

D-R-A-F-T

ORDINANCE NO. _____

AN ORDINANCE OF THE (Jurisdiction of XXXX), CALIFORNIA, AMENDING THE (Jurisdiction MUNICIPAL CODE) BY ADDING A NEW CHAPTER X, VENUES AND EVENTS WASTE REDUCTION TO ARTICLE X OF THE JURISDICTION MUNICIPAL CODE

WHEREAS, the venues and events waste reduction law ([Public Resources Code 42648](#)) mandates that local jurisdictions report to the California Department of Resources Recycling and Recovery on a certain percentage of the venues and events that operate within their jurisdictional boundaries.

WHEREAS, the law requires large venue and large event operators to meet with recyclers and solid waste handlers to select appropriate waste diversion programs.

WHEREAS, the law requires that upon request of a local agency, large venues and events must provide written documentation of the progress of the waste reduction, reuse, recycling, and diversion programs in their plan, or an explanation of their delay, as well as the type and weight of materials diverted and disposed.

WHEREAS, the waste generated at venues and events can contribute significantly to the total waste generated in a local jurisdiction. A report conducted in 2006 of 25 different venues and events in California indicated that on average 2.44 pounds of waste is generated per visitor, per day.

WHEREAS, the Jurisdiction has waste reduction goals and/or mandates that they must fulfill and maintain. Thus, waste reduction at venues and events will assist in meeting these goals and/or mandates.

NOW, THEREFORE, THE COUNCIL/Board of Supervisors OF THE JURISDICTION OF XXX HEREBY ORDAINS THAT:

SECTION 1. The City Council/Board of Supervisors hereby finds, determines and declares as follows:

Article X of the XX Code is amended by adding a new Chapter X “VENUES AND EVENTS WASTE REDUCTION,” to read in its entirety as follows:

CHAPTER X

VENUES AND EVENTS WASTE REDUCTION

PART 1

DEFINITIONS

X00. DEFINITIONS For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this Chapter, unless clearly inapplicable. Words and phrases not ascribed a meaning by this Chapter shall have the meaning ascribed by Article X, Chapter X, Part X of this Code, if defined therein, and if not, by [Public Resources Code Section 42648](#), et al and the regulations of the California

Department of Resources Recycling and Recovery (CalRecycle), if defined therein, and if not, to the definitions found in the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6901, *et seq.* and the regulations implementing RCRA, as they may be amended from time to time.

X01 ENVIRONMENTAL PREFERENCE To revise product specifications, policies, and/or purchasing contract terms to request or give preference to products or services that minimize impacts on the environment throughout the processes of manufacture, distribution, use, reuse and recycling, and disposal. For example, purchasing materials containing recycled-content materials.

X02 COMPOST A soil amendment made from the controlled biological decomposition of plant and other selected organic materials. Compost is different than mulch, which is a shredded or chipped organic product placed on top of soil as a protective layer.

X03 DISPOSAL Any waste that is disposed at CalRecycle-permitted nonhazardous landfills, most waste-to-energy conversion plants, or is exported from the state.

X04 DIVERSION For State measurement purposes, any combination of waste prevention, waste minimization, recycling, reuse, and composting activities that reduce waste disposal at CalRecycle-permitted landfills and some waste-to-energy transformation facilities.

X05 GENERATION The total amount of waste produced by a facility, event, or jurisdiction generator. The basic formula is disposal plus diversion equals generation.

X06 GREEN BUILDING Designing for resource efficient use of materials in facility demolition, construction, and operations. For example, the [U.S. Green Building Council](#) issues voluntary industry standards known as the [LEED Green Building Rating System™](#).

X07 INDIVIDUAL means a person who works at, or attends, a large venue or large event, or a customer who is seated or served at the large venue or large event.

X08 LARGE EVENT An event that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, including, but not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event, including, but not limited to, a sporting event, community events, or a flea market.

X09 LARGE VENUE A permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this chapter, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this chapter, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.

X10 LOCAL AGENCY A city or county.

