



## MANDATORY RECYCLING ORDINANCE CUSTOMER SERVICE FAQs/SCRIPT

*Updated for Phase 2 with effective dates of January 1, 2018 or prior*

### CITY-SPECIFIC COMPLIANCE REQUIREMENTS

**I own or manage a multi-family property or business. Can you tell me what the local law requires?**

*[Compliance requirements are grouped into 2 categories of Cities based on participation levels in the Mandatory Recycling Ordinance. Select response based on location of property]*

**Group 1:** [Alameda](#) | [Albany](#) | [Berkeley](#) | [Castro Valley Sanitary District](#) | [Emeryville](#) | [Hayward](#) | [Fremont](#) | [Livermore](#) | [Newark](#) | [Oakland](#) | [Oro Loma Sanitary District](#) | [Piedmont](#) | [Pleasanton](#) | [San Leandro](#) | [Unincorporated Areas](#) | [Union City](#)

**Group 2:** [Dublin](#)

### GENERAL (starts on p. 3)

**Why is recycling now mandatory in Alameda County?**

**Is the Alameda County Law different than the State's Law (AB 341)?**

**Who passed this law?**

**Why are not all cities participating?**

**How will this law be enforced?**

**What will happen if I don't comply?**

**Is there a fine for failing to comply with this ordinance?**

**Is there support available for me?**

**I already have [recycling and/or organics] service. How do I know if my current service is adequate?**

**I am an employee of a business included under this law. What do I need to do?**

**I am a tenant within a multi-family property. How do I know if I am affected?**

**I am a self-hauler. How am I affected?**

---

### CITY-SPECIFIC COMPLIANCE REQUIREMENTS

**I own or manage a multi-family property or business. Can you tell me what the local law requires?**

I can help you with that. Could you tell me what city the property is located in, and how many units are on the property?

*[Answer based on their response. Select from list of cities below. If it's a multi-family property with less than 5 units, it is not subject to the ordinance.]*

#### [GROUP 1:]

[Alameda](#) | [Albany](#) | [Berkeley](#) | [Castro Valley Sanitary District](#) | [Emeryville](#) | [Fremont](#) | [Hayward](#) | [Livermore](#) | [Newark](#) | [Oakland](#) | [Oro Loma Sanitary District](#) | [Piedmont](#) | [Pleasanton](#) | [San Leandro](#) | [Unincorporated Areas](#) | [Union City](#)

Your [business or multi-family property] is in a jurisdiction that fully opted-in to the Phase 1 and Phase 2 requirements which includes recycling and composting requirements for all businesses and multi-family

properties with 5 or more units. Specifically, the local law requires recycling of corrugated cardboard, recyclable paper, glass and metal food and beverage containers, and #1 (PET) and #2 (HDPE) plastic bottles.

The composting requirement, *effective July 1, 2014, [or for Hayward on July 1, 2015, Castro Valley on January 1, 2016, Oakland and San Leandro on July 1, 2016, Oro Loma Sanitary District L1/San Lorenzo and Pleasanton on January 1, 2017, Fremont on July 1, 2017 or Newark and Union City on January 1, 2018]* applies to all multi-family properties with 5 or more units as well as all businesses and institutions that generate significant quantities of organics (food scraps and/or compostable paper), such as restaurants and grocery stores. These properties must obtain organics collection service if they don't already have it and be sure all compostables (food scraps and food-soiled paper) are placed in the organics carts or bins for composting.

The law prohibits the placement of these recyclable and compostable "Covered Materials" in the garbage bins and it prohibits the placement of garbage in the recycling and organics bins. *[Provide the compliance steps listed below based on whether or not the customer is a business or multi-family property.]*

### **[BUSINESSES & INSTITUTIONS]**

**There are 6 compliance steps. All businesses and institutions (regardless of garbage service volume) must:**

1. Provide containers and service of sufficient number, size and frequency for recyclable materials.
2. Recycle all recyclable Covered Materials: cardboard, newspaper, white paper, mixed recyclable paper, recyclable glass food and beverage containers, metal (aluminum and steel) food and beverage containers, PET (#1) and HDPE (#2) plastic bottles.
3. Businesses and institutions that generate significant quantities\* of organics (food scraps and/or compostable paper), such as restaurants and grocery stores: Provide containers and service of sufficient number, size and frequency for organics.
4. Businesses and institutions that generate significant quantities\* of organics, such as restaurants and grocery stores:\* Place food scraps and compostable paper in separate organics cart/bin for organics collection.
5. Ensure recycling *and organics* containers are contamination free. Only recyclable materials may be placed in recycling containers and only organics may be placed in organics containers.
6. Provide information at least annually to employees, tenants, and contractors describing how to properly use the recycling, garbage, *and organics* containers. This information must also be provided to each tenant during turnover no later than 14 days after move-in and no less than 14 days prior to move out.

