

## Municipal & County C&D Recycling Ordinances

### Trends in Municipal C&D Recycling Mandates

1. **Project Diversion Threshold Standards:** 50–65% diversion is the most common baseline requirement. The Draft C&D Ordinance for the Broward Solid Waste Authority has a requirement for covered projects to recycle 50%.
2. **Enforcement via Deposit/Refund Mechanisms:** Many jurisdictions use refundable deposits tied to diversion outcomes. The Draft C&D Ordinance for the Broward Solid Waste Authority includes a non-compliance fee as opposed to a deposit/refund system so that it's easier and less costly for the municipalities to administer by avoiding the need to process deposits and refunds.
3. **Increased Emphasis on Documentation:** Weight tickets, receipts, and project-specific reporting are universal compliance tools.
4. **Movement Toward Third-Party Validation:** Some jurisdictions (e.g., San Francisco, Austin, etc.) reference independent verification or qualified processors. Growing demand from within the Construction and Demolition Recycling Association (CDRA) members and from national contractors for C&D facilities to get certified via the Recycling Certification Institute (RCI).
5. **Certified or Approved Facility Lists:** California jurisdictions frequently require use of city-certified or approved processors. The Draft C&D Ordinance for the Broward Solid Waste Authority is requiring a 3<sup>rd</sup> party certification process for facilities to reduce the cost and burden of administration on the municipalities. Also LEED v5 is now requiring commingled C&D to be processed at RCI certified facilities in order to achieve higher points within their certification platform and to get a recycling rate credit over 35% recycling. National contractors are increasingly seeking more robust transparency on C&D MRF performance via independent certification of recycling rates. RCI is the predominant 3<sup>rd</sup> party certification body for C&D projects currently available.
  - a. **Integration with State Codes:** CALGreen and similar state standards increasingly influence local thresholds.
6. Contamination is not defined or mentioned within these ordinances.

### Comparative Ordinance Table

Jurisdiction	Ordinance Link	Projects Covered (Trigger)	Required Diversion Threshold	Verification / Facility Certification Requirement	Certified Facility / 3rd Party Requirement Type
Chicago, IL	<a href="#">View</a>	Residential	50% by weight	Notarized	Documentation

	<a href="#">Ordinance</a>	4+ units; CO projects; demolitions > \$10,000		affidavits; City audit authority	+ audit (no certified facility requirement)
San Diego, CA	<a href="#">View Ordinance</a>	Most building & demolition permit projects	65% by weight	City-certified C&D facilities; documented diversion rates	City-certified facilities required
San José, CA	<a href="#">View Ordinance</a>	Residential ≥ \$2k; non-res ≥ \$5k; all demolitions	50% diversion	City-certified C&D facilities; weight tickets required	City-certified facilities required
Hayward, CA	<a href="#">View Ordinance</a>	Permit valuation > \$75,000	100% asphalt/concrete + ≥50% other C&D	Debris Recycling Statement + receipts	Documentation + approved facilities list
Garden Grove, CA	<a href="#">View Ordinance</a>	All permitted C&D projects	65% (CALGreen-based)	Certified recycling facilities recognized by City	Certified recycling facility defined by ordinance
San Mateo, CA	<a href="#">View Ordinance</a>	Demo & new; alterations > \$50,000	60% demo/new; 50% alterations	Pre- & post-project documentation; deposit mechanism	Documentation-based compliance
Laguna Beach, CA	<a href="#">View Ordinance</a>	Demo permits; >1,000 sq ft building permits	50% recycled	Franchise hauler or proof via self-haul	Franchise hauler system
Plano, TX	<a href="#">View Ordinance</a>	Alterations ≥10k sq ft; demo/new ≥5k sq ft	Up to 60% for full refund (tiered)	Permitted recycling haulers; diversion report	Permitted hauler system
Austin, TX	<a href="#">View Ordinance</a>	Construction >5k sq ft; commercial & multifamily demo	≥50% diversion OR <2.5 lbs landfill/sq ft	Recycling report required	Qualified processor concept incl. 3rd-party validation
Lee County, FL	<a href="#">View Ordinance</a>	Covered projects requiring permits	≥50% diversion	Approved recycling facilities; receipts required	Approved facilities list