



County of Fairfax, Virginia

SOLID WASTE ADVISORY

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Contact: Pamela F. Gratton
Recycling Manager
pamela.gratton@fairfaxcounty.gov
(703) 324-5230

Approval of Alternative Recycling Systems for Yard Waste Recycling in Townhouse Communities

Recent changes to Fairfax County's solid waste management Code, Chapter 109.1, are intended to increase recycling and clarify certain aspects of how recycling is accomplished. The purpose of this Solid Waste Advisory is to explain the process by which townhouse communities can be exempted from the requirement that yard waste be source separated and collected at the curb for recycling.

Background

By County law, single-family homes and townhouses must source separate their yard waste and set it out for collection at the curb. A complementary portion of this law (Chapter 109.1 of the Fairfax County Code) requires that solid waste collectors separately collect this yard waste and deliver it to a recycling facility. However, Chapter 109.1 allows for an exemption to this requirement for certain townhouse communities, where the community manages its yard waste by an alternative recycling system. Examples where a community may be exempted from the yard waste rules include the following circumstances:

- The community contracts with a landscape company to maintain all lawns and common areas, and this company provides waste management as part of the service (i.e., they recycle yard waste);
- The community produces minimal amounts of yard waste due to small or no significant green areas; and/or
- The community recycles yard waste onsite, through some form of communal composting or other yard waste management practice.

The process for granting townhouse yard waste exemptions has been in place since 1994, but nearly all exemptions have expired. **All townhouse communities claiming an approved alternative yard waste recycling system must reapply for the exemption.** If a new written approval/exemption is not obtained, the townhouse community will be required by County Code to arrange for separate curbside collection of yard waste.

How to Obtain Approval for Alternative Yard Waste Recycling Systems

Townhouse communities wishing to obtain approval of an alternative yard waste recycling system must demonstrate how yard waste is to be recycled by the community (as opposed to having it picked up at the curb by a collection company). Suitable alternatives include:

- Contracting with a grounds maintenance or landscaping firm that will *remove* the yard waste to a location where it will be reused or recycled;

To request this information in an alternate format,
call Pamela Gratton at (703) 324-5230, TTY 711.

Solid Waste Management Program
12000 Government Center Parkway,
Suite 458
Fairfax, Virginia 22035
www.fairfaxcounty.gov

- Contracting with a grounds maintenance or landscaping firm that will *reuse or recycle* the yard waste at designated locations within the townhouse community;
- Providing communal yard waste grinding, mulching and/or composting at one or more designated locations within the townhouse community; and/or
- Demonstrating that the community generates an insignificant amount of yard waste due to few or no trees, shrubs, or grassy areas on the property.

The appropriate legal representative for the community wishing to be exempt from the yard waste set out rules must write to the Fairfax County Division of Solid Waste Collection and Recycling (at the address on the bottom of this document), requesting approval of an alternative yard waste recycling system. This request must include the following, at a minimum:

- The name of the community and the physical location address;
- A complete description of how yard waste will be recycled and/or used on site (as the alternative to source-separated curbside pick up).
- Contact information for the responsible community representative, including name, physical address, daytime telephone number, and E-mail address (if available);
- Contact information for the landscaping or grounds maintenance company providing yard waste management services (if applicable);
- The name, physical address, and telephone number of the location where yard waste will be recycled (if taken off site);
- The name of the solid waste and recycling collection companies providing service to the townhouse community, and the term of the contract; and
- The number of townhouse units in the community and a list of the street addresses for all homes to be included in the alternative recycling system.

The Division of Solid Waste Collection and Recycling will review each request and return a written decision (approval or denial of the exemption) within 30 days of receipt. A copy of the written approval must be provided to the exempt the community's refuse and recycling collectors and any company hired to manage yard waste for the community. Effective with the promulgation of the new Chapter 109.1, alternative yard waste recycling system approvals must be updated according to the following schedule:

- Every two years;
- Whenever the community contracts with a new grounds maintenance or landscaping firm; and/or
- Whenever the community contracts with a new refuse and recycling collection company.

It is incumbent upon the management of townhouse community to keep the yard waste exemption current. The management of the townhouse community must update, in writing, the exemption from source-separation of yard waste for collection at the curb at the end of each two-year exemption period duration or whenever a new grounds maintenance or landscaping firm is hired and/or the community contracts with a new refuse and recycling collection company. The approval of the exemption shall be null and void if a valid, written approval cannot be provided to the Department upon request.