

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY FOR
CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT**

IT IS HEREBY ORDAINED by the City Council of the City of Half Moon Bay to amend the Half Moon Bay Municipal Code as follows:

Chapter 14.50

**REQUIREMENT FOR CONSTRUCTION AND
DEMOLITION WASTE RECYCLING**

Sections:

- 14.50.010 Intent-Purpose
- 14.50.020 Definitions
- 14.50.030 Submittals
- 14.50.040 Recycling, Re-Use and Savage Procedures

14.50.010 Intent-Purpose. This chapter is adopted to codify procedures for ensuring maximum diversion of C&D (construction and demolition) waste generated by new construction or remodeling projects within the City.

- A. Assembly Bill 939, California Solid Waste Management Act, requires that localities throughout the state develop source reduction, re-use, recycling, and composting programs, to reduce the tonnage of solid waste disposed in landfills by 25 percent by 1995 and 50 percent by the year 2000. Construction, demolition, and land clearing debris generated by construction are among the materials targeted by the City to achieve these diversion rates.
- B. Contractor shall participate through optimum control of solid waste and recoverable resources generated by his activities.
- C. Contractor is encouraged to use products with post-consumer recycled content to the greatest extent feasible. Suggestions are included in the report "A Resource Guide to Recycled-Content Construction Products," published by the CIWMB (California Integrated Waste Management Board).

14.50.020 Definitions.

- A. "Class III Landfill" means a landfill that accepts non-hazardous waste, such as household, commercial, and industrial waste, resulting from construction, remodeling, repair, and demolition operations. A Class III landfill must have a solid waste facilities permit from the CIWMB and is regulated by the Local Enforcement Agency (LEA).
- B. "Construction and Demolition Waste" means and includes all non-hazardous C&D waste resulting from construction, remodeling, alterations, repair, and demolition operations.
- C. "Contractor" means any person or entity seeking or obtaining a building permit from the City of Half Moon Bay where the City's Building Official has determined that the value of all construction work for which the permit is issued or is to be issued is \$5,000 or more.
- D. "Disposal" means the acceptance of solid wastes at a legally operating facility for the purpose of landfilling. Includes Class III landfills and inert fills.
- E. "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
- F. "Inert Backfill Site" means a location, other than inert fill or other disposal facility, to which inert materials are taken for the purpose of filling an excavation, shoring, or other soils engineering operations.
- G. "Inert Fill" means a facility that can legally accept inert waste, such as asphalt and concrete, exclusively for the purpose of disposal.
- H. "Inert Solids/Inert Waste" means non-liquid C&D waste including, but not limited to, soil and concrete that does not contain hazardous waste or soluble pollutants at concentrations in excess of water-quality objectives established by a Regional Water Quality Control Board pursuant to Division 7 (Section 13000 et seq.) of the California Water Code and does not contain significant quantities of decomposable C&D waste.
- I. "Mixed Debris" means loads that include commingled recyclable and non-recyclable materials generated at the construction site.
- J. "Mixed Debris Recycling Facility" means a C&D waste processing facility that accepts loads of commingled construction and demolition debris for the purpose of recovering re-usable and recyclable materials and disposing the non-recyclable residual materials.

- K. “Permitted Waste Hauler” means a company that possesses a valid and current permit to collect and transport solid wastes from individuals or businesses for the purposes of recycling or disposal in the County.
- L. “Project” means the construction of any building or structure for which a building permit is required where the estimate of value of all construction work for which the permit is issued, as determined by the City’s Building Official, is \$5,000 or more.
- M. “Recycling” means the process of sorting, cleansing, treating and reconstituting materials for the purpose of re-using the altered form or using the altered material in the manufacture of a new product. Recycling does not include burning, incinerating or thermally destroying solid waste.
1. On-Site Recycling: Materials that are sorted and processed for re-use in the project, (e.g. concrete is crushed for use as base for a parking lot on the site).
 2. Off-Site Recycling: Materials hauled to a location and used in an altered form.
- N. “Recycling Facility” means an operation that can legally accept materials for the purpose of processing the materials into an altered form for the manufacture of a new product. Depending on the types of materials accepted and operating procedures, a recycling facility may or may not be required to have a Solid Waste Facilities permit from the CIWMB or be regulated by the LEA.
- O. “Re-Use” means materials that are recovered for use in the same form. This includes materials that are re-used on-site or off-site. Refers also to **Salvage**, in which materials are recovered for re-use and sold or donated to a third party.
- P. “Source-Separated Materials” means materials that are sorted at the site of generation by individual material type for the purpose of re-use or recycling, i.e., loads of concrete that are source-separated for delivery to a base course recycling facility.
- Q. “Solid Waste” means materials that have been designated as non-recyclable and are discarded for the purposes of disposal.
- R. “Transfer Station” means a facility that can legally accept solid wastes for the purpose of temporarily storing the materials for re-loading onto other trucks and transporting them to a landfill for disposal, or recovering some materials for re-use or recycling. Transfer stations must be permitted by the CIWMB and regulated by the LEA.

