective Enforcement and  
Compliance”**



## Speaker Contact Information

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**Thank You for Your Participation**

**Please be sure to complete the webinar  
evaluation when it arrives.**

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# RECYCLING AND SOLID WASTE PLANNING MANUAL

Adopted by Council Resolution 2005-023  
Updated 10/25/2008 Resolution 2008-244

276 Fourth Ave  
Chula Vista, CA 91910  
[www.chulavistaca.gov](http://www.chulavistaca.gov)

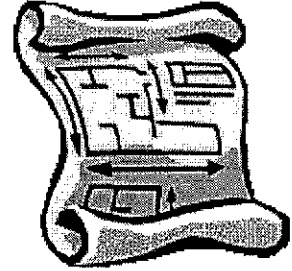
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The State of California has mandated that at least 50% of the solid waste generated be diverted from landfills. Therefore, each applicant of a development, subdivision or major construction project (including new public facilities) is required to submit a Construction and Demolition Waste Management Report and performance deposit, for covered projects, as part of the permit approval process. (CVMC 8.25.095). For more details on the Construction and Demolition Report Form and performance deposit requirements go to [www.chulavistaca.gov/clean/environmentalservices](http://www.chulavistaca.gov/clean/environmentalservices) or contact the Environmental Services Division at (619) 691-5122.

**Items to be considered in your plan:**

When designing your project, your recycling considerations should include the steps the applicant will take to meet the local and State mandates and recycle the Designated Recyclable materials as defined in Chula Vista Municipal Code. Plans are subject to approval by the City Manager or designee. The following are items to be considered when designing your project and should be addressed on your plans. You must include a narrative that thoroughly describes your project's waste reduction and recycling considerations. If you have questions or need clarification, you may contact the City's Environmental Services Division at (619) 691-5122 or [EnvironmentalServices@ci.chula-vista.ca.us](mailto:EnvironmentalServices@ci.chula-vista.ca.us) or the City's web site [www.chulavistaca.gov](http://www.chulavistaca.gov).



Identify the recycling and trash space allocated within your project, as this will dictate how well your occupants will be able to participate in the various City recycling programs, how much they will recycle and how much they can save.

Make sure your infrastructure planning allows your future occupants the ability to avail themselves of all recycling and solid waste services. Your plan must provide adequate space to properly store all the solid waste and recyclables generated on the site in approved containers between service days. The plan must also allocate space in a manner that provides occupants with the opportunity to divert all the Designated Recyclables generated at the site. **Designated Recyclables** include:

**Residential recyclables** – those specific recyclable materials from residential solid waste (single-family and multi-family) including but not limited to, aluminum, glass bottles and jars, plastic bottles, tin and bi-metal cans, newspapers, mixed paper (magazines, junk mail, telephone books, paperback books, and boxboard) cardboard, white goods and yard waste.

**Commercial recyclables** – designated recyclable materials from office and hospitality industries. Materials include but are not limited to, office paper, cardboard, glass bottles and jars, plastic bottles, aluminum, tin and bi-metal cans, and white goods.

**Industrial recyclables** – recyclable material from industrial, construction and demolition operations including, but not limited to asphalt, concrete, dirt, land-clearing brush, sand and rock.

Your plan needs to describe how the recycling and solid waste infrastructure will be utilized by the occupants and maintained on an on-going basis, such as:

- Include solid waste and recycling requirements and information in your CC&Rs, employee/owner/tenant orientations, policy manuals, and lease agreements. Include the draft language for these items in your Plan.
- Show where residents will store containers during the week and where they will be placed on service day; where and how bulky items, Holiday trees and used motor oil will be placed for collection.
- If contracting with a landscaper, your plan must demonstrate that you will require all yard waste to be diverted for reuse, either through on-site mulching, grasscycling, a permitted compost facility or for reuse at the landfill – not disposal. Your plan shall

establish the requirement to obtain receipts from the contractor demonstrating that the material was recycled or composted. Those receipts shall be maintained for eighteen (18) months and be available to City staff for review upon two days notice during regular business hours.

- Color code containers and provide graphic signs that instruct occupants/customers to separate materials in the containers used to transport recyclables and trash to the outdoor enclosure.
- Place recycling containers next to all trash containers –("twinning").
- Review your operations at least annually. Contact the city for a free waste audit to improve business recycling productivity, reduce waste and keep your solid waste and recycling services cost-effective and up to date.

Small Quantity Generators (SQG – curbside service for residents and small businesses) can control their monthly costs by reducing their trash volume through weekly trash and recycling collection, bulky item collection, yard waste collection, used oil and oil filter collection, Holiday tree collection, and two annual landfill passes and two annual yard waste passes. (See service brochures for details on these programs at [www.chulavistaca.gov](http://www.chulavistaca.gov).)

Large Quantity Generators (LQG - commercial, multi-family and industrial projects with central collection service) can control or reduce their costs by taking advantage of recycling savings. Restaurants and other hospitality facilities can obtain free food-beverage container collection service.

**Estimating Trash Service Capacity Needs for Central Bin Collection in Multi-family Complexes**

After estimating the required trash service – pair each trash bin with the required recycling service and design enclosures appropriately.

Multi-family Complex	
Service Needs Table	
# Bedrooms per unit	Cubic yards per unit per wk.
Studios-1Br.	0.33
1-2 Br.	0.36
2-4 Br.	0.40

Calculation:

# Of units in complex (example: 100, 3-bedroom units)	X # Of cubic yards per unit from Service Needs Table above	= Total cubic yards of service needed per week	Total cubic yards of service needed per week	÷ Product of bin size times days a week service (4 yd bin X 2 days)	= Number of trash enclosures required
100	X 0.4	= 40	40	÷ 8	= 5

**Logistical Considerations:**

- Weekly trash and food/beverage container recycling collection is the minimum requirement. All multi-family, commercial, industrial and public facility properties may subscribe to service that is more frequent.
- Small Quantity Generators (SQG – curbside collection) place two or more 96-gallon or smaller trash and recycling carts at the curb for weekly collection on their assigned collection day. These customers also receive yard waste, bulky-item, used oil and oil filter collection services. Therefore there must be curbside space for these containers with one and a half (1 1/2) feet,

approximately eighteen inches, between each cart and any stationary objects (e.g. parked cars), on service day.

- All properties must have adequate space to accommodate bin and/or cart storage for waste and recyclable materials separately and out of public view in-between collection days. The City strongly recommends that commercial properties plan for no more than three collections per week and that multi-family properties plan for no more than twice per week service. For details on enclosure design requirements see Enclosure and Chute Design Requirements – Central Collection.
- Twinning – design so that recycling containers are placed with each trash receptacle.
- On a mixed-use site, the Recycling and Solid Waste Management Plan generally follows the space allocation criteria for each use category (i.e. single-family, multi-family, commercial, curbside collection, or central collection).
- Public facilities shall implement the service category that best fits the facility use, always twinning recycling and trash containers for ease, convenience and to minimize the contamination of recyclable materials.
- Offices typically generate a waste stream with 40% to 60% mixed paper. Mixed paper includes: office paper, cardboard, junk mail, magazines, telephone books, box board, etc. Carbon paper or single use items such as tissues and paper towels are not recyclable and must be composted or placed in the trash.
- If your business will consistently generate a large amount of wooden pallets, food waste, five-gallon plastic buckets or another potentially recyclable item you may contact the City's Environmental Services Division or Allied Waste Services for recycling market assistance.
- Design in a manner that facilitates the following priorities: reduce, reuse, recycle, compost and dispose.

Examples:

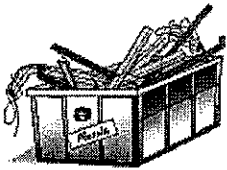
- Residential kitchens: Ample space for trash and recycling bins under sinks or in cabinetry for separation of Designated Recyclables.
  - Show where residents will store carts during the week on their property and where they will be placed at the curb on collection day.
  - Outdoor dining, lounge areas and public facilities: Plan for trash and Designated Recyclables collection containers side-by-side (twinning).
  - Copy and print rooms: Allow space for both trash and paper recycling containers side by side to encourage diversion.
  - Bars and dining areas: Incorporate space for recycling of all food and beverage containers, specifically, along with other Designated Recyclables as appropriate.
  - Recreation Centers and Community Pools: Plan for trash and Designated Recyclables collection containers side-by-side (twinning.)
- Residential automated collection vehicles collect materials from the right side of the vehicle only.
  - Commercial collection vehicles collect materials at the front of the vehicle.
  - If the collection truck must enter your property to service bins, the truck must be able to circulate the parking area without backing up. Collection vehicles have a turning radius of 37.1 ft., are approximately 35 feet long (curbside collection bucket adds 7 feet to the length for a total of 42 feet) and 8 feet wide.

**To Complete your Plan:**

- Review the manual section that applies to your project: residential, commercial or industrial.
- Write a thorough description of how you will implement your **Recycling and Solid Waste Management Plan** through each phase of the project: pre-construction, construction, and operation/occupancy.
- Submit your **Recycling and Solid Waste Management Plan** with your project application to the Chula Vista Planning Department for approval. Include a short narrative about your plan implementation and operation within your "Notes" on your building plans.

**CONTACTS:**

- For service day information or other collection clarification, contact Allied Waste Services at (619) 421-9400. Allied's representative will be available to review plans for accessibility, equipment types, do site visits and arrange for recycling services.



