



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

SOLID WASTE ADVISORY

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Solid Waste Advisory No. 09-007

Contact: Pamela F. Gratton, Recycling Manager
Collection and Recycling
pamela.gratton@fairfaxcounty.gov
703-324-5230

Approval of Alternative Yard Waste Recycling Systems for Townhouse Communities

The Code of Fairfax County § 109.1 is intended to promote 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 obtain approval of an alternative yard waste recycling system in lieu of having it collected at the curb. Approval of alternative recycling systems for yard waste will only be made for townhouse communities where an alternative method for recycling yard waste can be demonstrated. ***Approval of alternative recycling systems for yard waste will not be made for mixed communities that include both townhouses and single-family homes.***

Background

Chapter 109.1 requires that residents in single-family homes and townhouses separate their yard waste from refuse and other recyclables for collection at the curb. A complementary portion of this law requires that solid waste collectors separately collect this yard waste and deliver it to a recycling facility. Chapter 109.1, however, allows for the opportunity to implement and maintain an alternative yard waste recycling system in townhouse communities under 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 on site through some form of communal composting or other yard waste management practice.

The process for granting approval of alternative yard waste recycling systems for townhouse communities has been in place since 1994. ***All townhouse communities that do not have yard waste collection at the curb must have written approval from the County for an alternative yard waste recycling system.*** If a new written approval is not obtained, the townhouse community is required by County code to arrange for separate curbside collection of yard waste.



Department of Public Works and Environmental Services
Solid Waste Management Program

12000 Government Center Parkway, Suite 458
Fairfax, Virginia 22035

Phone: 703-324-5230, TTY: 711, Fax: 703-324-3950
www.fairfaxcounty.gov/dpwes



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;
- 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 obtain approval of an alternative yard waste recycling system must complete the form provided by the Fairfax County Division of Solid Waste Collection and Recycling (attached to this document). The following information is required:

- 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 company providing service to the townhouse community; and
- the number of townhouse units in the community and a list of 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 within 30 days of receipt. A copy of the written approval must be provided by the homeowners association to the community's refuse and recycling company and any company hired to manage yard

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waste for the community. Alternative yard waste recycling system approvals must be updated according to the following schedule:

- Every two years;
- whenever the community contracts with a new ground 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 communities to keep the approval of the alternative yard waste recycling system current. The management of the townhouse community must update, in writing, the approved alternative yard waste recycling system:

- 1) At the end of each two-year approval period;
- 2) whenever a new grounds maintenance or landscaping firm is hired,
- 3) whenever the community contracts with a new refuse and recycling collection company, or
- 4) no longer desires to use the approved alternative system.

The alternative yard waste recycling system shall be null and void if a valid, written approval cannot be provided to the Division upon request.