



Universal Zero Waste Ordinance Exemptions

In certain cases, a business or property owner may apply for an exemption from the requirements of the Universal Zero Waste Ordinance. To be granted an exemption, applicants must demonstrate all other reasonable options to bring their business or property into compliance have been considered and exhausted. Generally, exemptions expire one year from the date granted, and renewal requests will be accepted for review during the annual reporting period for that year, except as otherwise detailed below. To apply for an exemption, a business or property owner must complete a [Compliance Reporting Form](#). This application must be completed no later than 30 days after the start of the compliance period established in section 6-3-16, "Applicability;" within 30 days of being issued a notice of violation of any provision of this chapter; or within 30 days of the deadline for compliance with the self-reporting requirements of this chapter. Each application for an exemption will be considered on its own merit; a final determination will be made by the City Manager or the City Manager's designee.

The City Manager may require from businesses and/or property owners, an exemption application fee if such a fee is determined to be necessary to cover the costs of administering exemption applications.

Exemption Descriptions:

- (1) **Home-Based Business:** A home-based business must comply with Title 9, Chapter 6-3 (e) Home Occupations, and must show that the residential property owner or manager subscribes to trash, recyclables and compostables collection and the home-based business has access to use that service. Once a home-based business exemption is granted from the city, the exemption will be considered in full force and effect until such a time as the home-based business moves to a new location or otherwise ceases operations at the address for which the exemption was originally granted.
- (2) **Self-Haul: Businesses or property owners that haul their own trash, recycling and/or compost.** Applicants must provide a certified statement explaining the location to which and frequency with which the trash, recycling and/or compost are hauled. Additional documentation may be required upon request. Once a self-haul exemption is granted from the city, the exemption will be considered in full force and effect until such a time as the business or property owner subscribes to collection service for trash, recyclables and/or compostables; or moves to a location different than the address for which the exemption was originally granted.

- (3) **Shared Collection: Property owners that share collection services with one or more neighboring properties.** Applicants must provide a copy of an invoice clearly reflecting the hauling company with whom the contract is held; the level of subscribed collection service and frequencies for any shared services; and the name and address of the party being billed for the shared collection services.
- (4) **Economic Hardship: Properties that are subject to a qualified tax lien sale or public auction due to property tax arrearages; buildings controlled by a court appointed receiver; and buildings acquired by a deed in lieu of foreclosure.** Documentation of the foregoing situations is required. Alternatively, a business or property owner may submit three (3) years of federal tax returns from which an annual gross income average is calculated, and an estimate of the total annual costs necessary to comply with the provisions of this Chapter, including documentation to support these annual costs, for review by the City Manager or her designee.
- (5) **Compost On-Site:** Property or business owners that collect and process food waste on-site in compliance with all applicable laws pertaining to Title 6, Chapter 3, Section 6-3-6, "Compost piles permitted if not a nuisance" must provide a description and photograph(s) of the compost area. The city reserves the right to conduct an on-site inspection.
- (6) **Space Constraints: Property or business owners with space constrained properties that preclude compliance with the provisions of the Universal Zero Waste Ordinance.** Applicants must provide a description and photograph(s) of the area. Prior to granting an exemption based on space constraints, the city reserves the right to conduct an on-site inspection.
- (7) **Innovation: Property or business owners that reuse or repurpose a significant portion of their waste stream.** Applicants must provide a description of the innovation and photographs may be required.
- (8) **De Minimis Volume: Businesses that generate a de minimis volume of trash, recycling or compost.** Applicants must certify that they accumulate less than one-half ton (1000 lbs.) per year (or less than 64 gallons of trash collection service per month; less than 96 gallons of recyclables collection service per month; or 48 gallons of compostables collection service per month.) Generally, a non-food producing business with fewer than 50 employees may qualify for an exemption from the requirement to subscribe to compost collection services; it is not typical for an office or retail establishment to qualify for a De Minimis exemption for trash or recyclables. Property and business owners are encouraged to share collection containers with adjacent properties where possible. Prior to granting a De Minimis exemption, the city reserves the right to conduct a waste audit and/or on-site inspection for any business applying for a De Minimis exemption.