

Attachment 2: Overview of Other Jurisdictions' Programs

Table 1 provides a summary of other jurisdictions' ordinances.

Table 1: Other Jurisdictions' C&D Diversion Ordinances

City	Program Type	Target Group/Thresholds
San Jose	Deposit refund – based on square footage	All new construction and alterations (above minimum valuation); all demolition.
Oakland	Certificate of Occupancy – withheld until diversion requirement documented	All demolition; all new construction; all alterations > \$50,000; commercial construction > \$250,000.
San Mateo City	Deposit refund – 3% of project cost; min. deposit \$1,000	All new construction; all alterations; commercial construction > \$250,000; demolition > \$5,000
San Francisco	Deposit refund	Affects City projects only

San Jose: While ESD's ordinance incorporates the best aspects from those of other jurisdictions, it is San Jose's ordinance that is most closely reflected in the attached draft. San Jose's ordinance has been in place since July 2002 and since the program's inception, they have seen a significant increase in diversion of C&D which has contributed approximately 3% toward their city's overall diversion rate. San Jose's ordinance requires 50% diversion of debris generated from all new construction, demolition and alteration projects and allows for specific exemptions for roofing projects (where no "tear off" is required), projects that only require a plumbing, electrical or mechanical permit, or other projects that will not generate a significant amount of waste.

San Jose requires a deposit based on square footage and project type (residential, commercial, alteration, new construction, or demolition). Project proponents must pay the deposit prior to a permit being issued. Table 2 identifies the current deposits for projects in San Jose.

Table 2: San Jose Construction and Demolition Diversion Deposit Requirements

Project Type	\$/Square Foot	Maximum Deposit
Residential New Construction	\$0.20	\$25,000 (detached) \$20,000 (attached)
Non-residential New Construction	\$0.10	\$2,500 (commercial) \$7,500 (industrial)
Residential Alterations	\$1.16*	None
Non-residential Alterations	\$0.35	None
Residential Demolition	\$0.35	None
Non-residential Demolition	\$0.10	None

* San Jose determined that because recycling costs associated with residential alterations are high, the deposit amount should be high in order to provide sufficient incentive for recovery.

Examples: A 2,200 square foot new home would be assessed a deposit of \$440. A 10,000 square foot renovation of a commercial building would be assessed a deposit of \$3,500.

How it Works: The project applicant pays a deposit based on project type and square footage; the applicant documents disposal and recycling at facilities certified by the City. Within 180 days from the final inspection date the applicant completes a refund request form and submits the form, along with copies of certified facility receipts and a statement supported by photo(s) of any reuse or donations of debris, to the City.