

CITY OF
BURBANK



GUIDE

WASTE REDUCTION AND DIVERSION AT YOUR BUSINESS

HOW TO COMPLY WITH STATE OF CALIFORNIA & CITY
BURBANK WASTE REDUCTION AND DIVERSION LAWS



MAY 2024



TABLE OF CONTENTS

Letter of Support from City of Burbank Public Works Director, Ken Berkman1
Waste Reduction Regulations 1012
Frequently Asked Questions3
Overview of Related State Laws.....4
Implementation Checklist.....6
Community Support8
Identifying Compliant Products.....10
Resources/Contact List.....13
Acknowledgements

QUESTIONS?

Contact the City of Burbank, Recycle Center by:

EMAIL: ZeroWaste@BurbankCA.gov

MAIL: 500 S. Flower St., Burbank, CA 91502 (ATTN: City of Burbank, Recycle Center)

PHONE: (818) 238-3900



LETTER OF SUPPORT

KEN BERKMAN | PUBLIC WORKS DIRECTOR



In February 2024, Burbank adopted the Waste Reduction Regulations Ordinance. This new law strengthens Burbank's efforts to reduce waste by requiring restaurants to use reusable foodware for dine-in customers and only compostable and recyclable foodware for takeout.

This step towards sustainability aligns with Burbank's commitment to a cleaner, healthier community and with the State of California's waste reduction and diversion initiatives.

This resource packet was created with input from business owners, residents, and other community stakeholders. Through our collaboration, a Citywide policy was developed that takes into consideration the needs of residents and customers, the impact on businesses to implement solutions that are attainable, and the sustainably responsible direction that the State, as a whole, is headed.

This landmark waste reduction ordinance will have lasting impacts to the health and wellness of Burbank's environment and residents. Every year more than 1,190,000 pounds of trash and recyclables are found in California's beaches, lakes and waterways. Plastic bags, bottles, food containers, cutlery and lids makeup 41.5% of ocean litter. The California Department of Transportation spent \$67 million on litter removal in one year alone. By reducing these items at the source, Burbank will be cleaner and safer, leading to increased tourism and commerce.

In the continued spirit of partnership, the City of Burbank and its consultants will offer technical assistance to businesses to support the implementation of the new ordinance and other State policies that require business participation in recycling, composting, food donation and reusables. We look forward to working together to create a cleaner and healthier community and thank you for your partnership and efforts in advance!

Signed,

A blue ink handwritten signature of Ken Berkman.

Ken Berkman

WASTE REDUCTION REGULATIONS 101



On March 15th, 2024, the City of Burbank adopted a Waste Reduction Ordinance, which updates Title 4, Chapter 2 of the Burbank Municipal Code. The purpose of the Ordinance, which takes effect in phases starting July 1st, 2024, is to protect the environment and the health, safety, and welfare of the public by reducing harmful and excessive waste in restaurants and City facilities:

- + **Beginning July 1, 2024**, no person or business shall sell or distribute polystyrene foodware.
- + **Beginning January 1, 2026**, dine-in customers shall only be served using reusable foodware.

Additionally, food facilities and retail establishments may no longer distribute to customers single-use foodware that is not either compostable or recyclable. All foodware accessories must be “upon request only.”

In summary, the City’s Waste Reduction Ordinance requires businesses to **provide dine-in customers with reusable foodware**, and **to-go customers must request single-use foodware, which must be compostable or recyclable.**

SCAN HERE
FOR MORE
ORDINANCE
DETAILS >>>



FREQUENTLY ASKED QUESTIONS

When does this ordinance go into effect?

Effective date is March 15, 2024

Who does this ordinance apply to?

Any food and beverage facility located in Burbank. This includes restaurants, bars, coffee shops, fast food restaurants, food carts, grocery stores, supermarkets, convenience stores, school cafeterias, hospitals and nursing facilities, snack bars, food trucks, juice bars, farmers markets, and temporary food facilities, such as those participating in fairs or events.

What is banned?

Single-use plastics that are black, plastics #3, #4, #6, and #7, bioplastics, coated or lined paper products.

What type of foodware is acceptable for dine-in?

Any form of reusable foodware, cups, and utensils that are intended to be reused for months and years.

What is acceptable for me to serve food in when a customer is getting take-out or delivery?