\* Quantities of organics are considered "significant" when 10 or more gallons of organics are disposed of in a garbage cart or 20 or more gallons of organics are disposed of in a garbage bin.

It is also recommended that you post prominent signs on or near the recycling and garbage containers clearly indicated which are for garbage and which are for recycling. If possible, use posters or decals that contain drawings or pictures of the materials that go into each container. This helps people understand with a quick glance how to sort the materials properly.

*If available, offer:* You can request materials for free from [city/hauler/Alameda County Waste Management Authority – as appropriate]. A downloadable sample employee, tenant and contractor memo is available on the "Business Support Materials" page at [www.RecyclingRulesAC.org](http://www.RecyclingRulesAC.org).

Enforcement of Phase 1 began January 1, 2013 and is on-going for recycling requirements for businesses with 4 or more cubic yards of weekly garbage service. Enforcement of Phase 2 (all businesses required to participate and includes organics requirements) began 6 months after the date it took effect in particular jurisdictions. [For Newark and Union City, enforcement actions on the organics requirements begin July 1, 2018.]

## **[MULTI-FAMILY PROPERTIES]**

**There are 3 compliance steps. Multi-family property owners and managers with 5 or more units must:**

1. Provide containers and service of sufficient number, size and frequency for recyclable materials at the same or at an equally convenient location as garbage.
2. Provide containers and service of sufficient number, size and frequency for organics (food scraps and/or compostable paper) at the same or at an equally convenient location as garbage.
3. Provide tenants with information at least annually describing where recycling containers are located and how to use them, as well as no later than 14 days after move-in and no less than 14 days prior to move-out.

It is also recommended that you post prominent signs on or near the recycling and garbage containers clearly indicated which are for garbage and which are for recycling. If possible, use posters or decals that contain drawings or pictures of the materials that go into each container. This helps people understand with a quick glance how to sort the materials properly.

*If available, offer:* You can request materials for free from [city/hauler/Alameda County Waste Management Authority – as appropriate]. A downloadable sample resident notification flyer is available on the “Multi-family Support Materials” page at [www.RecyclingRulesAC.org](http://www.RecyclingRulesAC.org).

Enforcement of Phase 2 (all businesses required to participate and includes organics requirements) began 6 months after the date it took effect in particular jurisdictions. [For Newark and Union City, enforcement actions on the organics requirements begin July 1, 2018.]

## **[GROUP 2:]**

### **Dublin**

Your [business or multi-family property] is in a jurisdiction that opted out from participating in the Mandatory Recycling Ordinance. However, all multi-family complexes with 5 or more units and all commercial accounts subscribing to 4 or more cubic yards of refuse collection service per week anywhere in California are subject to State Law and regulations mandating recycling service (AB 341) and organics service (AB 1826).

---

## **GENERAL**

### **Why is recycling mandatory in Alameda County?**

Mandatory recycling in participating Alameda County jurisdictions has been in effect since July 1, 2012 for businesses and institutions with 4 or more cubic yards of garbage service as well as multi-family properties with 5 or more units. Phase 2 of the Mandatory Recycling Ordinance began July 1, 2014, which added food scraps and compostable paper to the “Covered Materials” list and requires all businesses to participate, in certain jurisdictions. The law is designed to help Alameda County achieve its goals of reducing the amount of materials sent to landfill.

### **Is the Alameda County Law different than the State’s Law (AB 341)?**

You may be familiar with the related California State Law (AB 341), which requires all multi-family complexes of 5 or more units and all commercial properties subscribing to 4 or more cubic yards of weekly garbage

service to have recycling service. The Alameda County Waste Management Authority Mandatory Recycling Ordinance 2012-01 is a local ordinance and builds on this law, clarifying which materials must be recycled and composted, requiring adequate levels of recycling and organics service, and specifying how the law will be enforced in Alameda County.

Both AB 341 and Phase 1 of the ACWMA Ordinance cover the same accounts and both took effect July 1, 2012.