- Contact the City's Environmental Services Division for a list of construction and demolition material recycling processors and/or service brochures for program details. Or check the City's web site at [www.chulavistaca.gov](http://www.chulavistaca.gov). Staff is also available to assist you with your recycling program and your solid waste management plan (619) 691-5122.

Recycling and Solid Waste Plans are subject to approval by the City Manager or designee.

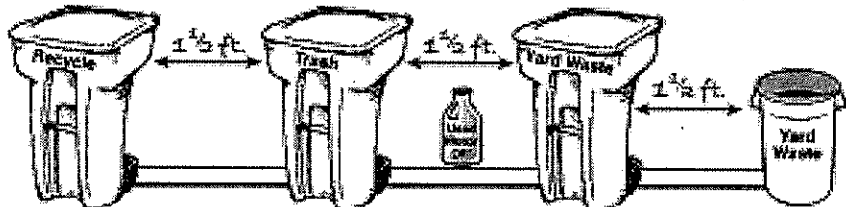


## 2 - RECYCLING AND SOLID WASTE STANDARDS FOR CURBSIDE OR DOOR-TO-DOOR SERVICE FOR SMALL QUANTITY GENERATORS

Small Quantity Generators receive weekly recyclables, yard waste and trash collection, bulky items pick up, used motor oil and oil filter collection services. Include in your site plan defined location(s) where the trash, recycling and yard waste carts will be stored in-between service days, out of public view, and where they will be placed at the curb for collection on service days.

All residential dwellings with curbside or door-to-door collection must be designed to allow for weekly placement and collection of trash, yard waste and recycling containers at the curb.

There must be space at the curb for a minimum of three containers (trash, recyclables and green waste), approximately eighteen inches apart, for each dwelling unit. The City must pre-approve alley collection.



The automated collection vehicle services the containers from the right side (curbside) of the vehicle.

Condominiums with no private landscaping can provide space for two carts (trash and recycling, eliminating yard waste) per unit. However, condominiums must have an enclosure on the property, sufficient for yard waste bins, to serve the common areas.

If contracting with a landscaper, your plan must demonstrate that you will require that all yard waste be diverted for reuse, either through on-site mulching, grasscycling, a permitted compost facility or for reuse at the landfill – not disposal. Your plan shall establish the requirement to obtain receipts from the contractor demonstrating that the material was recycled or composted. Those receipts shall be maintained for eighteen (18) months and be available to City staff for review upon two days notice during regular business hours.

See the Residential Services Guide for detailed information on all available services for single-family residential customers at [www.chulavistaca.gov](http://www.chulavistaca.gov).

### **CONTACTS:**

- For service day information or other collection clarification, contact Allied Waste Services at (619) 421-9400. Allied's representative will be available to review plans for accessibility, equipment types, do site visits and arrange for recycling services.
- The City's Environmental Services Division may be reached at (619) 691-5122 or [environmentalservices@ci.chula-vista.ca.us](mailto:environmentalservices@ci.chula-vista.ca.us)

Recycling and Solid Waste Plans are subject to approval by the City Manager or designee.

**3 - RECYCLING AND SOLID WASTE STANDARDS FOR MULTI-FAMILY COMPLEXES**  
**CENTRAL COLLECTION - BIN SERVICE**

The Residential Waste Stream typically includes the following recyclables: 40% paper, 10% metal, glass and plastic containers and 30% yard waste (apartments/condos usually generate only 7% to 15% yard waste from common areas).

Residential services include recyclables, yard waste and trash collection and bulky item pick up. Review the service brochures for details on each of these services and how to prepare materials for collection in these programs.

**Multi-family Housing with Central Collection**

- Trash and recycling bins must be in the same enclosure(s) and must allow access without having to move other containers out of the way.
- Please see attachments for samples of enclosure drawings. All bins should be placed in the enclosure out of public view. If bins are placed front-to-front, leave at least 3 feet between bins for access. The design must provide easy access for the residents and allow the hauler access to service bins and/or carts without moving other bins/carts out of the way.
- Design for approximately, one, 4-cubic yard bin for trash service for every 8-12 units depending on the number of bedrooms per unit. See estimating formula in Section 1. Then add the required recycling services for each enclosure. The City strongly recommends that you do not assume more than twice per week collection service to limit the number of collection truck trips on your property.
- Include an enclosure of appropriate size for centralized collection of yard waste. If contracting with a landscaper, make certain to include in your contract the requirement that all yard waste must be diverted for reuse, either through on-site mulching, grasscycling, a permitted compost facility or for reuse at the landfill – not disposal. Include the requirement to receive copies of receipts to verify diversion.
- All projects with six or more units shall provide additional space that is sufficient for the free monthly bulky collection (mattresses, appliances, furniture), free annual Holiday Tree recycling and other periodic or seasonal events. Approximately 400 square feet is required for a complex of 40 units or more.
- If the collection truck must enter your property to service bins, the truck must be able to circulate the parking area without backing up. Collection vehicles have a turning radius of 37.1 ft. are approximately 35 feet long (curbside collection bucket adds 7 feet to the length for a total of 42 feet) and 8 feet wide.

See the Multi-family service brochure for more information on residents' services, [www.chula-vistaca.gov](http://www.chula-vistaca.gov).

**Trash and Recycling Chutes**

- If a facility plans to provide chutes, the City may require that you provide two chutes adjacent to one another in each disposal and recycling area. One chute identified for recyclables, and one chute identified for trash. Other options may be proposed by first consulting the City.
- The driver must be able to service bins without moving other bins in the chute rooms.
- It is strongly recommended that you provide an enclosure(s) on site for corrugated cardboard as boxes may clog your trash and recycling chutes. If enough space is provided, the enclosure can also be used for free bulky collection, Holiday tree collection and other periodic or seasonal services.

**CONTACTS:**

- For service day information or other collection clarification, contact Allied Waste Services at (619) 421-9400. Allied's representative will be available to review plans for accessibility, equipment types, do site visits and arrange for recycling services.

- The City's Environmental Services Division may be reached at (619) 691-5122 or [environmentalservices@ci.chula-vista.ca.us](mailto:environmentalservices@ci.chula-vista.ca.us)

Recycling and Solid Waste Plans are subject to approval by the City Manager or designee.

#### **4 - RECYCLING AND SOLID WASTE STANDARDS FOR COMMERCIAL AND INDUSTRIAL BUSINESSES- CENTRAL COLLECTION – BIN SERVICE**

The Commercial Waste Stream varies by the type of business, but typically includes the following recyclables: 40-60% paper, 5% metal, glass and plastic containers (10%-15% for food service businesses) and 15% yard waste (or pre-consumer food waste that can be recycled with yard waste).

- Commercial and industrial properties must have enclosure space and numbers of bins or carts adequate to divert the Designated Recyclables generated on their property.
- Trash and recycling bins or carts must be placed in the same enclosures.
- Yard waste must be separated from the trash. Plan for adequate container volume and service intervals to divert yard waste (tree, brush or grass trimmings) generated at your business. If contracting with a landscaper, your plan must demonstrate that you will require that all yard waste be diverted for reuse, either through on-site mulching, grasscycling, a permitted compost facility or for reuse at the landfill – not disposal. Your plan shall establish the requirement to obtain receipts from the contractor demonstrating that the material was recycled or composted. Those receipts shall be maintained for eighteen (18) months and be available to City staff for review upon two-days notice during regular business hours.
- Each business should allocate space, in each enclosure, for at least one recycling bin along with trash disposal service requirements.
- The City may require that the enclosure include additional space and access for other ancillary services (i.e. restaurants-grease collection, auto repair-scrap metal collection, etc., where applicable).

#### **COMPACTORS:**

- Commercial compactors are not recommended for trash service. Compactors must be pre-approved by the City's franchise hauler, Allied Waste Services and the City Environmental Services Division. (See Municipal Code § 8.24.080.B)
- A business that is using a compactor must still divert Designated Recyclables: paper, cardboard, food and beverage containers, yard waste, clean lumber and metals, etc. (See Municipal Code Chapter 8.25).

#### **CONTACTS:**

- For service day information or other collection clarification, contact Allied Waste Services at (619) 421-9400. Allied's representative will be available to review plans for accessibility, equipment types, do site visits and arrange for recycling services.
- The City's Environmental Services Division may be reached at (619) 691-5122 or [EnvironmentalServices@ci.chula-vista.ca.us](mailto:EnvironmentalServices@ci.chula-vista.ca.us)

Recycling and Solid Waste Plans are subject to approval by the City Manager or designee.

**5 - RECYCLING AND SOLID WASTE ENCLOSURE STANDARDS**

The following minimum bin and cart dimensions are to be used when designing your enclosures.

- Trash enclosures should be as far away from storm drain inlets as possible.
- All trash enclosures shall be paved with an impervious surface, designed not to allow run-on from

<b>Bin Dimensions</b> (Allow 2 inches per bin dimension for access/maneuverability)	<b>Height</b>	<b>Depth</b>	<b>Width</b>
4 cubic yards (min. size to plan for trash & mixed paper)	66"	56"	81"
5 cubic yards (larger bins provided at City/hauler discretion)	66"	68"	81"
6 cubic yards (no wheels direct truck access)	72"	70"	81"
<b>Cart Dimensions</b> (Allow 1 inch per cart dimension for access/maneuverability. Dimensions are the maximum size.)	<b>Height</b>	<b>Depth</b>	<b>Width</b>
96 Gallon Carts (for Designated Recyclables, yard waste and trash)	44	36	32"

adjoining areas, and shall be screened or walled to prevent off-site transport of trash.