Any container that is compostable or recyclable in Burbank.

What is considered a “compostable container”?

Containers that are natural fiber and PFAS-free (look for third-party, such as BPI certification). No “compostable” or bioplastics are allowed under the law.

What is considered a “recyclable container”?

Containers that are not black in color, and made of plastic #1, #2, or #5, or aluminum, paper, or cardboard.

Must I ask every customer if their order is dine-in (“for here”) or take-out (“to go”)?

Yes. This how you establish what to serve the food in. For dine-in, use reusable foodware, cups, and utensils. For take-out, use compostable or recyclable compliant product containers.

Why are bioplastics not allowed?

Bioplastics, or “compostable” plastics are not recyclable and are often rejected by compost facilities as they do not break down or add nutritional value to the compost as traditional organic materials do.

Will plastic straws and utensils still be available for customers with disabilities?

Yes. Customers with disabilities who request plastic straws or utensils shall be provided with the requested accessories.

Why are single-use plastics bad?

They are produced from non-renewable resources, designed to be disposable, and they are often collected during beach clean-ups. Single-use plastics remain in the marine environment for centuries.

Are waivers available?

Yes. Per the approval by the Director, waivers are available if:

- 1) Compliance with this article will result in undue hardship because of a food facility’s lack of space.
- 2) Compliance with this article will result in an undue financial hardship for a food facility.
- 3) No suitable products are available.

During the waiver term, the food facility shall make diligent efforts to become compliant. It is the responsibility of the food facility to apply for any waivers or extensions in a timely manner.

What are the penalties?

- + **FIRST VIOLATION:** \$100 per violation
- + **SECOND VIOLATION:** \$200 per violation
- + **THIRD VIOLATION:** \$500 per violation

OVERVIEW OF RELATED STATE LAWS

In addition to the City of Burbank's Waste Reduction Ordinance, the State of California has the following waste laws that require businesses to participate:

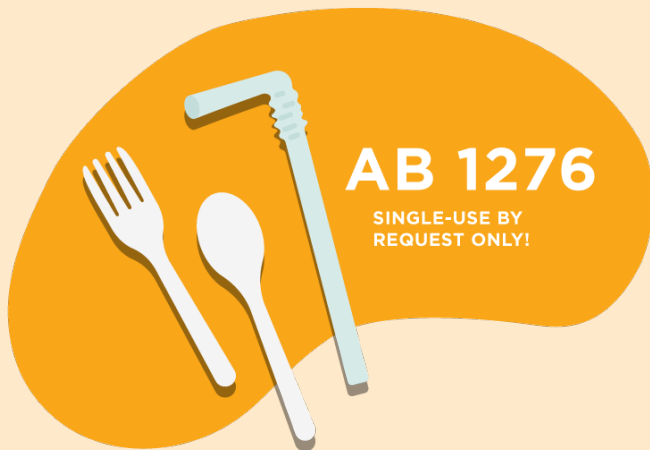


SB 1383 requires all residents and businesses to separate organic waste from trash and recycling materials, and participate in organics collection service.

It also requires all Tier 1 and Tier 2 Edible Food Generators (see definition on Page 5) to donate edible food instead of discarding it.



SB 619 allows customers to bring and use reusable food containers at food and beverage establishments, to be refilled by either the owner/operator of a food facility or the consumer.



AB 1276 requires all retail food facilities and food delivery platforms to provide single-use foodware accessories and condiments to consumers upon request only.

AB 1276 also requires that requested food cutlery cannot be bundled together and instead must be provided individually.



SB 54 requires extended producer responsibility (EPR) to ensure that the packaging and plastic foodware sold in California is recyclable or compostable.



Join other businesses in Southern California jurisdictions that have implemented similar waste reduction policies:

County of Los Angeles, City of Los Angeles, City of Santa Monica, City of Culver City and more!

