



City of Burbank

APPLICATION FOR WAIVER OF RECYCLING AND/OR ORGANIC WASTE REQUIREMENTS

Generators of garbage, organic waste, recyclable materials, or other solid waste are required to comply with requirements to divert recyclables and organics from disposal. These requirements are contained in State Laws AB 341, AB 1826, SB 1383, as well as the Burbank Municipal Ordinance No. 22-3, 969 which replaces Code Title 4, Chapter 2, Article 1 of the BMC.

Under what situations are exemptions granted?

Generators may be excused from compliance with some or all of the Organic Waste requirements of this Article and of 14 CCR Division 7, Chapter 12, Article 3, upon issuance of a waiver for the following reasons:

1. De Minimis organic material disposed during regular or emergency operations
2. Physical space limitations
3. Self-haul, Back-haul, and 3rd-party
4. Shared services

How to Apply

Waiver applications shall be submitted, reviewed, and issued in accordance with the procedures established by the Public Works Director in the Solid Waste Management Rules and Regulations. At a minimum, waiver applications shall contain the following information.

De Minimis Waivers: De minimis waivers may be issued to a Commercial Business Generator if it furnishes to the City satisfactory documentation or other evidence demonstrating that either:

- (a) The Commercial Business' total Solid Waste collection service is two cubic yards or more per week and Organic Waste subject to collection in a Recycling Container or Compost Container comprises less than 20 gallons (approximately two kitchen trash bags) per week per applicable container of the business' total waste; or,
- (b) The Commercial Business' total Solid Waste collection service is less than two cubic yards per week and Organic Waste subject to collection in a Recycling Container or Compost Container comprises less than 10 gallons (approximately one kitchen trash bag) per week per applicable container of the business' total waste.

Physical Space Waivers: Physical space waivers may be issued if the Commercial Business or other property owner Generator is able to furnish to the City satisfactory documentation that the premises lacks adequate space for Recycling Containers and/or Compost Containers. Alternatively, the City may issue a waiver if it receives satisfactory evidence from City staff, an Authorized Collector or Self-Hauler, a licensed architect, or licensed engineer demonstrating that a premises lacks adequate space for Recycling Containers and/or Compost Containers.

Self-haul and 3rd-Party Exemption: Self-haul waivers may be issued to a Generator that complies with all the applicable requirements set forth:

- (a) Materials may only be self-hauled, hauled by an authorized and licensed 3rd party that does not charge for the service, or hauled by a landscaper/gardener that hauls the materials as part of landscape maintenance services. All parties engaged in the activity of hauling Recyclable Material and/or Organic Waste must comply with the requirements of this application.
- (b) The Generator must return any City-provided containers that correspond to the type(s) of Solid Waste that is self-hauled.
 - a. The Generator must source separate all Recyclable Material and/or Organic Waste on-site from Garbage in a manner such that these materials are not disposed in the garbage container. Then the Generator must self-haul all Source Separate Recyclable Materials to a facility that recovers these materials; and self-haul all Source Separate Organic waste to a facility, operation, activity, or property that processes or recovers the organic waste; or,
 - b. The Generator must self-haul Organic Waste to a High Diversion Organic Waste Processing Facility.
- (c) Comply with all other laws and regulations applicable to Self-Haulers in 14 CCR Division 7, Chapter 12, BMC Ordinance No 22-3, 969 and the Solid Waste Management Rules and Regulations.
- (d) For Non-Residential Self-Haulers a receipt and/or weight ticket of the amount of each type of Solid Waste delivered, must be obtained from each entity accepting the materials. When receipts are not provided, the Generator must maintain a log detailing the name of facility, address and amount and type of material delivered. The Generator must maintain and remit records to the Public Works Director upon request.

Shared Services: Sharing services, when allowed under BMC, does not technically exempt or waive a business from participating in required programs; however, it does allow businesses to share services when minimal material generation or physical space requirements preclude a business from subscribing to all services. When services are shared, only one customer (primary account holder) may receive a contract, invoice, or other proof of service. The business that doesn't not have proof of subscription, must obtain proof of shared service from the primary account holder, and submit documentation to the City.

Maintaining a Waiver or Exemption

If a waiver or exemption is granted, the Generator shall remain in compliance with all provisions at all times. The Generator shall immediately notify the City if circumstances change such that the conditions under which the waiver was granted are no longer being met, in which case the waiver will be rescinded. If the City otherwise obtains information at any time that a Generator no longer satisfies the requirements, the City shall rescind the waiver.

A change of ownership of a premises automatically revokes a waiver and the new owner must comply with this Article or obtain its own waiver.

Complete and submit this form to be considered for a waiver from the compliance requirements. City staff will review the application and supporting documentation to determine if an exemption is applicable. Waivers must be recertified in writing every one (1) year.