- Wheel stops for bins and carts must be configured such that they provide 8-inch bin clearance from all three walls, 6 inches high is recommended.
- Doors must be anchored to appropriately sized steel posts (min. 2 inches by 3/16 gauge steel) set independently from walls.
- Cane bolts, dropped into sleeved holes in the concrete, to hold doors in both the open and closed position are required.
- Enclosures and/or containers within the enclosure, must have covers designed to reduce pests, illegal disposal and exclude rain. (See Municipal Code 19.58.340)
- The flat reinforced concrete pad (approximately 24 feet X 12 feet, no decorative stamping or brickwork/cobblestones) in front of the enclosure should extend beyond the enclosure to provide sufficient space to allow:
  - The truck to stop in front of the enclosure with the front wheels resting on the concrete pad:
  - The bins to be rolled out of the enclosure and;
  - The bin to be positioned in front of the truck without moving the truck.
- There must be enough enclosures in the project to provide convenient and sufficient capacity to handle the volume of recyclables and waste generated between collections.
- Each enclosure must be designed and sized appropriately to accommodate bins and/or carts for the Designated Recyclables and solid waste generated on the property. All properties are required to allocate space to recycle all Designated Recyclables.
- Enclosures must be designed so that trash, paper, rigid containers, and yard waste containers may be accessed by the generator and serviced by the collection company without moving other bins or carts. Recommendation: A separate pedestrian access door will save you large door repairs, prevent illegal disposal and is safer for the generator to use.

- The City may require that the enclosure include additional space and access for other ancillary services i.e. restaurants - grease collection, auto repair - scrap metal collection, etc. where applicable.
- Each enclosure must be located on the site plan and the bin and carts placement inside the enclosure clearly identified – R= recycling;; Y= yard waste recycling; W= waste or trash.

See attachments for samples of enclosure drawings.

#### **Enclosure Location**

- Reduce or eliminate the need for collection trucks to drive onto private property whenever possible.
- If you place the enclosure within 25' of the public thoroughfare, the hauler will roll bins and carts to the street for service at no additional charge.
- The hauler is authorized to add a service surcharge if they cannot drive to within 25' of the enclosure.
- If the collection truck must enter your property to service bins the truck must be able to circulate the parking area without backing up. Trucks are approximately 35 – 42 feet long, 8 feet wide and have a turning radius of 37.1 feet.
- Do not put speed bumps, stamped concrete, cobblestones or other obstacles in front of enclosures that would impede the access of the vehicle or bin rollout. Truck and bins must be on a flat surface when being serviced.
- Whenever possible enclosures for apartments and condominiums should be geographically distributed in a manner that is convenient for residents.
- Enclosures in commercial settings and public facilities should consider proximity to service doors, traffic flow, delivery patterns, etc.

#### **Trash and Recycling Chutes**

- If a facility plans to provide chutes, the City may require that you provide two chutes adjacent to one another in each disposal and recycling area. One chute identified for recyclables, and one chute identified for trash. Other options may be proposed by first consulting the City..
- The driver must be able to service bins without moving other bins in the chute rooms.
- It is strongly recommended that you provide an enclosure(s) on site for corrugated cardboard as boxes may clog your trash and recycling chutes. If enough space is provided, the enclosure can also be used for free bulky collection, Holiday tree collection and other periodic or seasonal services.

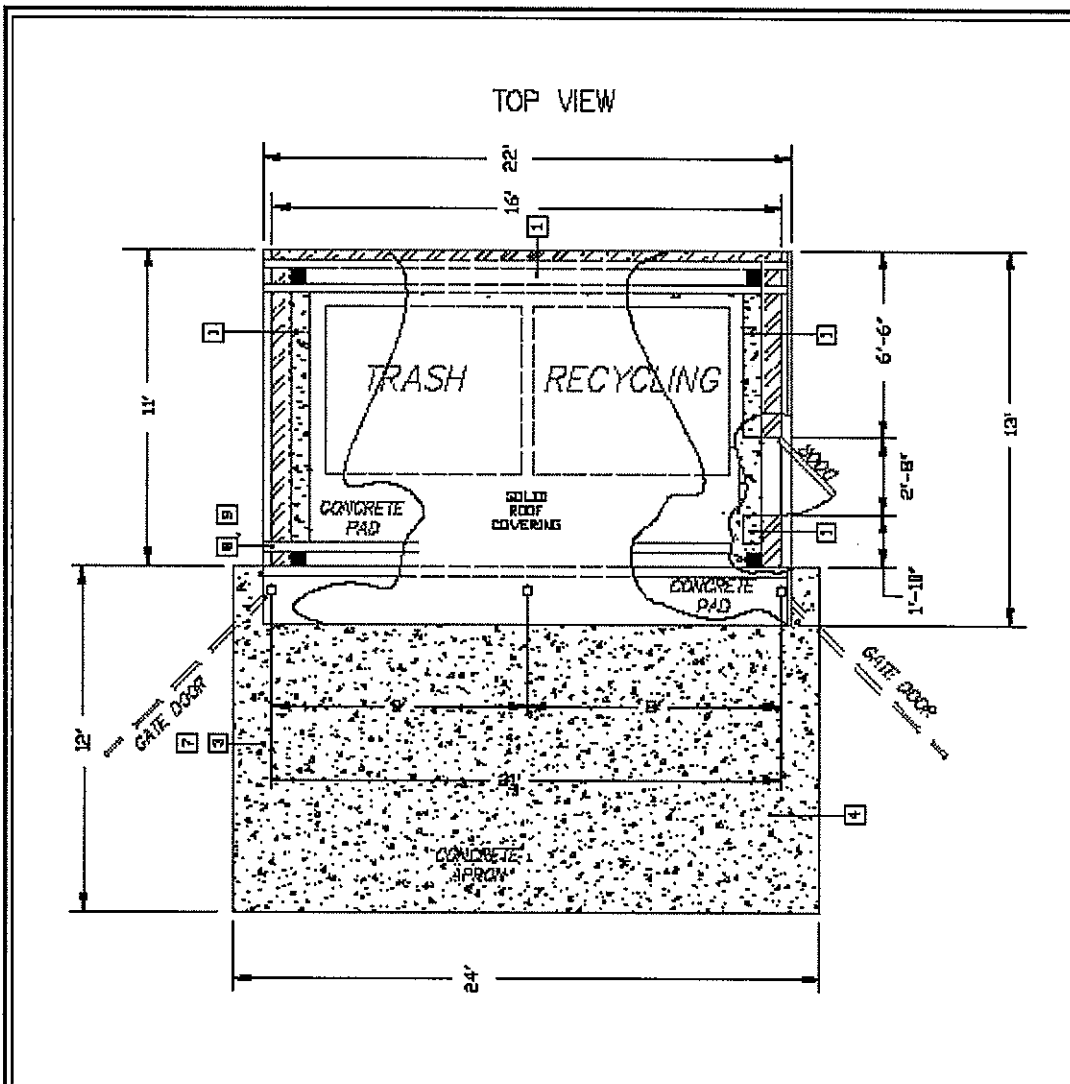
#### **CONTACTS:**

- For service day information or other collection clarification, contact Allied Waste Services at (619) 421-9400. Allied's representative is available to review plans for accessibility, equipment approval, do a site visit and arrange for recycling services during all phases, construction through occupancy.
- The City's Environmental Services Division may be reached at (619) 691-5122 or [EnvironmentalServices@ci.chula-vista.ca.us](mailto:EnvironmentalServices@ci.chula-vista.ca.us).

Recycling and Solid Waste Plans are subject to approval by the City Manager or designee.

6 - SAMPLE DRAWINGS OF ENCLOSURES

These drawings are not to scale. They have been resized to fit in this document.



NOTES:

1. 8" X 6" WHEEL CURB ALL AROUND STRUCTURE TO PREVENT BIN FROM HITTING WALLS
2. DOORS HANG INDEPENDENTLY FROM WALLS ON STEEL POSTS
3. DEAD BOLT ANCHOR HOLES FOR DOORS IN THE OPEN AND CLOSED POSITIONS (RECOMMEND PLASTIC OR METAL PIPE TO LINE THE WHOLE)
4. A (120) TWELVE-FOOT CONCRETE APRON/PAD THAT EXTENDS APPROXIMATELY TWO FEET ON EITHER END OF THE ENCLOSURE FOR THE TRUCK TO PARK AS IT PICKS UP THE CONTAINERS
5. ENCLOSURE COVERS SHOULD HAVE 7 (SEVEN) FEET HEIGHT CLEARANCE SO THAT LIDS MAY OPEN
6. 5' - 6' HIGH STEEL GATES
7. 4" X 4" X 3/8" STRUCTURAL STEEL POST SET INDEPENDENTLY FROM WALLS (TYP.)
8. 6" X 12" JOIST - TOENAIL TO GRAB BEAM (TYP.)
9. 2" X 10" GRAB BEAM - FASTEN TO POST WITH 1/2" GALVANIZED CARRIAGE BOLTS AND WASHERS (TYP.)
10. ALL PERMITS AND PLANS MUST BE SUBMITTED TO CITY FOR APPROVAL.