14.50.030 Submittals.

A. C&D Waste Management Plan:

1. Prior to obtaining a building permit from the City for work in excess of \$5,000.00, a Contractor shall conduct a site assessment and estimate the types and quantities of materials that are anticipated to be feasible for on-site processing or source separation for recycling or re-use, and shall note the procedures intended to be used. City staff will assist the Contractor in this assessment.
2. Prior to the commencement of any Project valued at more than \$5,000.00, a Contractor shall meet with a City representative to discuss the Contractor's C&D Waste Management Plan (example format is shown in Addition A). The Plan includes, but is not limited to the following:
 - a. Contractor and project identification information
 - b. Procedures to be used
 - c. Materials to be re-used and recycled
 - d. Estimated quantities of materials
 - e. Names and locations of re-use and recycling facilities/sites
3. The City's review and comment on a Contractor's C&D Waste Management Plan will not otherwise relieve the Contractor of responsibility for adequate and continuing control of pollutants and other environmental protection measures.

14.50.040 Recycling, Re-Use, and Salvage Procedures.

A. Develop and Implement Recycling Procedures: Based on the Contractor's C&D Waste Management Plan, estimate quantities of available materials, and determine availability of recycling facilities, Contractor shall develop and implement during construction of the Project procedures to re-use, salvage, and recycle materials **to the greatest extent feasible**. Procedures shall include consideration of on-site recycling and shall consider and where feasible implement the following:

1. On-Site or Off-Site Recycling Source-Separated Materials: Contractor shall evaluate the source separation of C&D waste of the following types:
 - a. Asphalt
 - b. Concrete, concrete block, slump stone (decorative concrete block), and rocks
 - c. Dirt
 - d. Metal, ferrous and non-ferrous

- e. Wood
- f. Green materials (i.e. tree trimmings)
- g. Other materials, such as red clay brick and corrugated cardboard

Estimate the amount of material to be used in the project and include a program for off-site recycling or excess material that cannot be used in the project.

2. Mixed Debris Recycling: Identify a program to transport loads of commingled C&D materials that cannot be feasibly source separated to a mixed debris recycling facility.
3. Salvageable Items: Identify materials that are feasible for salvage, determine requirements for on-site storage, and identify a method to transport the materials to a salvage facility.
4. Disposal Operations:
 - a. Using a permitted waste hauler or its own trucking services, Contractor shall legally transport non-recyclable materials to a transfer station or disposal facility that can legally accept the materials for the purpose of disposal.
 - b. Do not burn, bury or otherwise dispose of solid waste on the project job-site.

B. Participate in Re-Use Programs: Prior to obtaining a building permit, Contractor shall evaluate and where feasible shall implement a re-use program. Alternatives include the following. These alternatives are provided as an example and are not necessarily recommended by the City:

1. California Materials Exchange (CAL-MAX) Program sponsored by the CIWMB. CAL-MAX is a free service to help businesses find markets for materials that traditionally would be discarded. The premise of the CAL-MAX Program is that material discarded by one business may be a resource for another business. To obtain a current Materials Listing Catalog, call CAL-MAX at (916) 255-2369 or (800) 553-2962.

PASSED AND ADOPTED this ____th day of _____, 1999 by the following votes:

AYES, Councilmembers: _____

NOES, Councilmembers: _____

ABSTAIN, Councilmembers: _____

ABSENT, Councilmembers: _____

Jerry Donovan, MAYOR

ATTEST:

Dorothy R. Robbins, CITY CLERK