X11 WASTE AUDIT An examination of an event's or facility's processes and products that generate solid waste to determine how they can be restructured to use less material, use materials with recycled content, reuse or recycle materials, and safely dispose of wastes that cannot be diverted.

X12 WASTE MINIMIZATION Refers to reducing or eliminating waste from the source.

X13 WASTE PREVENTION Actions taken before waste is generated to either reduce or completely prevent the generation of waste.

PART 2

REQUIREMENTS FOR SPECIAL EVENTS

Sections:

X15 WASTE REDUCTION AND RECYCLING STRATEGY

X16 SECURITY DEPOSIT

X17 FINAL REPORT

X18 NON-COMPLIANCE

X15 WASTE REDUCTION AND RECYCLING STRATEGY Any applicant seeking permission for the temporary or periodic use or occupancy of a public street, publicly owned site or facility, or public park within the **Jurisdiction** for a civic, commercial, recreational, sporting, or social event attended by more than 2,000 persons which generates solid waste such as, but not limited to, paper products, beverage containers, or organic materials shall develop a waste reduction and recycling strategy as part of the permit application. The waste reduction and recycling strategy shall include an estimate of the amount and types of waste anticipated from the event, proposed actions to reduce the amount of waste generation related to the event, and arrangements for separation, collection and diversion from landfills of reusable and recyclable materials.

As part of this requirement, the Applicant should also:

- Meet with their local waste hauler and recycled materials buyers;
- Develop a program implementation timeline;
- Identify waste prevention opportunities;
- Consult with local nonprofit organizations and **Jurisdiction** to develop a successful waste minimization, recycling, and reuse programs;
- Divert recyclables from the waste stream including, but not limited to, cardboard, paper, beverage containers, and other recyclable and compostable materials.
- Donate reusable items from the waste stream including, but not limited to, center pieces, plants, food (perishable and non-perishable), tableware, and construction and demolition materials.

X16 SECURITY DEPOSIT The applicant shall ensure the implementation of the waste reduction strategy by the deposit of **[\$\$\$]**, which shall be refunded upon presentation within **[##]** days of the event of a weight or cubic yardage receipt for the recyclables from the receiving waste hauler, service charity, recycling center, or other such entity verifying that the materials will not be disposed in a landfill and a description of all other steps taken to reduce or prevent waste generated as a result of the event. Alternative documentation of diversion from the landfill may be acceptable if approved at the time of permit application.

X17 FINAL REPORT The final report shall be submitted within 30 days after the event and shall include the following:

- Name and location of event;
- Description of event;
- Description of types of waste generated;
- Types and amounts of waste disposed and diverted;
- Description of solid waste reduction, reuse, and recycling programs; and

- If no programs were implemented, a description of why no programs have been identified or implemented.

X18 NON-COMPLIANCE Event operators must formally review and update their waste management plan as necessary every two years. If the venue or event does not comply with the ordinance then the **Jurisdiction** may decline future event permits, charge a fee, or increase the deposit fee.

PART 3

REQUIREMENTS FOR VENUE FACILITY OPERATIONS

Sections:

X19 WASTE RECYCLING AND WASTE PREVENTION STRATEGY PLAN

X20 REPORT

X21 WASTE AUDIT

X22 VENUE FACILITY DESIGN, CONSTRUCTION AND DEMOLITION

X23 NON-COMPLIANCE

X19 WASTE RECYCLING AND WASTE PREVENTION STRATEGY PLAN All venue facilities such as, but not limited to, stadiums, museums, concert halls, and parks and attractions located within the **Jurisdiction** with attendance of more than 2,000 persons per operating day or generating more than **[###]** tons of solid waste per year from all activities shall separate and arrange for recycling all materials on the **Jurisdiction** Director's list of commercial recyclables. In addition, the facility shall prepare and adopt a waste prevention strategy plan to reduce the amount of waste material generated by facility operations. Where a venue facility owner provides space for a tenant, event management subcontractor, or permitted use of the facility, that owner shall also be responsible for the recycling and waste prevention performance of the facility user. In fulfillment of this requirement, venue waste generators may utilize, but are not limited to, drop-off and buy-back centers, independent recyclers, nonprofit social and charitable service organizations, or the recycling services of a contracted collector.