DRAWN BY:  
POTEN G. SAN PEDRO

TITLE:

CITY OF CHULA VISTA  
SAMPLE TRASH ENCLOSURE  
SCALE: 1" = 5'

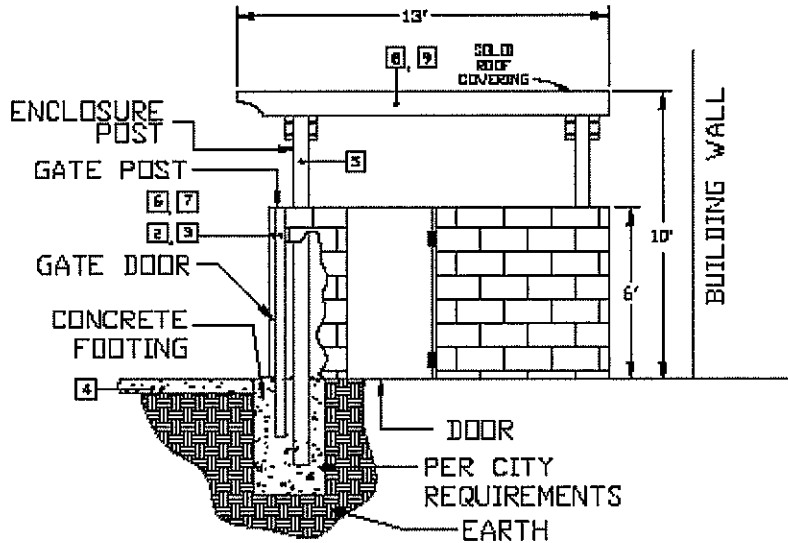
PREPARED BY:  
POTEN G. SAN PEDRO

DATE: 1-18-04  
SHEET 1 OF 3 SHTS.

APPROVED BY:  
JEFF MONEDA

These drawings are not to scale. They have been resized to fit in this document.

RIGHT SIDE VIEW



NOTES:

1. 8" X 6" WHEEL CURB ALL AROUND STRUCTURE TO PREVENT BIN FROM HITTING WALLS
2. DOORS HUNG INDEPENDENTLY FROM WALLS ON STEEL POSTS
3. DEAD BOLT ANCHOR HOLES FOR DOORS IN THE OPEN AND CLOSED POSITIONS. (RECOMMEND PLASTIC OR METAL PIPE TO LINE THE WHOLE)
4. A (12) TWELVE-FOOT CONCRETE APRON/PAD THAT EXTENDS APPROXIMATELY TWO FEET ON EITHER END OF THE ENCLOSURE FOR THE TRUCK TO PARK AS IT PICKS UP THE CONTAINERS
5. ENCLOSURE COVERS SHOULD HAVE 7 (SEVEN) FEET HEIGHT CLEARANCE SO THAT LIDS MAY OPEN
6. 3' - 6" HIGH STEEL GATES
7. 4" X 4" X 1/2" STRUCTURAL STEEL POST SET INDEPENDENTLY FROM WALLS (TYP)
8. 6" X 12" JOIST - TOENAIL TO GRAB BEAM (TYP)
9. 2" X 10" GRAB BEAM - FASTEN TO POST WITH 1/2" GALVANIZED CARRIAGE BOLTS AND WASHERS (TYP)
10. ALL PERMITS AND PLANS MUST BE SUBMITTED TO CITY FOR APPROVAL.

DRAWN BY:  
POTEN G. SAN PEDRO  
DATE:  
1-16-04

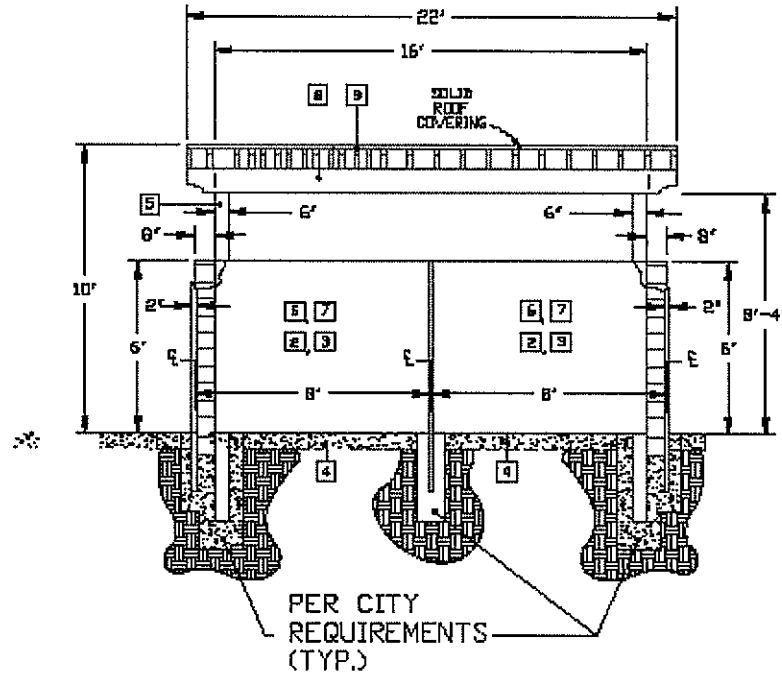
TITLE: CITY OF CHULA VISTA  
SAMPLE TRASH ENCLOSURE  
SCALE: 1" = 5'

PREPARED BY:  
POTEN G. SAN PEDRO  
APPROVED BY:  
JEFF MONEDA



These drawings are not to scale. They have been resized to fit in this document.

FRONT SIDE VIEW



NOTES:

1. 8" X 6" WHEEL CURB ALL AROUND STRUCTURE TO PREVENT BIN FROM HITTING WALLS
2. DOORS HUNG INDEPENDENTLY FROM WALLS ON STEEL POSTS
3. DEAD BOLT ANCHOR HOLES FOR DOORS IN THE OPEN AND CLOSED POSITIONS; RECOMMEND PLASTIC OR METAL PIPE TO LINE THE WHOLE
4. A (12) TWELVE-FOOT CONCRETE APRON/PAD THAT EXTENDS APPROXIMATELY TWO FEET ON EITHER END OF THE ENCLOSURE FOR THE TRUCK TO PARK AS IT PICKS UP THE CONTAINERS
5. ENCLOSURE COVERS SHOULD HAVE 7 (SEVEN) FEET HEIGHT CLEARANCE SO THAT LIDS MAY OPEN
6. 5' - 6' HIGH STEEL GATES
7. 4" X 4" X 8' STRUCTURAL STEEL POST SET INDEPENDENTLY FROM WALLS (TYP.)
8. 6" X 12" JOIST - TOENAIL TO GRAB BEAM (TYP.)
9. 2" X 10" GRAB BEAM - FASTEN TO POST WITH 1" GALVANIZED CARRIAGE BOLTS AND WASHERS (TYP.)
10. ALL PERMITS AND PLANS MUST BE SUBMITTED TO CITY FOR APPROVAL

DRAWN BY: POTEN G. SAN PEDRO		TITLE: CITY OF CHULA VISTA SAMPLE TRASH ENCLOSURE SCALE: 1" = 5'	PREPARED BY: POTEN G. SAN PEDRO	
DATE: 1-16-04	SHEET 3 OF 3 SHTS.		APPROVED BY: JEFF MONEDA	



**ORDINANCE NO. 1418**

**ORDINANCE OF THE CITY OF SAN CARLOS ADDING CHAPTER 8.25 TO THE MUNICIPAL CODE: MANDATORY COMMERCIAL AND MULTI-FAMILY RESIDENTIAL RECYCLING AND AMENDING CHAPTER 8.04.030 OF THE MUNICIPAL CODE: SOLID WASTE – DEFINITIONS**

IT IS ORDAINED by the City Council of the City of San Carlos as follows:

**Section 1: RECITALS**

**WHEREAS**, the City of San Carlos wishes to increase the rate of recycling of materials in Commercial and Multi-Family Residential properties in the City; and

**WHEREAS**, increasing such recycling will have several benefits including extending the life of the landfill site in San Mateo County, reducing the City's Carbon Footprint through the reduction in the creation of methane gases, reduced Solid Waste disposal costs through revenue generated by the sale of recycled materials through Rethink Waste and continuing to meet and surpass required recycling goals set by State Law; and

**WHEREAS**, passage of a local Mandatory Commercial and Multi-Family Residential Recycling Ordinance will supersede the need to be covered by the upcoming State Regulations in this area and will avoid the potential of a \$10,000 per day fine if the City fails to adopt such a local ordinance or follow the State Regulations in this area;

**Section 2: Chapter 8.25 - MANDATORY COMMERCIAL AND MULTI-FAMILY RESIDENTIAL RECYCLING** is added to the municipal code as follows:

