

## Mandatory Commercial and Multi-Family Recycling

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### **Background**

With Mandatory Commercial Recycling, businesses and multi-family residential properties (such as apartment buildings with at least five units) are required to recycle any waste products that are deemed recyclable, as opposed to disposing of them in landfills. For cities with goals of zero waste, mandatory commercial recycling can be a large step to accomplishing their goal, due to that fact that businesses are large producers of recyclable waste—yet much of this waste is thrown away instead of recycled or reused—and thus, mandatory commercial recycling can ensure that this waste is properly recycled, reducing the amount of space it would take up in landfills and reducing greenhouse gas emissions, such as methane, from landfills.

### **Current Mandatory Commercial Recycling Regulations**

Several U.S. cities have implemented mandatory recycling for businesses; others, however, have created completely different recycling programs. For example, some cities, such as Seattle, not only impose mandatory recycling onto their commercial businesses, but also onto their *citizens*. Another interesting note is that the entire state of California has implemented mandatory commercial recycling, but before it did, other cities located in California had implemented mandatory commercial recycling for their cities, such as the city of San Carlos, which I've discussed below.

- **San Carlos, CA**

In 2010—before the entire state of California implemented mandatory commercial recycling—the city of San Carlos, California did so. Mandatory recycling, however, not only applied to the businesses located in the city, but also applied to “apartment complexes with five or more units that generate two cubic yards or more of trash a week.” This helpful source explains the city’s experience with mandatory commercial recycling:

[http://www.recyclenow.org/pdf/sample\\_commercial\\_recycling\\_ordinance.pdf](http://www.recyclenow.org/pdf/sample_commercial_recycling_ordinance.pdf).

The ordinance used by the city ([http://www.ca-ilg.org/sites/main/files/file-attachments/resources\\_San\\_Carlos\\_Commercial\\_Recycling\\_ordinance\\_-\\_Adopted.pdf](http://www.ca-ilg.org/sites/main/files/file-attachments/resources_San_Carlos_Commercial_Recycling_ordinance_-_Adopted.pdf)) was phased-in over a period of two years. The first phase of the program was voluntary

participation, in which the main priorities of the city were education and outreach to the business community on the importance of recycling; the next phase required all businesses to “source separate recyclable materials, except for organic materials.” Finally, the last phase of the program occurred in January 2012, in which all businesses were required to separate out organic materials as well.

According to the City of San Carlos, most of the businesses who were required to recycle by the mandatory commercial recycling ordinance were compliant and supportive in doing so. One interesting note is that the cities *preferred* for the phase-in of the ordinance to be *faster* on a time scale as opposed to slower; the source stated that “businesses preferred that the mandatory recycling program begin sooner rather than later and be phased-in over a faster time frame than initially proposed by the city.” If the City of Bexley were to implement a mandatory commercial recycling ordinance, it is possible that the businesses located here would also prefer a faster phase-in period, as displayed by the experience of the City of San Carlos.

Another key note is that businesses seem more open to a locally-enforced program as opposed to one mandated by the state; the source stated that “many businesses were motivated to support the ordinance by being able to have a locally developed program, as opposed to having to comply with a state mandate.” If Bexley were to implement mandatory recycling on all businesses located in Bexley, they too might be open to the ordinance due to the fact that it is a local initiative.

- **State of California**

The following source contains detailed information about the state of California’s Mandatory Recycling Program: <http://www.calrecycle.ca.gov/Publications/Documents/1554/201601554.pdf>

The entire state of California implemented a Mandatory Commercial Recycling law in 2012 through the Assembly Bill (AB) 341. In essence, this means that all commercial businesses located in California (that generate at least four cubic yards of solid waste per week), as well as multi-family residential properties (of at least five units) are required by state law to recycle.

In California, local government jurisdictions are tasked with supplying education, and conducting outreach, to businesses and multi-family residential properties regarding the

methods by which they can comply with the law by recycling; the local governments also monitor (annually) all of the businesses and multi-family residential properties located within their areas and ensure that they are adequately complying with the state recycling law. The local government jurisdictions then must report the information and data collected from their monitoring to the California Department of Resources Recycling and Recovery, also known as “CalRecycle.”

Businesses and multi-family residential properties, while being *required* to recycle, have control and flexibility over the methods by which they recycle. For example, they can arrange for pick-ups of recyclable materials when needed, *or* subscribe to regular pick-ups by a hauler; another option is that they can “self-haul” their own recyclable waste materials to recycling facilities. These flexible options provide an easier way for businesses and properties in California to comply with state law, which requires them to recycle, while also allowing them to tailor their methods of recycling to a way that best fits their business; for example, a businesses that produces minimal amounts of recyclable waste each week would not need regular pick-ups, but instead might prefer to avoid the costs associated with such, and opt to self-haul their own recyclable waste when needed. This flexibility allows businesses and residential properties to be practical with their recycling methods, yet also to be effective in accomplishing the ultimate goal of recycling.

- **Fairfax, VA**

The City of Fairfax, Virginia has a Commercial Recycling Ordinance— ([https://library.municode.com/va/fairfax/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH74SOWA#PTIICO\\_CH74SOWA\\_S74-9RENORERE](https://library.municode.com/va/fairfax/codes/code_of_ordinances?nodeId=PTIICO_CH74SOWA#PTIICO_CH74SOWA_S74-9RENORERE))—in which all businesses in the city “are required to implement a recycling program in the workplace and submit an annual report to the city regarding this program,” no matter the size of the business. The reports must list “the types of materials recycled by the company and the estimated volume of each material.” The way that this program is structured gives the businesses of Fairfax, VA more flexibility in the amount of recycling they do and the types of wastes that they recycle, but it is still effective because it ensures that recycling in itself *is* occurring in the city. Due to the fact that businesses have their own flexibility in creating their recycling programs, it appears to encourage them to be more open to recycling as a whole, rather than being strictly forced to

recycle. A program that requires local businesses to create and implement their own recycling programs could be a feasible option for implementing mandatory commercial recycling in Bexley.