APPLICATION FOR WAIVER OR EXEMPTION OF RECYCLING AND/OR ORGANIC WASTE REQUIREMENTS

The City will not review incomplete applications. To expedite the application review, photographic evidence and supporting documentation should be submitted.

Name of applicant			
Address of property			
Contact person name			
Contact phone and email			
Name and Phone of Property Owner if Different from Applicant			
Who collects solid waste?			
Type of Property	<input type="checkbox"/> Commercial Business <input type="checkbox"/> Residence	<input type="checkbox"/> Multi-Family Property of 4 units or less <input type="checkbox"/> Other _____	<input type="checkbox"/> Multi-Family Property of 5 units or more # Units ____
If business, complete the following?	Type of business:	# of employees	

Current Service Levels						
Type	# Containers	Container Size (in cubic yards)			# pick-ups per week	Multiply # containers x Size in CY x # Pick-ups
Garbage / Trash	_____	<input type="checkbox"/> 32 Gal (.17 CY) <input type="checkbox"/> 64 Gal (.34 CY) <input type="checkbox"/> 96 Gal (.5 CY)	<input type="checkbox"/> 1CY <input type="checkbox"/> 2 CY <input type="checkbox"/> 3 CY	<input type="checkbox"/> 4 CY <input type="checkbox"/> Other _____	_____	_____
Recyclables	_____	<input type="checkbox"/> 32 Gal (.17 CY) <input type="checkbox"/> 64 Gal (.34 CY) <input type="checkbox"/> 96 Gal (.5 CY)	<input type="checkbox"/> 1CY <input type="checkbox"/> 2 CY <input type="checkbox"/> 3 CY	<input type="checkbox"/> 4 CY <input type="checkbox"/> Other _____	_____	_____
Organics	_____	<input type="checkbox"/> 32 Gal (.17 CY) <input type="checkbox"/> 64 Gal (.34 CY) <input type="checkbox"/> 96 Gal (.5 CY)	<input type="checkbox"/> 1CY <input type="checkbox"/> 2 CY <input type="checkbox"/> 3 CY	<input type="checkbox"/> 4 CY <input type="checkbox"/> Other _____	_____	_____
Total Weekly Cubic Yardage of All Services						

Recyclables include bottles, cans, metals, plastics, glass, printing and writing paper, cardboard, and paper products that are not soiled by food.

Organics include food, grass clippings, shrubbery, leaves, tree trimmings, small branches, flowers, plant stalks, wood and other plant material, wood, food-soiled paper and corrugated products

Type of Waiver/Exemption Applying For	Recyclables	Organics
<p>Self-Haul / 3rd Party / Back-Haul Business or resident hauls organic waste or recyclables (including back-haul to distribution center or other authorized facility), or uses an authorized 3rd party, <u>and maintains documentation.</u> (Select all that apply) <input type="checkbox"/> Self-haul <input type="checkbox"/> Back-haul <input type="checkbox"/> 3rd-Party</p> <p>Name/address where materials are hauled? _____</p> <p>Name of 3rd Party (if applicable): _____</p> <p>Type and amount of material (i.e. 3-30 gal bags green waste/week) _____</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>De minimis (<i>provide photo of contents from each container</i>)</p> <p><input type="checkbox"/> Service level (from page 3) is 2 cy or more: must generate less than 20 gallons per week <input type="checkbox"/> Service level (from page 3) = less than 2 cy: must generate less than 10 gallons per week.</p> <p>Does this resident/business compost organics on-site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Is this a temporary waiver request due to emergency circumstances? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Physical Space (<i>provide photos of property or other documentation to support</i>) Inadequate space for recycling/organics bins or a hauler, licensed architect, or licensed engineer determined there is not adequate space for separate containers.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Shared Container Services are shared with a neighboring business. (provide copy of letter from business confirming, or copy of service agreement listing your property as shared account)</p> <p>Name & address of primary business _____</p>	<input type="checkbox"/>	<input type="checkbox"/>

SIGN AND ACKNOWLEDGMENT

By submitting this form, I acknowledge that:

I understand that if inadequate details are provided when the application is submitted (such as photographs or explanations) that the application may be deemed incomplete by the City.

Signing this waiver does not constitute a guaranteed or automatic waiver, and even if a waiver is granted the City may revoke such waiver at any time.

I, the owner/property manager/designee, have read the foregoing document and that the facts I have state herein are true to the best of my knowledge. I understand that by submitting this form, there is no guarantee that waiver will be granted, and that information will be confirmed independently by the City of Burbank or its authorized agent at any time, even after waiver is granted.

I waive all liabilities on the City of Burbank for any discrepancies caused by approval or denial of a waiver.

Signed: _____ Date: _____

Reserved for City Staff			
Site Inspected by:		Date	
Application Reviewed by:		Date	
Status of Application	<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Recorded	<input type="checkbox"/> Yes
Notes			