**Chapter 8.25**

**MANDATORY COMMERCIAL AND MULTI-FAMILY RESIDENTIAL RECYCLING**

<b>8.25.010</b>	<b>Purpose</b>
<b>8.25.020</b>	<b>Findings</b>
<b>8.25.030</b>	<b>Definitions</b>
<b>8.25.040</b>	<b>Solid Waste Customers</b>
<b>8.25.050</b>	<b>Commercial Generators</b>
<b>8.25.060</b>	<b>Multi-family Generators</b>
<b>8.25.070</b>	<b>Special Events</b>
<b>8.25.080</b>	<b>Provisions For Self-haulers</b>
<b>8.25.090</b>	<b>Solid Waste Collectors</b>
<b>8.25.100</b>	<b>Exclusions</b>
<b>8.25.110</b>	<b>Exemptions</b>
<b>8.25.120</b>	<b>City Authority</b>
<b>8.25.130</b>	<b>Administrative Appeal</b>
<b>8.25.140</b>	<b>Enforcement Goals</b>
<b>8.25.150</b>	<b>Enforcement for Contamination</b>
<b>8.25.160</b>	<b>Enforcement for Other Violations</b>

<b>8.25.170</b>	<b>Penalties</b>
<b>8.25.180</b>	<b>Implementation Schedule</b>
<b>8.25.190</b>	<b>Other Provisions</b>
<b>8.25.200</b>	<b>Disclaimer of Liability</b>
<b>8.25.210</b>	<b>Duties Discretionary</b>
<b>8.25.220</b>	<b>Severability</b>

#### **8.25.010. Purpose**

The purpose of this Ordinance is to:

- a. Establish requirements for the Collection and Recycling of Recyclable Materials and Collection and Organics Processing of Organic Materials generated from Commercial Facilities, Multi-family Dwellings, and Special Events. These requirements are intended to accomplish the following:
  - i. Assist the City in complying with the Integrated Waste Management Act of 1989 (AB 939 passed and signed into law in 1989) and Alternative Compliance Act of 2008 (SB 1016 passed and signed into law in 2008), which requires each local jurisdiction in the State to divert the equivalent of 50% of waste from landfill Garbage Disposal on a per capita basis, and the California Global Warming Solutions Act of 2006 (AB 32 passed and signed in to law in 2006), requiring that Commercial Generators statewide participate in Recycling programs.
  - ii. Augment voluntary Recycling efforts to further the City's Recycling and diversion goals.
  - iii. Reduce greenhouse gas emissions associated with the mining and manufacturing of goods from virgin materials and associated with the disposal of Solid Waste in landfills.
  - iv. Further protect the natural environment and human health as well as enhance the economy through increased Recycling and Organics Processing activities.
- b. Provide for enforcement through the use of fines for violating the requirements of this Ordinance;
- c. Establish a schedule for implementing and enforcing the Ordinance;
- d. Provide exclusions and exemptions for select Solid Waste Customers, Commercial Generators, and Special Events who are not included or able to comply with this Ordinance or for whom the Ordinance poses an undue burden.

#### **8.25.020 Findings**

The City Council finds and determines as follows:

- A. The City wishes to maintain a safe, controlled and cost-efficient Commercial and Multi-Family Residential Recycling program, which serves as a convenience to the community and preserves the public health and safety.

B. The City wishes to encourage commercial, multi family and special event recycling in order to reduce impacts to landfill and to reduce greenhouse gas emissions attributable to solid waste.

C. The City has determined that reducing the amount of solid waste is entering the waste stream in the overall interest of the community, and is required by State mandates under the Integrated Waste Management Act of 1989, the Alternative Compliance Act of 2008 and the California Global Warming Solutions Act of 2006.

#### **8.25.030. Definitions**

The definitions set forth in Section 8.04.030 of the Municipal Code shall apply to this chapter.

#### **8.25.040 Solid Waste Customers**

Each Solid Waste Customer shall be responsible for ensuring and demonstrating its compliance with the requirements of this Ordinance. Each Solid Waste Customer shall:

- a. Subscribe to an adequate level of service for Recyclable Materials and, when applicable, Organic Materials generated at the Commercial Facility, Multi-family Dwelling, or Special Event if the Solid Waste Customer does not Self Haul those Recyclable Materials or Organic Materials to a Recycling or Organics Processing facility.
- b. Provide, directly or through the Solid Waste Collector, appropriate and sufficient Containers, placed in appropriate and accessible locations with adequate signage, to ensure maximum Segregation of Recyclable Materials by all Commercial Generators, Multi-family Generators, and Special Events and to ensure maximum Segregation of Organic Materials by Food Service Establishments.
- c. Post and maintain signs containing information and instructions on the proper Segregation and storage of Recyclable Materials and Organic Materials in areas where Containers are located.
- d. Ensure that all Containers used for collecting and storing Recyclable Materials and Organic Materials (i) are affixed with or have adjacent to the Container signs that display the appropriate information to enable users to clearly differentiate which Containers are used for Recyclable Materials, Organic Materials, and Garbage; (ii) display the name of the Solid Waste Collector that provides collection service of the Container; and (iii) ensure that users of the Containers make efforts to minimize the Contamination of material placed in the Containers.
- e. Distribute Ordinance requirements and appropriate educational materials to all Commercial Generators, Multi-family Generators, and Special Events at the Commercial Facility or Multi-family Dwelling at least once each year. All new Commercial Generators, Multi-family Generators, and Special Events shall receive this information upon occupancy, employment, or contracting. Educational materials shall include (i) the requirement and procedures to ensure the accurate Segregation of Recyclable Materials and Organic Materials from Garbage; (ii) the Commercial Generator's, Multi-family Generator's, or Special Event's responsibilities regarding compliance with this

Ordinance; and (iii) the types and location of Recyclable Materials, Organic Materials, and Garbage Containers.

- f. Ensure that instructions or training materials provided to Commercial Generators, Multi-family Generators, and Special Events are promptly made available to the City upon request.
- g. Ensure that the contents of the Recyclable Materials and Organic Materials Containers are not collected for Garbage Disposal unless the contents of these Containers include unacceptable levels of Contamination. Solid Waste Customers shall be assessed a premium fee based on the size of the Container for Recyclable Materials and Organic Materials Containers that are collected for Garbage Disposal by the Franchisee if the contents of their Recyclable Materials and Organic Materials Containers contain unacceptable levels of Contamination.

#### **8.25.050 Commercial Generators**

Each Commercial Generator shall be responsible for ensuring and demonstrating its compliance with the requirements of this Ordinance. Each Commercial Generator shall:

- a. Ensure the Segregation of Recyclable Materials and, for Food Service Establishments, Organic Materials from Garbage by placing each type of material in a separate designated Receptacle or Container and ensure that employees, contractors, volunteers, customers, visitors, and other persons on site Segregate Recyclable Materials and, for Food Service Establishments, Organic Materials.
- b. Provide an adequate number and type of labeled Receptacles needed for Segregating and storing Recyclable Materials and, for Food Service Establishments, Organic Materials and provide adequate access to these Receptacles.
- c. Post and maintain signs containing information and instructions on the proper Segregation and storage of Recyclable Materials and, for Food Service Establishments, Organic Materials in areas where Receptacles are located.
- d. Ensure that all Receptacles used for collecting and storing Recyclable Materials, Organic Materials, and Garbage are affixed with signs or labels that display the appropriate information to enable users to clearly differentiate which Receptacles are used for Recyclable Materials, Organic Materials, and Garbage to minimize the Contamination of material placed in Receptacles.
- e. Provide adequate instructions to employees, contractors, and volunteers of the requirements of this Ordinance, including (i) the requirement and procedures to ensure the Segregation of Recyclable Materials and, for Food Service Establishments, Organic Materials from Garbage; (ii) the employee's, contractor's, and volunteer's responsibilities regarding compliance with this Ordinance; and (iii) the types and location of Receptacles and Containers for Recyclable Materials, Organic Materials, and Garbage.
- f. Ensure that instructions or training materials provided to employees, contractors, and volunteers are promptly made available to the City upon request.

- g. Ensure that the contents of Receptacles are deposited in the proper Container and ensure that the contents of the Receptacles for Recyclable Materials and Organic Materials are not delivered to Garbage Containers. Commercial Generators shall be assessed a premium fee based on the size of the Container for Recyclable Materials and Organic Materials Containers that are collected for Garbage Disposal by the Franchisee if the contents of their Recyclable Materials and Organic Materials Containers contain unacceptable levels of Contamination.

#### **8.25.060 Multi-family Generators**

Each Multi-family Generator shall:

- a. Participate in programs covered by this Ordinance that require Segregating Recyclable Materials from Garbage and depositing them in designated Containers provided by the Solid Waste Customer or Solid Waste Collector.

#### **8.25.070 Special Events**

Special Events shall be responsible for ensuring and demonstrating compliance with the requirements of this Ordinance. In addition to other requirements in this ordinance and the Municipal Code, each Special Event shall:

- a. Segregate Recyclable Materials and, for Special Events that include Food Service Establishments, Organic Materials from Garbage by placing each type of material in a separate designated Receptacle or Container and ensure that employees, contractors, volunteers, customers, visitors, and other persons on site Segregate Recyclable Materials and, for Food Service Establishments, Organic Materials.
- b. Ensure the Special Event has access to an adequate number and type of Containers needed for collecting and storing Recyclable Materials, and, when applicable, Organic Materials generated at and by the Special Event.
- c. Provide or ensure the provision of adequate Receptacles throughout the Special Event location to make the Segregation of Recyclable Materials and Organic Materials convenient for employees, volunteers, contractors, vendors, exhibitors, presenters, visitors, attendees, customers, and other persons on site.
- d. Provide or ensure the provision of an equal or greater number of Receptacles for Recyclable Materials and, when applicable, Organic Materials to Receptacles for Garbage. Individual Receptacles for Recyclable Materials, Organic Materials, and Garbage shall be placed as close together as possible throughout the Special Event location in order to provide equally convenient access to Receptacles for Recyclable Materials and Organic Materials as to Receptacles for Garbage.
- e. Ensure that all Receptacles used for Segregating and storing Recyclable Materials, Organic Materials, and Garbage are affixed with signs or labels that display the appropriate information to enable users to accurately Segregate Solid Waste and to clearly differentiate which Receptacles are used for Recyclable Materials, Organic Materials, and Garbage, to minimize the Contamination of material placed in Receptacles. Require food vendors and Food Service Establishments to have at least one separate Receptacle each for Recyclable Materials, Organic Materials, and

Garbage for use by employees, contractors, custodians, customers, visitors, and other persons on site.