IMPLEMENTATION CHECKLIST

REUSABLES FOR DINE-IN

- Order reusable dine-in food ware replacements for all current disposable items
- Create shelving storage area/location for reusables to be stored
- Procure necessary trays and bus tubs for collecting reusables from customers
- Create and post necessary signage for customers who bus their own tables
- Establish dishwashing system
 - If using current three-sink system:
 - Purchase dishwashing chemicals/cleaning agents
 - If upgrading to a dishwasher:
 - Determine site/location, cost, timeline, model and permitting requirements
 - Determine staffing needs for dishwashing station

TIER 1 & TIER 2 EDIBLE FOOD DONATION

- Set up a food donation program with a local food recovery organization or through an app-based system. All food fit for human consumption must be donated.
- Establish a contract with a donation partner and keep copies onsite
- Track donated food in pounds per month (estimated weights are okay) and keep copies of records onsite
- Establish designated food donation areas in dry storage areas, refrigerator and freezer
- Create and display signage to indicate food donation areas

THREE-BIN WASTE SYSTEM

- Subscribe to a three-container material collection service from your waste hauler: garbage, recycling, and organics (i.e. "compost")
- Purchase and place indoor recycling and organics containers in areas where garbage containers are present
- Display waste signs above each bin to educate customers on how to accurately separate their waste into the three bins

TIP: Waste signs can be found on the City of Burbank website - see "Resources" on page 10.

- Set up waste stations in the kitchen and other back of house areas where each waste type is generated

TIP: Conduct a walk-through of your businesses to conduct a waste characterization. Once determined, set up appropriate bins in back of house where different waste types are generated. This will ensure proper separating of waste streams.

Food Donation is required by SB 1383 for any edible food that is currently being disposed of in Tier 1 and Tier 2 Edible Food Generators (EFGs).

AM I A TIER 1 OR TIER 2 EFG?

EMPLOYEE TRAINING

Train all staff on the following State and City waste laws:

- All customers should be asked whether they are dining in or taking out
- All dine-in customers should automatically be served with reusable foodware
- Drive-through and public airport customers may be asked if they need single-use accessories (napkins, straws, take-out bags)
- Self-serve stations are allowed as long as items are not bundled or wrapped and dispensers only dispense items one at a time. Consider providing bulk dispensers for condiments.
- Staff who are responsible for purchasing products should be made aware of what products are compliant (see “Identifying Compliant Products” on page 8)
- Serving and dishwashing staff should be made aware of protocol for washing reusables

Train all employees/staff on food donation protocol

Train all staff on Careit

FREE DOWNLOAD!



Careit is a free app that can be used to post edible food donations and will generate a record for compliance with SB 1383

TIER 1 EFG

Required to donate surplus food to food recovery organizations starting January 1, 2022

- Supermarkets with revenue \geq \$2 million
- Grocery stores with facilities \geq 10,000 sq. ft.
- Food service providers
- Food distributors
- Wholesale food vendors

TIER 2 EFG

Required to donate surplus food to food recovery organizations starting January 1, 2024

- Restaurants with facilities \geq 5,000 sq. ft. or 250+ seats
- Hotels with an on-site food facility and 200+ rooms
- Health facilities with an on-site food facility and 100+ beds
- Large venues and events
- State agency cafeterias with facilities \geq 5,000 sq. ft. or 250+ seats
- Local education agency with an on-site food facility
- Non-local entities

COMMUNITY SUPPORT BURBANK SUPPORTS WASTE REDUCTION!



Proud to live in Burbank where we are leading the way in being a responsible and conscientious community committed to sustainability.

Sara Amini | Actor in *Lucky Hank*, *CSI: Vegas*



It's reassuring to know that restaurants in Burbank will be taking steps to a more sustainable future. Just another reason why I'm so happy and proud to live in Burbank and glad to continue giving these restaurants my business.

Ithamar Enriquez | Actor in *WandaVision*, *Miracle Workers*



As a culinary arts teacher in Burbank, I continue to be heartbroken at all of the single use plastic distributed daily at our school cafeterias, at restaurants, and at local grocery stores. It's got to stop! Burbank's ordinance is a step in the right direction.

Lisa Raluy | Culinary Arts Teacher at Luther Burbank Middle School



As a foodie, Burbank resident, and a parent concerned about the environment, I'm excited for reusable mealware and more environmentally responsible takeout packaging.

Karen Lau | Co-founder of Burbank Eco-Council





I'm thrilled that I live in a place where we're always looking at ways to push our environmental consciousness! Couldn't be happier that the Waste Reduction ordinance is taking effect in Burbank.