As part of this requirement, the venue facility should also:

- Meet with their local waste hauler and recycled materials buyers;
- Develop a program implementation timeline;
- Identify waste prevention opportunities;
- Consult with local nonprofit organizations to develop a successful waste minimization, recycling, and reuse program;
- Divert recyclables from the waste stream including, but not limited to, cardboard, paper, beverage containers, and other recyclable and compostable materials.
- Donate reusable items from the waste stream including, but not limited to, center pieces, plants, food (perishable and non-perishable), tableware, and construction and demolition materials.

X20 REPORT An annual report shall be submitted to the **Jurisdiction** and shall include the following:

- Name and location of venue;
- Description of types of events;
- Description of types of waste generated;
- Types and amounts of waste disposed and diverted;
- Description of existing solid waste reduction, reuse, and recycling programs; and
- If no programs are in place, a description of why no programs have been identified or implemented.

X21 WASTE AUDIT Any venue facility not participating in the recycling services offered by contract collectors may be subject to periodic waste audits. In addition, at the request of the **Jurisdiction's** Director or other designated person, venue facilities not participating in the recycling services offered by contract collectors or found to not be implementing their waste reduction strategy shall submit to the **Director**, at their own expense, annual reports which provide information on, but are not limited to, the waste prevention policies being implemented, and the type, amount, and destination of all solid waste disposed and each recyclable material sold or donated. The **Director** may exempt certain venue facility generators from some of the requirements of this Section because they do not generate significant amounts of solid waste or recyclables at a particular event, or because of localized market conditions for a particular recyclable material.

X22 VENUE FACILITY DESIGN, CONSTRUCTION AND DEMOLITION All construction, demolition, and renovation (C&D) projects within the Jurisdiction at venue facilities such as stadiums, museums, concert halls, and parks and attractions shall comply with the **Jurisdiction** Construction and Demolition Materials Management Ordinance, number XXX.

X23 NON-COMPLIANCE Venue operators must formally review and update their waste management plan as necessary every two years. If the venue or event does not comply with the ordinance then the **Jurisdiction** may decline future event permits, charge a fee, or increase the deposit fee.

PART 4

AGENCY REQUIREMENTS

Sections:

X24 INFORMATION AND OUTREACH

X25 REPORTING REQUIREMENTS

X24 INFORMATION AND OUTREACH When issuing a permit to an operator of a large venue or large event, the **Jurisdiction** shall provide information to the operator on programs that can be implemented to reduce, reuse, and recycle solid waste materials generated at the venue or event, and provide contact information about where solid waste materials may be donated, recycled, or composted. This information may include, but is not limited to, providing information directing the operator of the large venue or large event to CalRecycle's Web site or any other appropriate Web site included by the local agency, direct mailings, brochures, or other relevant literature.

X25 REPORTING No later than July 1 of each year, the **Jurisdiction** will forward all of the previous year's annual reports from special events and large venues to the Sonoma County Waste Management Agency (SCWMA). The SCWMA will provide the California Department of Resources Recycling and Recovery (CalRecycle) with an estimate and description of the top 10 percent of large venues and large events within its jurisdiction, based upon amount of solid waste generated, as submitted by operators of large venues and large events on an annual basis. To the extent that the information is readily available to the SCWMA, the information shall include the name, location, and a brief description of the venue or event, confirmation of a written solid waste management plan (or description of solid waste management plan), a brief description of the types of wastes generated, types, and estimated amount of materials disposed and diverted, by weight, and existing solid waste reduction, reuse, and recycling programs that the operator of the large venue or large event utilizes to reduce, reuse, and recycle the solid waste. This information will be reported to CalRecycle as a part of the SCWMA's annual report submitted to CalRecycle.