- f. Distribute Ordinance requirements and appropriate informational materials to all vendors, exhibitors, and other Commercial Generators during event planning and set up.
- g. Ensure that the contents of the Receptacles for Recyclable Materials and Organic Materials are not delivered to Garbage Containers unless they include unacceptable levels of Contamination.

#### **8.25.080 Provisions for Self-haulers**

- a. Nothing in this Ordinance shall preclude any person, Solid Waste Customer, Commercial Generator, Multi-family Generator, or Special Event from Self Hauling Recyclable Materials or Organic Materials generated by that entity to a Recycling or Organics Processing facility.
- b. Self-haulers shall:
  - i. Comply with the requirements in this Ordinance by delivering for Recycling those items that can be Recycled by local Recycling facilities; Self-haulers that are also Food Service Establishments shall comply by delivering for Organics Processing those items that are accepted by local Organics Processing facilities.
  - ii. Provide proof of compliance with this Ordinance, upon request by the City; proof includes but is not limited to a receipt from a Recycling or Organics Processing facility that clearly identifies the type and quantity of material delivered.

#### **8.25.090 Solid Waste Collectors**

- a. Recycling and Organic Materials Collectors shall obtain and maintain a business registration with the City.
- b. Solid Waste Collectors shall keep separate Garbage, Recyclable Materials, and Organic Materials that have been segregated into separate Containers by Commercial Generators, Multi-family Generators, or Special Events.
- c. Solid Waste Collectors shall ensure that Segregated Recyclable Materials are delivered to a Recycling facility and that Segregated Organic Materials are delivered to an Organics Processing facility, except that a Container that contains unacceptable levels of Contamination may be delivered for Garbage Disposal if the Solid Waste Collector notifies the City of the occurrence; the date of the occurrence; and the account name, primary contact, phone number, billing address, and service address for the Solid Waste Customer at which the Container is located.
- d. Within five (5) days of request by the City, Solid Waste Collectors shall provide progress reports providing the following information, at a minimum:
  - i. Total number of Solid Waste Customers to whom the Solid Waste Collector currently provides Garbage, Recyclable Materials, and Organic Materials Collection service within the City's boundaries;



- ii. For each Solid Waste Customer, the account name, identifying number, primary contact, phone number, billing address, and service address;
- iii. Information on the type of Collection service provided, such as Garbage, Recyclable Materials, or Organic Materials services;
- iv. The weekly volume and type of Collection service provided, including the number, type, and size of Containers serviced and the days of service for each Container;
- v. Name and location of the Solid Waste Facilities where materials are delivered for processing;
- vi. List of accounts not in compliance with this Ordinance, including whether they are excluded or exempt based on the exemptions in Sections 4 and 5.

**8.25.100. Exclusions**

Solid Waste Customers that subscribe to less than two (2) cubic yards of Garbage collection service per week shall be excluded from the requirements of this Ordinance.

**8.25.110. Exemptions**

Solid Waste Customers, Commercial Generators, and Special Events that can document using the methods described in subsection 5.3 that the circumstances described in subsections 5.1 and 5.2 pertain to their operations shall be exempt from the requirements of this Ordinance:

**a. No Generation of Recyclable Materials**

Solid Waste Customers, Commercial Generators, and Special Events may be exempt from the requirements of this Ordinance if the Solid Waste Customer, Commercial Generator, or Special Event demonstrates to the City that no Recyclable Materials or Organic Materials are generated on site.

**b. Space Constraints and Zoning Considerations**

1 Solid Waste Customers may be exempt from the requirements of this Ordinance if the City determines that either:

- i. There is inadequate space for a Solid Waste Customer to store Containers for Recyclable Materials or Organic Materials on site and that it is infeasible for the Solid Waste Customer to share Recyclable Materials or Organic Materials Containers with adjacent Commercial Facilities or Multi-family Dwellings; or
- ii. Compliance with this Ordinance will result in violating City zoning or other regulations.

2. Commercial Generators, Multi-family Generators, and Special Events may be exempt from the requirements of this Ordinance if the City determines that either:

- i. The Solid Waste Customer that is responsible for managing Solid Waste for the Commercial Generator, Multi-family Generator, or Special Event is excluded or

exempt from providing Containers for Recyclable Materials or, for Food Service Establishments, Organic Materials; or

- ii. There is inadequate space for the Commercial Generator or Special Event to store Receptacles for Recyclable Materials or Organic Materials on site and that it is infeasible for the Commercial Generator or Special Event to deposit Recyclable or Organic Materials directly into Containers without an intermediate Receptacle; or
- iii. Compliance with this Ordinance will result in violating City zoning or other regulations.

**c. Verification of Exemption**

The Solid Waste Customer, Commercial Generator, or Special Event shall petition the City with a written request for an exemption documenting the circumstances of a claimed exemption. The City may visit the Solid Waste Customer's, Commercial Generator's, or Special Event's site; examine the Receptacles for Garbage, Recyclable Materials, or Organic Materials; or take other actions to verify the circumstances identified in the petition. The Solid Waste Customer, Commercial Generator, or Special Event requesting an exemption shall not be granted an exemption from the requirements of this Ordinance if the City determines that (i) Recyclable Materials or Organic Materials are generated on site, (ii) it is feasible for Containers and Receptacles for Recyclable Materials and, as necessary, for Organic Materials to be placed on site, and (iii) it is feasible for to share Recycling Containers with an adjacent Commercial Facility, or Multi-family Dwelling. The City may impose an administrative fee on petitioning entities to cover the costs of processing such petitions. The City may require the Solid Waste Customer, Commercial Generator, or Special Event that is granted an exemption from the requirements of this Ordinance to submit a renewal of its petition for an exemption every two years from the date the exemption was granted by the City.

**8.25.120 City Authority**

The City or its designee is authorized to administer and enforce the provisions of this Ordinance. To the extent permitted by law, the City or its designee may inspect any collection Container at a Commercial Facility, Multi-family Dwelling, or Special Event and any Solid Waste Collector's load for Garbage, Recyclable Materials, or Organic Materials. To the extent permitted by law, the City or its designee may also inspect the premises of any Commercial Facility, Multi-family Dwelling, or Special Event to determine compliance with the provisions of this Ordinance.

**8.25.130 Administrative Appeal**

Unless otherwise expressly provided by the City Municipal Code, any person adversely and directly affected by any determination made or action taken by the City pursuant to the provisions of this Ordinance may file an administrative appeal with the City Clerk. If no appeal is filed within ten (10) days under the municipal code City administrative appeal procedures at Section 1.25 of the Municipal Code, the determination of the City shall be final.

**8.25.140 Enforcement Goals**

The City shall enforce this Ordinance with the goal of maximizing the amount of Recyclable Materials and Organic Materials properly Segregated and ensuring that Recyclable Materials

and Organic Materials that have been properly Segregated by the Solid Waste Customer, Commercial Generator, Multi-family Generator, or Special Event are correctly Collected and delivered to Recycling and Organics Processing facilities. The City or its designee shall conduct the following activities to enforce this Ordinance:

- a. Provide details on the requirements of this Ordinance to affected Solid Waste Customers, Commercial Generators, Multi-family Generators, and Special Events;
- b. Develop and disseminate public education and promotional materials relating to the importance of Recycling and Organics Processing and the availability of Recycling and Organics Processing opportunities available to Solid Waste Customers, Commercial Generators, Multi-family Generators, and Special Events;
- c. Provide technical assistance and training to Solid Waste Customers, Commercial Generators, Multi-family Generators, and Special Events to increase recycling;
- d. Enforce provisions of the Franchise Agreement for Collection of Recyclable Materials, Organic Materials, and Garbage with the Franchisee to stimulate demand for Recyclable Materials and Organic Materials collection service.

