

ORDINANCE NO. 243

**ORDINANCE OF THE CITY OF GRAND TERRACE, ADDING CHAPTER 15.58
RELATING TO RECYCLING AND DIVERSION OF CONSTRUCTION AND
DEMOLITION WASTE**

The City Council of the City of Grand Terrace does hereby enact as follows:

Chapter 15.58 Recycling and Diversion of Construction and Demolition Waste is hereby added to the City of Grand Terrace Municipal Code to read as follows:

Chapter 15.58 Recycling and Diversion of Construction and Demolition (C&D) Waste

Section 15.58.010 Findings and Statement of Intent

Section 15.58.020. Definitions

Section 15.58.030. Diversion Requirement

Section 15.58.040. Diversion Requirement Exemption

Section 15.58.050. Threshold

Section 15.58.060. Waste Management Plan

Section 15.58.070. Performance Security Required

Section 15.58.080. On-Site Practices

Section 15.58.090. Reporting

Section 15.58.100. Violations

Section 15.58.110. Appeals

Section 15.58.010 Findings and Statement of Intent

RESOLVED, by the City Council of the City of Grand Terrace, California, that:

WHEREAS, under California law as embodied in the California Waste Management Act of 1989 (California Public Resources Code Sections 40000 et seq.), the City of Grand Terrace is required to prepare, adopt and implement source reduction and recycling plans to reach landfill diversion goals, and is required to make substantial reductions in the volume of waste materials going to the landfills, or face fines up to \$10,000 per day;

WHEREAS, in order to meet these goals it is necessary that the City promote the reduction of solid waste, and reduces the stream of solid waste going to landfills; and

WHEREAS, waste from construction, demolition, and renovation of buildings represents a significant portion of the volume of waste presently coming from the City of Grand Terrace and much of this waste is particularly suitable for recycling and reuse;

WHEREAS, the City's commitment to the reduction of waste requires the establishment of programs for recycling and salvaging of construction and demolition (C&D) waste;

WHEREAS, certain types of projects are exempt from these requirements;

NOW, THEREFORE, THE CITY OF GRAND TERRACE, CALIFORNIA, ORDAINS THAT:

Chapter 15.58 is added to the City of Grand Terrace Municipal Code.

Section 15.58.020 Definitions

(a)"Applicant" means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever who applies to the City for the applicable permits to undertake any construction, demolition, or renovation project within the City.

(b)"C&D Recycling Center" means a facility that receives only C&D material that has been separated for reuse prior to receipt, in which the residual (disposed) amount of waste in the material is less than 10% of the average weight of material separated for reuse received by the facility over a one month period.

(c)"City-sponsored project" means a project constructed by the City or a project receiving twenty-five percent or more of its financing from the City.

(d)"Class III Landfill" means a landfill that accepts non-hazardous resources 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 California Integrated Waste Management Board (CIWMB) and is regulated by an Enforcement Agency (EA).

(e)"Construction" means the building of any facility or structure or any portion thereof including any tenant improvements to an existing facility or structure.

(f)"Construction and Demolition Material" (C&D Material) means building materials and solid waste resulting from construction, remodeling, repair, cleanup, or demolition operations that are not hazardous as defined in California Code of Regulations, Title 22 Section 66261.3 et seq. This term includes, but is not limited to, asphalt, concrete,

Portland cement concrete, brick, lumber, gypsum wallboard, cardboard, and other associated packaging, roofing material, ceramic tile, carpeting, plastic pipe and steel. The material may be commingled with rock, soil, tree stumps, and other vegetative matter resulting from land clearing and landscaping for construction or land development projects.

(g) "Conversion Rate" means the rate set forth in the standardized Conversion Rate Table approved by the City pursuant to this Article for use in estimating the volume or weight of materials identified in the Waste Management Plan.

(h) "Covered Project" shall mean the following:

(1) "Private Projects" - All construction, renovation and demolition Project where the total square footage is 1,000 square feet or greater and which require the submission of plans, drawings or specifications to any City Department for review and approval.

(2) "City-Sponsored Projects"- All City-sponsored construction, demolition and renovation Projects, including any project in which at least twenty-five percent of the project funding is provided by or through the City.

(i) "Deconstruction" means the careful dismantling of buildings and structures in order to salvage as much material as possible.

(j) "Demolition" means the decimating, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.

(k) "Disposal" means the final deposition of construction and demolition or inert material, including but not limited to:

(1) - stockpiling onto land of construction and demolition material that has not been sorted for further processing or resale, if such stockpiling is for a period of time greater than 30 days, or,

(2) - stockpiling onto land of construction and demolition material that has been sorted for further processing or resale, if such stockpiling is for a period of time greater than one year, or,

(3) - stockpiling onto land of inert material that is for a period of time greater than one year, or,

(4) - disposal of construction and demolition or inert material to a landfill.

(l) "Diversion Requirement" means the projected diversion, by weight, of the total Construction and Demolition Material generated by a Project via reuse or recycling.

(m) "Divert" means to use material for any purpose other than disposal in a landfill or transformation facility.