



CITY OF MARTINEZ

CITY COUNCIL AGENDA January 16, 2008

TO: Mayor and City Council

FROM: Don Blubaugh, City Manager

PREPARED BY: Dave Scola, Public Works Director
Bart Carr, Environmental Programs Manager

SUBJECT: Large Event and Venue Recycling Ordinance

DATE: December 20, 2007

RECOMMENDATION:

Introduce proposed ordinance amending Title 8 Health and Safety of the Martinez Municipal Code (MMC) by adding Chapter 8.19, Large Venue and Event Recycling; public hearing is not required.

BACKGROUND:

Special events and large venues that attract sizeable numbers of people and generate a significant amount of waste in a short period of time. Results released by the CIWMB in 2006 indicate that, on average, 2.4 pounds of waste are generated per event visitor/per day in California. Addressing this issue, AB 2176 (Montanez, 2004) was signed into law targeting mandatory planning for reduction of waste generated at venues and events involving 2,000 or more visitors, employees, and/or volunteers. The law requires the largest events and venues in each city and county to plan for waste reduction and recycling and report recycling information to the local jurisdiction.

The City of Martinez is host to numerous special events including First Night, Holiday Frolic/Snow Park, Fourth of July Fireworks, Peddler's Faire, and others. Large venue events include productions at the Waterfront Park Amphitheatre. Visitors to these events and venues and the vendors that support them generate waste and much of it is recyclable. City staff has developed a set of procedures established by the Large Event and Venue Recycling ordinance that will allow organizers to establish recycling at events and venues and record collected volumes. Large events and venue diversion reporting is now a required as part of annual reporting to the CIWMB.

Per AB 2176 requirement, compliance with this ordinance will only be required for those events or venues with two thousand or more visitors, workers, or volunteers per day. Smaller events will be encouraged but not required, to comply. The ordinance centers on procedures outlined in the Large Event & Venue Recycling Plan (see attachment 2.) The plan

offers a set of procedures for estimating recyclable generation, securing collection containers and services, and recording volume of collected materials to report to the City. Aside from a small refundable deposit for use of city-owned collection containers, there are no fees attached to this ordinance. Event/Venue organizers can receive assistance from city staff on recycling set up and other free or low cost recycling services can be obtained from Allied Waste Services or local non-profits.

FISCAL IMPACT:

No impact to the general fund.

ACTION:

Motion to introduce an ordinance adding Chapter 8.19, Large Venue and Event Recycling to the MMC.

Attachments:

Large Event and Venue Recycling Ordinance

Large Event & Venue Recycling Plan

APPROVED BY:



City Manager

APPROVED BY:



Public Works Director

ORDINANCE NO. C.S.

**AMENDING THE MARTINEZ MUNICIPAL CODE TITEL 8, HEALTH AND SAFETY
BY ADDING CHAPTER 8.19, LARGE VENUE AND EVENT RECYCLING**

WHEREAS, the State of California through its Integrated Waste Management Act of 1989, Assembly Bill 939 ("AB 939"), requires that each local jurisdiction in the state divert 50 percent of discarded materials from landfill; and

WHEREAS, the State of California, through recent legislation known as AB 2176, Montanez, 2004, requires the largest venue facilities and events (as defined) in each city and county to begin planning for solid waste reduction, and annually report the progress of their recycling and waste reduction programs to their local government; and

WHEREAS, in compliance with AB 939, the City Council adopted the City of Martinez Source Reduction and Recycling Element (SRRE) and Household Hazardous Waste Element (HHWE) in 1993; and

WHEREAS, waste reduction and recycling of waste generated by large events and event venues within the City of Martinez will contribute to waste reduction and comply with AB 939; and

WHEREAS, except in unusual circumstances, it is feasible to divert at least 50 percent of all waste from large events and event venues; and

WHEREAS, the City of Martinez is joining other cities in California and the California Integrated Waste Management Board (CIWMB) by adopting an ordinance that requires organizers of large events and venues to collect recyclable materials and divert said materials from landfill disposal; and

WHEREAS, it is the goal of the City to have the operators of large events and the owners of large venues reusing or recycling 50% or more the solid waste generated by or at such events and venues, thus diverting this material from refuse disposal sites.

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF MARTINEZ DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.19 is added to the Martinez Municipal Code.

CHAPTER 8.19

LARGE VENUE AND LARGE EVENT RECYCLING

8.19.010 Definitions.

For the purposes of this chapter, the following definitions shall apply:

"Applicant" means any individual, association, club, business, government agency, or any other public or private entity whatsoever who applies to the city for the applicable permit to hold a large event within the city.