#### **8.25.150 Enforcement for Contamination**

Enforcement of this Ordinance regarding Contamination in Containers for Garbage, Recyclable Materials, and Organic Materials shall be carried out by the City or its designee in a three step process, as follows:

- a. **Step One — Issuance of a Courtesy Notice:** If the City or its designee identifies Contamination in a collection Container, they shall notify the Solid Waste Customer in writing by affixing to the corresponding Container a written "Courtesy Notice" identifying the Contamination and shall provide a copy of this Courtesy Notice to the City along with the account name, primary contact, phone number, billing address, and service address of the Solid Waste Customer.
- b. **Step Two — Issuance of a Warning Notice:** If the City or its designee identifies Contamination in a collection Container a second time, they shall notify the Solid Waste Customer affixing to the corresponding Container a written "Warning Notice" identifying the Contamination and shall provide a copy of this Warning Notice to the City along with the account name, primary contact, phone number, billing address, and service address of the Solid Waste Customer.
- c. **Step Three — Issuance of a Violation Notice:** If the City or its designee identifies Contamination in a collection Container after the City or its designee has issued both a Courtesy Notice and Warning Notice to the same Solid Waste Customer, the Solid Waste Collector may refuse to Collect the Container with Contamination, and the Solid Waste Collector or City or its designee must affix to the corresponding Container a written "Violation Notice" identifying the Contamination and send a written copy of the Violation Notice to the Solid Waste Customer, identifying the incorrect materials and describing what action must be taken for the materials to be collected; provided, however, that a Solid Waste Collector may not refuse on this basis to empty containers from Commercial Facilities with multiple tenants and joint account collection service due to excessive Contamination, but the Solid Waste Collector may manage contaminated

loads as Garbage and charge the Solid Waste Customer accordingly. The Solid Waste Collector or the designee of the City shall also provide a copy of the Violation Notice to the City, along with the account name, primary contact, phone number, billing address, and service address of the Solid Waste Customer.

Solid Waste Collectors shall not be held liable for the failure of Solid Waste Customers to comply with this Ordinance, unless specified in the franchise, contract, registration certificate, or permit issued by the City.

#### **8.25.160 Enforcement for Other Violations**

Enforcement of this Ordinance regarding violations of Section 3 of this Ordinance by Solid Waste Customers, Commercial Generators, or Special Events, excluding Contamination in Containers for Garbage, Recyclable Materials, and Organic Materials, shall be carried out by the City or its designee as follows:

- a. **Step One — Issuance of a Courtesy Notice:** If the City or its designee determines that a Solid Waste Customer, Commercial Generator, or Special Event has violated the requirements identified in section 3 of this Ordinance, the City or its designee shall provide to that entity a written Courtesy Notice identifying the violation(s), describing what actions may be taken to correct the violation(s), and providing information on assistance for correcting the violation(s) that may be available from the City or its designee. If the Courtesy Notice has been issued by a designee, the designee shall provide a copy of the warning notice along with the name, primary contact person, phone number, and address of the entity that was issued the Courtesy Notice.
- b. **Step Two — Issuance of a Warning Notice:** If the City or its designee determines that a Solid Waste Customer, Commercial Generator, or Special Event has violated the requirements identified in Section 3 of this Ordinance, after that entity has received a Courtesy Notice, the City or its designee shall provide to that entity a written Warning Notice identifying the violation(s), describing what actions may be taken to correct the violation(s), listing the date after which the City or its designee may issue Violation Notice if the violation(s) have not been corrected, and providing information on assistance for correcting the violation(s) that may be available from the City or its designee. If the Warning Notice has been issued by a designee, the designee shall provide a copy of the warning notice along with the name, primary contact person, phone number, and address of the entity that was issued the Warning Notice.
- c. **Step Three — Issuance of a Violation Notice:** If the City or its designee determines that a Solid Waste Customer, Commercial Generator, or Special Event has not corrected violation(s) identified in a Warning Notice by the date specified on the Warning Notice, City or its designee shall provide to that entity a written Violation Notice identifying the violation(s) and describing what actions may be taken to correct the violation(s). If the Violation Notice has been issued by a designee, the designee shall provide a copy of the warning notice along with the name, primary contact person, phone number, and address of the entity that was issued the Violation Notice.

### 8.25.170 Penalties

The City may issue administrative fines for violating this Ordinance or any rule or regulation adopted pursuant to this Ordinance, except as otherwise provided in this Ordinance. The City's procedures on imposition of administrative fines are hereby incorporated in their entirety 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; provided, however, that the City may adopt regulations providing for lesser penalty amounts for Solid Waste Customers, Commercial Generators, or Special Events. No penalty shall be issued to any Multi-family Generator, unless that entity is also a Solid Waste Customer.

A Violation Notice shall be issued and served upon the Solid Waste Collector, Solid Waste Customer, Commercial Generator, or Special Event for violations of this Ordinance. No Violation Notice shall be issued or served upon any Multi-family Generator, unless that entity is also a Solid Waste Customer. For violations for which a Violation Notice is served, public nuisance proceedings and/or code enforcement proceedings under the City's Code shall apply, in addition to the administrative penalties approved by resolution of the City governing body, as modified from time to time. The City has the authority to impose administrative penalties for the Violation Notice. The amount of the administrative fine shall not be more than \$100 for the first occurrence of the violation(s) identified in a Violation Notice, \$250 for the second occurrence of the violation(s) identified in a Violation Notice, and \$500 for the third and subsequent occurrences of the violation(s) identified in a Violation Notice.

All administrative civil penalties collected from actions brought pursuant to this Ordinance shall be paid to the City and shall be deposited into a special account (or Solid Waste account) that is available to fund activities to implement the applicable provisions of this Ordinance.

The City Attorney may seek injunctive relief or civil penalties in the Superior Court in addition to the above remedies and penalties.

### 8.25.180 Implementation Schedule

The schedule for enforcement of this Ordinance shall be implemented in accordance with the timeline specified in Table 1:

<b>Date</b>	<b>Entities Affected</b>	<b>Materials Covered</b>
January 1, 2011	<b>Recyclable Materials:</b> All Solid Waste Collectors and Solid Waste Customers that subscribe to two (2) cubic yards or more of Garbage collection service per week.	Recyclable Materials
January 1, 2012	<b>Organic Materials:</b> All Solid Waste Collectors and Solid Waste Customers that subscribe to two (2) cubic yards or more of Garbage collection service per week and that serve Food Service Establishments and Special Events.	Organic Materials

## **8.25.190 Other Provisions**

### **a. No Other Powers Affected**

This Ordinance does not do any of the following:

- i. Otherwise affect the authority of the City, or designee to take any other action authorized by any other provision of law.
- ii. Restrict the power of a city attorney, district attorney, or the Attorney General to bring in the name of the people of California, any criminal proceeding otherwise authorized by law.
- iii. Prevent the City or designee from cooperating with, or participating in, a proceeding.
- iv. Affect in any way existing contractual arrangements including franchises, permits, or licenses previously granted or entered into between the Solid Waste Collectors and City.

### **b. Cumulative Remedies**

Any remedy provided under this Ordinance is cumulative to any other remedy provided in equity or at law. Nothing in this Ordinance shall be deemed to limit the right of the City or its Solid Waste Operators to bring a civil action; nor shall a conviction for such violation exempt any person from a civil action brought by the City or its Solid Waste Operators. The fees and penalties imposed under this article shall constitute a civil debt and liability owing to the City from the persons, firms, or corporations using or chargeable for such services and shall be collectible in the manner provided by law.

### **c. Liability**

Nothing in this article shall be deemed to impose any liability upon the City or upon any of its officers or employees including without limitation under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

## **8.25.200 Disclaimer of Liability**

The degree of protection required by this Ordinance is considered to be reasonable for regulatory purposes. The standards set forth in this Ordinance are minimal standards and do not imply that compliance will ensure safe handling of Recyclable Materials, Organic Materials, or Garbage. This Ordinance shall not create liability on the part of the City, or any of its officers or employees, for any damages that result from reliance on this Ordinance or any administrative decision lawfully made in accordance with this Ordinance. All persons handling Solid Waste within the boundaries of the City should be and are advised to conduct their own inquiry as to the handling of such materials. In undertaking the implementation of this Ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officer and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

**8.25.210 Duties Discretionary**

Subject to the limitations of due process and applicable requirements of State or federal laws, and notwithstanding any other provisions of this Ordinance, whenever the words "shall" or "must" are used in establishing a responsibility or duty of the City, its elected or appointed officers, employees or agents, it is the legislative intent that such words establish a discretionary responsibility or duty requiring the exercise of judgment and discretion.

**8.25.220 Severability**

If any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance. City hereby declares that it would have passed this Ordinance and adopted this article and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 3: Chapter 8.04 – SOLID WASTE - DEFINITIONS is amended in the municipal code as follows:

**Chapter 8.04**

**SOLID WASTE**

**8.04.030 Definitions**

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section, unless from the context a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

**"Animal Waste"** means manure, fertilizer or any form of solid excrement produced by any and all forms of domestic or commercial animals.

**"Business"** means any person or entity that possesses or is required to possess a business registration certificate, as stated in Section 5.04.020 of the San Carlos Municipal Code.

**"Bottles and Jars"** means glass and plastic containers, including container glass covered by Section 14500 et seq. of the Public Resources Code, and including household and kitchen containers.

**"Cardboard"** means post-consumer waste paper grade corrugated cardboard (#11) or solid fiber boxes which have served their packaging purposes and are discarded and can later be reclaimed for collection and recovery for recycling.

**"City"** means the City of San Carlos.

**"Collect"** or **"Collection"** means to take physical possession, transport, and remove Solid Waste, Targeted Recyclable Materials, Organic Materials, or other materials within and from City.

**“Commercial Facility”** means any property used for conducting business, including but not limited to a Food Service Establishment, retail facility, office, manufacturing facility, markets, office buildings, hotels, motels, shopping centers, and theaters; any educational, professional, commercial, governmental, institutional, or industrial establishment or facility of any nature whatsoever, except residential, where there is a generation of Solid Waste, including but not limited to non-residential sites used by charitable or non-profit organizations; properties and sites used for Special Events; or other non-residential properties located within the boundaries of the Agency.