- Helpful source with information about the City of Fairfax, VA's recycling program: <http://www.fairfaxva.gov/government/public-works/operations-division/refuse-recycling/commercial-recycling/commercial-recycling-ordinance>

The following source contains a sample ordinance for commercial recycling programs that cities can use as a reference when writing their own ordinances for mandatory commercial recycling; if mandatory commercial recycling is something feasible for the City of Bexley, this source might be helpful in creating the program and writing the ordinance for the city:

[http://www.recyclenow.org/pdf/sample\\_commercial\\_recycling\\_ordinance.pdf](http://www.recyclenow.org/pdf/sample_commercial_recycling_ordinance.pdf).

- **Honolulu, HI**

The city of Honolulu, Hawaii has a program of mandatory recycling for its businesses. Its ordinance ([http://www.honolulu.gov/rep/site/ocs/roh/ROH\\_Chapter\\_9.pdf](http://www.honolulu.gov/rep/site/ocs/roh/ROH_Chapter_9.pdf)), in essence, requires most types of businesses to all recycle in some way or other; for example, “Office buildings with 20,000 square feet or more of office space are required to recycle office paper, newspaper and cardboard,” while “Hotels, restaurants, grocery stores, food courts, food manufacturers/processors and hospitals meeting specific size criteria defined by ordinance are required to recycle food waste.” (source: [http://www.opala.org/solid\\_waste/archive/waste\\_ordinances.html](http://www.opala.org/solid_waste/archive/waste_ordinances.html)).

While the city encourages recycling as much as possible, many types of materials are required to be recycled, depending on the type of businesses; as stated, “Bars and restaurants are required to recycle glass containers; office buildings (including government offices) are required to recycle paper; and businesses that generate large amounts of food waste, including hotels, restaurants, manufacturers and hospitals, are required to recycle that waste.” (source: [http://www.opala.org/solid\\_waste/archive/waste\\_ordinances.html](http://www.opala.org/solid_waste/archive/waste_ordinances.html)). This mandatory recycling, tailored to specific types of businesses, is effective because it is simple, easy for businesses to follow, and targets most of the waste products from these businesses, allowing them to be easily recycled. This integrated waste management approach could be feasible for Bexley, as it uses a program that does not follow a “one size fits all” rule for businesses to

follow, but rather tailors the rules of what a business must recycle to the type of business that it is and the types of wastes it generally produces. Businesses might be more open to such a flexible, open approach in place of a strict program in which they must recycle *everything* recyclable that they waste, no matter what, which could be a burden on the functions of the business.

## **Recommendation**

An effective approach for the city of Bexley to implement Mandatory Commercial Recycling on its businesses and multi-family residential properties could be to, at first, solely encourage businesses and properties to recycle as opposed to strictly forcing them to recycle right away. A Mandatory Recycling Ordinance could be implemented in phases to ease the transition of businesses and properties in complying with the recycling requirements by allowing them to adjust to such changes.

First, it could be beneficial for the city of Bexley to conduct an analyzation of the amount of, and types of, recyclable wastes that each business and multi-family property in Bexley produces in order to determine the best approach to take in reducing the possibility of such wastes ending up in landfills. This is important, because different types of recyclable wastes, while all ultimately recyclable, can be best recycled differing ways. For example, electronic waste, or e-waste, can be stripped down for reusable parts and re-used multiple times, while biodegradable food products (such as orange peels) can be composted to provide nutrients back to the soil; paper products, on the other hand, must be traditionally recycled by being taken to a recycling plant. By determining the different types of waste that are produced in Bexley, the city can establish an Integrated Waste Management style of program, in which the way each type of waste is dealt with is specifically tailored to what is most logical and environmentally-friendly, with the ultimate goal being the reduction of the amount of recyclable waste that ends up in landfills.

Next, the city could require that, at a minimum, each business must own a 96-gallon toter bin to collect recycling; to make this requirement easier, the city could offer to provide a reduced price for such a service. By requiring businesses to own a large recycling bin, the city of Bexley is ensuring that the option of recycling is accessible to, and convenient for, each businesses—thus increasing the likelihood of waste being recycled as opposed to thrown away. For multi-

family residences of five or more units, the city could also propose options for them to decide the most convenient method of complying with the requirement to recycle; they could choose between providing a 48-gallon capacity recycling container per each unit of the property, or they could provide a 3- cubic yard dumpster to contain all recyclable materials generated by the families housed in the residence. Both of these options would ultimately encourage families residing in the property to recycle.

Finally, the city of Bexley could require that all businesses must each create their own recycling plan and have it approved by the city of Bexley to ensure that it is the most sustainable and logical course of action for maximizing the amount of waste that is reused or recycled. The city of Bexley could make use of the principles of the idea of Integrated Waste Management to approve the plans for each businesses. Once each business has a recycling plan, they must report the amount of, types of wastes recycled, and the *ways* that these different wastes were recycled, annually to the city of Bexley. In this way, the city of Bexley could follow the lead of Fairfax, VA, by giving businesses great flexibility in their recycling methods while still reaching the ultimate goal of increasing the recycling of waste.