"AB 939" shall mean the California Integrated Waste Management Act of 1989, as it may be amended from time to time.

"AB 2176" shall mean AB 2176, Montanez, (Statutes of 2004), as it may be amended from time to time.

"Diversion Requirement" means redirection from the waste stream of at least 50 percent of waste materials generated by large events or venues through reuse or recycling.

"Individual" means a person who works at (with or without compensation), or attends, a large venue or large event, or a customer who is seated or served at the large venue or large event.

"Jurisdiction" means a city, county, a combined city and county, or a group of cities or counties acting as a Board-approved regional agency with the responsibility for meeting AB 939 State Integrated Waste Management Act requirements.

"Large Event" means an event that charges an admission price, or is operated by a local agency, and serves and/or is attended by an average of more than 2,000 individuals per day of operation of the event, including, but not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event, including, but not limited to, a sporting event or a flea market.

"Large Venue" means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this chapter, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this chapter, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.

"Large Event & Venue Recycling Plan" or "Plan" means a plan developed by the large venue owner or the large event organizer or his/her designated representative that describes how materials will be segregated and collected for reuse or recycling.

"Recycling" or "Recycle" means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused or reconstituted products which meet the quality standards necessary to be used in the marketplace.

"Recyclables or Recyclable Material" shall have the same meaning as provided in the City's Municipal Code and includes materials which are reused or processed or are in the future reused or processed into a form suitable for reuse through reprocessing or remanufacture, consistent with the requirements of the California Integrated Waste Management Act of 1989. The term "Recyclables or Recyclable Material" includes mixed paper, glass, aluminum, cardboard, chipboard (e.g. cereal and shoe boxes), newsprint, plastic food and beverage containers #1-7, tin/bimetal containers, compostable materials, used motor oil, oil filters, automotive batteries, antifreeze, latex paint, brick, stone, wood, soil, or concrete in reusable condition, and such other materials designated by City's AB 939 Coordinator, or designated as recyclables by the California Integrated Waste Board, or other agency with jurisdiction.

"Reuse" means further or repeated use of materials in their original form.

"Solid Waste" shall have the same meaning as provided in the City's Municipal Code, and shall exclude recyclables placed in an approved recycling container.

"Commercial Recycler" means a licensed business which specializes in accepting waste materials for recycling or reuse and is authorized to operate in the City of Martinez.

8.19.020 Large Event & Venue Recycling Procedure.

An applicant who wishes to conduct a large event or conduct an event in or at a Large Venue must first apply for and obtain a Special Event Permit from the City. As a condition to the issuance of said permit (along with any other conditions imposed by the City pursuant to any other permitting authority it may have) the applicant must prepare a Recycling Plan in the form approved by the City. Among other things, the Plan shall include an estimate of the amount and types of waste anticipated to be generated by the event and a description of the proposed actions or services to be used by the applicant to reduce or Recycle the Solid Waste generated by or at the event. The recyclables that shall be subject to and addressed in said Plan include, but are not limited to, glass, aluminum, plastic food and beverage containers, newspaper/magazines, mixed paper waste, cardboard, and organic waste, including food waste. The applicant shall comply with the terms and conditions of the Plan. Within ten (10) days after the Large Event or the event in the Large Venue has terminated, the applicant shall submit the Plan to the City, properly filled out and executed.

8.19.030 Applicability.

Any applicant seeking permission for the temporary or periodic use or occupancy of a public, or privately owned park, parking lot, golf course, street system, or other open space within the City of Martinez for a civic, commercial, recreational, or social event which meets the definition of a "Large Event" shall be required to comply with this chapter.

Large Venue facilities include, but are not limited to, stadium, amphitheater, arena, hall, amusement park, conference or civic center, performing arts center, fairground, museum, theater, or other public attraction. Any owner or operator of a permanent facility located within the City of Martinez which meets the definition of a "Large Venue" shall be required to comply with this chapter. When a Large Venue owner provides space for a tenant, event management subcontractor, or otherwise permits the Large Venue to be used by a third party, that owner shall be jointly responsible for user's compliance with this chapter.

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

SECTION 3. Effective date. This ordinance shall become effective 30 days after the date of adoption.

SECTION 4. Posting. The City Clerk shall cause this ordinance to be published/or posted within fifteen days after its adoption, at least once, with the names of those city council members voting for or against the ordinance, in a newspaper of general circulation.

