

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 3rd 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 3rd 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	View	Residential	50% by weight	Notarized	Documentation

	Ordinance	4+ units; CO projects; demolitions > \$10,000		affidavits; City audit authority	+ audit (no certified facility requirement)
San Diego, CA	View Ordinance	Most building & demolition permit projects	65% by weight	City-certified C&D facilities; documented diversion rates	City-certified facilities required
San José, CA	View Ordinance	Residential ≥ \$2k; non-res ≥ \$5k; all demolitions	50% diversion	City-certified C&D facilities; weight tickets required	City-certified facilities required
Hayward, CA	View Ordinance	Permit valuation > \$75,000	100% asphalt/concrete + ≥50% other C&D	Debris Recycling Statement + receipts	Documentation + approved facilities list
Garden Grove, CA	View Ordinance	All permitted C&D projects	65% (CALGreen-based)	Certified recycling facilities recognized by City	Certified recycling facility defined by ordinance
San Mateo, CA	View Ordinance	Demo & new; alterations > \$50,000	60% demo/new; 50% alterations	Pre- & post-project documentation; deposit mechanism	Documentation-based compliance
Laguna Beach, CA	View Ordinance	Demo permits; >1,000 sq ft building permits	50% recycled	Franchise hauler or proof via self-haul	Franchise hauler system
Plano, TX	View Ordinance	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	View Ordinance	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	View Ordinance	Covered projects requiring permits	≥50% diversion	Approved recycling facilities; receipts required	Approved facilities list