### **Who passed this law?**

The Alameda County Waste Management Authority, a regional governmental agency dealing with garbage and recycling, developed and passed this ordinance. The Authority includes the 14 cities in Alameda County, the County itself, and two sanitary districts. If you want to speak to a member of the Authority, you can reach them online at [www.RecyclingRulesAC.org](http://www.RecyclingRulesAC.org) or via phone at 510-891-6575.

### **Why are not all cities participating?**

Individual cities were allowed to “opt-out” of Phase 1 or Phase 2 of the ordinance.

The City of Dublin decided to opt-out, while the other 14 cities chose to move forward. Note: The City of Pleasanton, the Castro Valley Sanitary District and the Oro Loma Sanitary District originally opted out of the ordinance, but later opted back in.

### **How will this law be enforced?**

The Mandatory Recycling Ordinance is enforced through a routine inspection program and review of service subscription levels to determine compliance with the law. On a rotating basis, inspectors are dispatched to business properties to inspect the garbage, recyclables and, if required, the organics collection containers. The inspection is brief, taking about five to ten minutes and may occur without notification to the business or property owner depending on the time and circumstances of each location.

Free assistance is available to ensure you know what recyclable materials are covered and any actions you must take.

### **What will happen if I don't comply?**

If a business or multi-family building is found to be out of compliance with the law, an Official Notification will be issued. A second violation of the ordinance will result in a Notice to Correct Violation (or Warning). Free assistance will be offered to ensure that the property owner knows what recyclable materials are covered by the law and any other actions they must take in order to comply.

If the business or property continues not to comply, even after assistance has been offered, the business or property owner may receive an Administrative Citation and be fined between \$100 and \$400 depending on the violations in a first Citation.

### **Is there a fine for failing to comply with this ordinance?**

Yes. Administrative Citation and Fines may be issued if a business or property owner is not in compliance (see prior question). The fine for the first violation will not exceed \$500. Fines increase for subsequent violations. For more information, see [www.RecyclingRulesAC.org/citations](http://www.RecyclingRulesAC.org/citations).

*(If you are a multi-family property owner or manager)* You will not face penalties if you have complied with the requirements to provide adequate recycling/organics service, and education to tenants, employees and contractors. In other words, you will not be fined if tenants do not recycle properly, as long as you have complied with the provisions of the ordinance.

### **Is there support available for me?**

[INSERT CITY AND/OR HAULER-SPECIFIC SUPPORT INFORMATION IF OFFERED, SUCH AS FREE WASTE ASSESSMENTS IN THAT JURISDICTION]

Free assistance is available through the Alameda County Waste Management Authority for businesses in Alameda County. You are encouraged to visit the ordinance website, [www.RecyclingRulesAC.org](http://www.RecyclingRulesAC.org), to learn more about the resources available.

**I already have [recycling and/or organics] service. How do I know if my current service is adequate?**

If you have your account number or service address, I can help you with that.\*

*[\*Ask for their account number or service address in order to help them determine the number of cubic yards of service for their account and whether their current service is adequate. Answer depends on volume and frequency of account's service, as well as type of waste generated.]*

Is the level of recycling service you have sufficient to hold all recyclables generated at your site (corrugated cardboard, paper, glass and metal bottles and cans, #1 and #2 plastic bottles)? Is the organics service you have sufficient to hold all food scraps and food-soiled paper (such as pizza boxes and paper plates)?

As a general rule of thumb, recycling and organics service would normally be approximately 25% of the total solid waste service. For example, a building that provides 4 cubic yards per week of garbage service and 2 cubic yards of weekly recycling collection and 2 cubic yards of organics collection has 25% recycling service (2 out of 8 total cubic yards per week) and 25% organics service (2 out of 8 total cubic yards per week).

**I am an employee of a business included under this law. What do I need to do?**

You are encouraged to recycle – which includes not throwing recyclables in the garbage. However, individual employees will not face any penalties or fines.

**I am a tenant within a multi-family property. How do I know if I am affected?**

You are encouraged to recycle – which includes not throwing recyclables in the garbage. However, individual tenants will not face any penalties or fines.

**I am a self-hauler. How am I affected?**

You must deliver any recyclable material originating in Alameda County to landfills or transfer stations that are in compliance with the ordinance. You can find more information on the website [www.RecyclingRulesAC.org](http://www.RecyclingRulesAC.org) or call the Alameda County Waste Management Authority, who can provide you with specific details, at 510-891-6575.