APPROVED: _____
Rob Schroder, Mayor

ATTEST: _____
Deputy City Clerk

I HEREBY CERTIFY that the foregoing ordinance was duly and regularly introduced at a Regular Meeting of the City Council of the City of Martinez, held on the day of January, 2008, and duly passed and adopted at a Regular Meeting of said City Council held on the day of , 2008, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

City of Martinez

Large Event & Venue Recycling Plan

Organization Name: _____

Contact Name: _____

Address: _____

Tel. #: _____ Cell #: _____

Email: _____

Event Name: _____

Event Location: _____

Event Date(s): _____ Estimated # Visitors/Day: _____

Estimated # of workers/Day _____ Estimated # of volunteers/Day _____

Recycling at Large Events and Large Venues?

Large events and large venues produce significant amounts of waste which may include food, beverage containers, cardboard, mixed paper, and other recyclable materials. State law and the City's Large Event/Venue Ordinance require a minimum 50% reduction and diversion of waste from landfills. This Plan requires waste reduction and recycling collection at events and venues with two thousand or more visitors, workers, volunteers and/or participants per day. **THIS IS THE PLAN THAT APPLIES TO THE EVENT OR VENUE SPECIFIED ABOVE. ALONG WITH STATE LAW AND CITY ORDINANCE, YOU ARE REQUIRED TO COMPLY WITH THIS PLAN'S TERMS AND CONDITIONS.**

Steps to Recycle at a Large Event or Large Venue:

Step 1 – Determine what waste will be recyclable. Consider potential recyclables produced by event participants and vendors. Estimate the amounts to be collected based on prior events or best guess (provide estimate in "gallons"-to help you estimate, a household garbage can is normally 30 gallons). Use the blank form provided on this plan to record estimates. Potential recyclables include:

- Glass Bottles/Containers
- Plastic Bottles/Containers (#1-#7)
- Metal Cans & foil
- Cardboard
- Mixed Paper
- Newspaper/Magazines

Step 2 – Determine How to Collect Recyclables. Once the recyclables and potential quantities have been identified, determine the best method for collection. For larger events, the City may elect to deploy recycling containers along with refuse containers. Contact the City's Public Works Dept. at 925-372-3580 to determine city plans. If the City is not planning to deploy recycling containers, your organization will be responsible to do so and may obtain recycling containers from the City. Contact the City's Recycling Coordinator at 925-372-3531 to request recycling containers. A refundable deposit of \$10 per container is required.

Step 3 – Identify how materials will be transferred to a recycling service. Identify a recycling service that will accept or collect the recyclables from your event or venue. The City will provide you with the "**Contra Costa County Recycling Guide**" that lists recycling services, centers, and drop-offs, by material type. In many cases, Allied Waste Services, the City's franchised recycling service, can collect your recyclables. For assistance regarding transfer/disposal of collected recyclables, contact the City's Recycling Coordinator at 925-372-3531, or Allied Waste Services at 925-671-5806.

Step 4 – Promote recycling at the event or venue. You are required to make every effort to promote recycling and make it visible at your event or venue in one or more of the following ways:

- *Include event recycling opportunities in event programs/fliers*
- *Require that vendors and support staff participate in recycling*
- *Place recycling containers next to refuse cans*
- *Make signs and banners announcing recycling opportunities*
- *Make Public Service Announcements (PSAs) promoting recycling*

Step 5 – Record the amount of recyclables collected at your event or venue. You are required to record the number of bags or recycling containers, by material type. You may estimate for partially filled bags or containers (e.g. 8½ bags) but make your estimate as accurate as possible. You must specify the bag or container size (normally 13, 20, 32 or 64 gallon capacities).

Step 6 – Return containers and turn in your completed Recycling Plan. When the event is completed return all recycling containers to Public Works to receive your deposit refund. Make sure that all collected recyclables are collected by your selected recycling service or taken to a recycling center. Return this completed form to the City’s Recycling Coordinator. If you received a weight slip(s) at the recycling disposal site, please attach them to this form.

Record of Collected Recyclables.

Recyclable Type	Estimate of Amount (in gallons) (Prior to Event)	Method of Reuse or Recycling (e.g. How reused or identity of Recycling Collector, Recycling Center used)	# of Bags/ Containers Collected (after event)	Bag/Container Capacity (in gallons)

* Add additional materials on the rear side of the plan – attach corresponding disposal weight slips.

Specify which Recycling Service, Recycling Center or Drop-Off was used: _____

I certify that the information provided in this Plan is accurate and that the requirements of this Plan have been fully and timely satisfied:

Signature: _____ Date: _____

Name: _____

Title _____