Amanda Blake Davis | Actor/Writer, *Work In Progress*, *Night Court*



I am so happy to be living in a community that is taking on the initiative of making our planet a cleaner place.

Carlos Alazraqui | Actor/Writer in *Reno 911!*, *Rock Paper Scissors*, *Casagrandes*



The Waste Reduction Ordinance is a group effort and I am glad to be a part of a community that values this teamwork and pushes for sustainability.

Nana Bhambi | JBHS Senior, Eco Club Co-Founder/Co-President, Chair of JBHS DEI Committee



As a young adult, plastic waste reduction is incredibly important to me, because I know our current habits are not sustainable. I am proud to live in Burbank where this is a frequent topic of discussion and change, but we can always do better!

Beatrix Park | JBHS Senior, Eco Club Co-Founder/Co-President



BURBANK CUSTOMER STATS

- Over 80% agree or strongly agree that single-use plastic items pollute the City
- Over 80% agree that it is important for Burbank to reduce the amount of single-use foodware items that end up in the environment
- 67% believe that Burbank must ban the use of polystyrene
- Nearly half of all Burbank residents say they are less likely to frequent restaurants that use polystyrene and single-use plastics

IDENTIFYING COMPLIANT PRODUCTS



PLASTIC PRODUCTS

- ✓ The product must not be black
- ✓ Check the bottom of the product for the following symbols:



If it has one of these numbers, the product is acceptable.



- ✗ If it has no number or is a plastic #3, #4, #6, or #7, it is not acceptable

ALUMINUM PRODUCTS

- ✓ Ensure the product is 100% aluminum with no additional layers
- ✓ Most lids for aluminum to-go products will be made of a different material. Ensure the material falls into the plastic or paper/cardboard criteria



PAPER / CARDBOARD PRODUCTS

- ✓ Look for the chasing arrows on the product or get confirmation from the manufacturer/supplier that the product does not contain a coating
- ✗ Any paper, paperboard, or cardboard container that has a shiny or waxy coating is not recyclable and does not meet the criteria for the ordinance





COMPOSTABLE PRODUCTS

- ✓ Check for “BPI Certification”
- ✓ Must be “PFAS Free”
- ✗ No “compostable” plastics are allowed under the ordinance

Acceptable Items Under Ordinance



GOOD TO KNOW...

You are protected under the law! The Good Samaritan Act allows edible food donations without fear of lawsuits. SB 619 allows reusable food containers to be refilled by either the owner/operator of a food facility or the consumer in compliance with the county health department.



For a list of compliant products and resources, scan here:

INSTRUCTIONS FOR CORRECT DISPOSAL OF...

FOOD, FOOD-SOILED PAPER & CARDBOARD

- 1 Remove and dispose of non-organic items separately
- 2 Place compostable product with food waste in organics bin
- 3 If paper is soiled, place in organics bin



RECYCLABLE PLASTIC, ALUMINUM, CLEAN PAPER & CARDBOARD

- 1 Scrape food into the organics bin
- 2 Rinse product
- 3 Place clean items in recycle bin



RESOURCES / CONTACTS

To assist in the transition to comply with the requirements of the new ordinance, see below!

IMPLEMENTATION SUPPORT

GreenScreen

www.greenscreenchemicals.org/certified/food-service-ware

Surfrider Ocean Friendly Restaurants

www.surfrider.org/programs/ocean-friendly-restaurants

Upstream Solutions

www.upstreamsolutions.org

RESOURCES FROM THE CITY & COUNTY

Burbank Recycle Center

burbankrecycle.org

Burbank Waste Warriors

www.burbankca.gov/web/public-works/waste-warriors

LA County Health Department

www.publichealth.lacounty.gov

REPORT A VIOLATION OR SUBMIT AN ANONYMOUS COMPLAINT

Call 311 or...

Download
the 311 App!



You can also scan here:



burbankca.gov/web/community-development/code-enforcement

EXEMPTION FORMS

Waivers are available for exempt businesses on the City of Burbank website.

Technical assistance from the City is available! Please contact the City by:

EMAIL: ZeroWaste@BurbankCA.gov | **PHONE:** (818) 238-3900



ACKNOWLEDGMENTS

Thank you to the following:

Burbank City Council

Burbank Chamber of Commerce

Burbank Community Development Department

Sustainable Burbank Commission