**“Commercial Generator”** means any legal entity, except a Special Event, that generates Solid Waste at a Commercial Facility, who may include Businesses; charitable or non-profit organizations, including hospitals, educational institutions, and civic or religious organizations; governmental organizations, agencies, or entities; and non-residential tenants or entities that lease or occupy space. Commercial Generator also includes the Agency and its facilities and non-residential properties.

**“Composting”** means the controlled biological decomposition of organic wastes that are source separated from the solid waste stream. Such organic wastes include vegetable, animal, yard and wood wastes which are not hazardous wastes.

**“Construction and Demolition Debris”** and **“C&D”** means materials resulting from construction, renovation, remodeling, repair, or demolition operations on any Residential, Commercial or other structure or pavement.

**“Construction Waste”** means tile rubble resulting from construction, remodeling, repair and demolition activities on housing, commercial or governmental buildings and any other structure and pavement.

**“Container”** means any bin used to store Garbage, Recyclable Materials, or Organic Materials and from which Solid Waste Collectors Collect these materials. Containers include, but are not limited to, metal or plastic cans, carts, bins, and drop boxes.

**“Contamination”** means (i) all materials other than those defined as Recyclable Materials that were placed in a Container designated for Recyclable Materials or were Collected by a Solid Waste Collector with Recyclable Materials; (ii) all materials other than those defined as Organic Materials that were placed in a Container designated for Organic Materials or were Collected by Solid Waste Collector with Organic Materials; or (iii) Recyclable Materials, and Organic Materials in the case of a Food Service Establishment, that were placed in a Container designated for Garbage or were Collected by a Solid Waste Collector with Garbage .

**“Discarded Material”** means Solid Waste, Targeted Recyclable Materials, and Organic Materials placed by a Generator in a Container and/or at a location that is designated for Collection pursuant to the Agency's Municipal Code. Discarded Material shall become the property of Contractor pursuant to California Public Resources Code Section 41950 until delivery to the Designated Transfer and Processing Facility.

**“Disposal”** means the ultimate disposition of Solid Waste Collected by Contractor at a Disposal Site.



**“Food Service Establishment”** means any and all restaurants, sales outlets, stores, shops, manufacturers, processors, vehicles or other places of business located or operating within the Agency that function primarily to sell, manufacture, process, or distribute foods or beverages to consumers or other businesses.

**“Franchisee”** means any solid waste collector authorized by the City Council pursuant to the procedures established in this chapter.

**“Garbage”** means material that is designated for Collection by the Solid Waste Collector and does not include Recyclable Materials or, in the case of Food Service Establishments, Organic Materials. The term Garbage does not include hazardous waste, as defined in California Health and Safety Code Sections 25117 and 25141.

**“Garbage Disposal”** means the final disposition of Garbage onto land, including at a permitted landfill, or into the atmosphere, including through incineration. Garbage Disposal does not include Recycling or Organics Processing.

**“Multi-Family Dwelling”** means a residential structure with five or more residences.

**“Multi-Family Generator”** means tenants, residents, other occupants, and custodians or janitors of Multi-family Dwellings.

**“Noncombustible Rubbish”** means ashes, bottles, broken crockery, glass, tin cans, metal and metallic substances which will not incinerate through contact with flames of ordinary temperature.

**“Organic Materials”** means biodegradable materials that can be Segregated from Garbage and Recyclable Materials for the purpose of Composting, anaerobic digestion, or processing with other Organics Processing methods. Organic Materials include any materials identified by the Agency that can be feasibly collected and marketed for Organics Processing, including but not limited to yard waste, plant trimmings, food scraps, and paper and paper products that can be Composted but not Recycled.

**“Organic Materials Collector”** means any person or persons, firm, partnership, joint venture, association or corporation engaged in the Collection or transportation of Organic Materials generated in the City.

**“Organics Processing”** means the composting, anaerobic digestion, or other beneficial use, as defined by the City, of Organic Materials.

**“Owner”** means the Person holding legal title to the real property constituting the Premises to which Solid Waste, Targeted Recyclable Materials, and/or Organic Materials Collection service is provided.

**“Occupant”** means a Person who occupies a Premise.

**“Premise”** means any land or building where Solid Waste, Recyclable Materials, or Organic Materials is generated or accumulated.

**“Person”** means any individual, firm, corporation, association, or group or any combination thereof acting as a unit.

**“Place of Business”** means any hotel, motel, trailer court, restaurant, cafeteria, market, hospital or any educational, professional, commercial or industrial establishment of any nature whatsoever where there is a generation of solid waste.

**“Receptacle”** means a bin used for the temporary collection and storage of Solid Waste, whose contents are periodically transferred to a larger Container from which a Solid Waste Collector directly Collects the Solid Waste.

**“Recycling Collector”** means any person or persons, firm, partnership, joint venture, association or corporation engaged in the collection and transportation Recyclable Materials generated in the City.

**“Recyclable Materials”** or **“Recyclable”** means materials that can be Segregated from Garbage and Organic Materials prior to Collection for the purpose of reusing or returning these materials in the form of raw materials for new, used, or reconstituted products which meet the quality standard necessary to be used in the marketplace. Recyclable Materials include any materials identified by the Agency that can be feasibly collected and marketed for Recycling by the City’s Franchisee, including, but not limited to, paper and paper products, chipboard, cardboard, plastic food and beverage containers, and glass jars and bottles, aluminum, tin and bi-metal cans.

**“Recycle”** or **“Recycling”** means the process of collecting, sorting, cleaning, treating, and reconstituting materials that would otherwise be disposed by Garbage Disposal and then returning these materials for use or reuse in the form of raw materials for new, used, or reconstituted products which meet the quality standard necessary to be used in the market place as defined in Public Resources Code 40180. Recycling does not include burning, incinerating, or thermally destroying Solid Waste, as defined in Public Resources Code Section 40201. The City shall specify additional materials covered under the Ordinance at its discretion.

**“Recycling Operator”** means a person or persons, firm, partnership, joint venture, association or corporation engaged in the collection and recycling of recyclable materials.

**“Self Haul”** means to transport one’s own Recyclable Materials to a Recycling facility or Organic Materials to an Organics Processing facility by using a vehicle owned by the transporting entity rather than using the hauling services of a Solid Waste Collector.

**“Self Hauler”** means a Solid Waste Customer, Commercial Generator, Multi-family Generator, or Special Event that transports its own Recyclable Materials to a Recycling facility or Organic Materials to an Organics Processing facility by using a vehicle owned by that transporting entity rather than using the hauling services of a Solid Waste Collector.

**“Special Event”** means a community, public, commercial, recreational, or social event which may serve food or drink and which may require a permit from the City. Special Events may include the temporary or periodic use of a public street, publicly-owned site or facility, privately-owned site or facility, or public park. Special Event includes the legal entity responsible for the Special Event, including but not limited to the owner, manager, or organizer, which may be the City.

**“Solid Waste”** means all putrescible and nonputrescible solid, semisolid and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes and other discarded solid and semi-solid wastes. “Solid waste” does not include hazardous waste as defined in Section 40141 of the Public Resources Code.

**“Solid Waste Customer”** means the legal entity responsible for managing Solid Waste at a Commercial Facility or Multi-family Dwelling, including subscribing to Solid Waste Collection services with a Solid Waste Collector or Self Hauling Solid Waste, or the entity to whom the Solid Waste Collector submits billing invoices for Collection from a Commercial Facility or Multi-Family Dwelling.

**“Solid Waste Collector”** means any person or persons, firm, partnership, joint venture, association, or corporation engaged in the Collection or transportation, Disposal, Garbage Disposal, Recycling, or Organic Processing of Solid Waste generated within all or part of the jurisdictional boundaries of Agency, including Franchisees, Recycling Collectors, and Organic Materials Collectors.

**“Solid Waste Disposal”** includes the collecting, transporting and disposal of solid waste generated within the City.

**“Solid Waste Facility”** means any recycling center, materials recovery facility, intermediate processing center, incineration facility or landfill where solid waste may be taken for immediate processing or final disposal. “Solid waste facility” includes a solid waste transfer or processing station and a composting, transformation or disposal facility.

**“Segregate”** means any of the following: the placement of Recyclable Materials, Organic Materials, and Garbage each in separate and designated Containers; the binding of Recyclable Materials separately from other waste material; the physical separation from each other of Recyclable Materials, Organic Materials, and Garbage.

**“Wood Wastes”** means lumber and wood products but excludes painted wood, wood treated with chemicals and pressure-treated wood.

**“Yard Wastes”** means leaves, grass, weeds and wood materials from trees and shrubs. (Ord. 1238 § 1 (part), 1998)

**Section 4:** The City Clerk is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute.

**Section 5:** This ordinance shall take effect and be in force on the thirtieth (30<sup>th</sup>) day from and after its final passage.

INTRODUCED on the 12<sup>th</sup> day of April 2010.

PASSED AND ADOPTED as an Ordinance of the City of San Carlos at a regular meeting thereof held on the 26<sup>th</sup> day of April 2010 by the following vote:

AYES, COUNCIL MEMBERS: \_\_\_\_\_

NOES, COUNCIL MEMBERS: \_\_\_\_\_

ABSENT, COUNCIL MEMBERS: \_\_\_\_\_

\_\_\_\_\_

MAYOR of the City of San Carlos

ATTEST: \_\_\_\_\_

CITY CLERK of the City of San Carlos