Space Constraint Waiver Application

State Senate Bill 1383 supersedes all other recycling law requirements where conflict exists. This law requires all generators, both residential and non-residential, to subscribe to a 3-container solid waste collection service. Under this law non-residential entities may apply to local jurisdictions for waivers if they meet the following requirements:

Per state law a Commercial Business or property owner may request a physical space waiver through the following process:

(1) Submit an application form specifying the type(s) of collection services for which they are requesting a compliance waiver.
(2) Provide documentation that the premises lack adequate space for recycling and/or organic waste recycling containers including documentation from its hauler, licensed architect, or licensed engineer.
(3) Provide written verification to Jurisdiction that it is still eligible for physical space waiver every five years, if Jurisdiction has approved application for a physical space waiver.

The County may waive a commercial business' or property owner's obligations to comply with some or all of the recyclable materials and/or organic waste collection service requirements if the County has evidence from its own staff, a hauler, licensed architect, or licensed engineer demonstrating that the premises lacks adequate space for the collection containers required for compliance.

Commercial businesses that demonstrate that they lack space for separate or additional green waste or food waste collection containers may apply for a physical space waiver. Commercial businesses are not eligible if the space constraints may be resolved by downsizing containers or using split containers.

The following form must be filled out completely, without any missing data for consideration. Keep in mind that County-granted waivers must meet state criteria. The County's determination on your waiver is final. If waiver is not approved, your business is required to subscribe to mandated service immediately. The County is obligated to conduct a site visit, which includes taking photographic evidence, to confirm and validate information presented in this form.

Please provide the following information to request a Space Constraint Waiver

- Name of Business _____
- Contact Name _____
- Contact Name Phone Number _____
- Contact Name Email _____
- Address of Business _____
- Type of Business (e.g. office, auto shop, jewelry store) _____
- Contracted solid waste collection service provider name _____

- Number of collection containers (dumpsters/carts), container size (gallons/cubic yards), and collection frequency (weekly/biweekly) for programs (trash, recycling, organics) currently onsite

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  _____

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- Have you worked with your solid waste collection service provider to adjust container sizes to resolve space constraint issues?
  - ❑ Yes
  - ❑ No
- Do you have documentation from your hauler that space constraints preclude placement of required recycling and/or organic waste recycling containers?
  - ❑ Yes
  - ❑ No
- Do you have documentation from an engineer/architect that space constraints preclude placement of required recycling and/or organic waste recycling containers?
  - ❑ Yes
  - ❑ No
- Specific program(s) you are requesting a waiver for, check all that apply
  - ❑ Recycling Only
  - ❑ Organic Waste Recycling Only
  - ❑ Recycling & Organic Waste
- Designated contact and email where waiver approval or rejection notice is to be delivered

  _____
- Provide additional supporting documentation (photos, engineering plan, hauler findings, etc.)

By submitting this form, you are attesting that you have a full understanding of your business' obligations to provide information, report to, and otherwise fully cooperate with the County, as detailed in the instructions herein which accompany this form.

_____ _____

Printed Name and Title of Authorized Business Representative Date

_____ _____

Signature of Authorized Business Representative Date