



Business Compliance Checklist: County of Marin Waste Laws & Ordinances

There are several State-wide laws and County-wide Ordinances focused on waste that apply to businesses operating in Marin. These laws have been passed to tackle climate change and plastic pollution. Use this checklist to ensure you are meeting all of the requirements mandated by these laws.

How can Zero Waste Marin help with these laws?

Visit our website to see our available signage and training resources or contact us to inquire about a training for your staff at zerowaste@marincounty.gov.

How can my business comply?

Use the categorized checklist below to ensure you are familiar with the business requirements.

Outdoors: Waste Service Requirements (CA Senate Bill 1383)

Waste collection refers to how waste is removed from your site; most commonly, this refers to the collection services offered by the private waste hauler servicing a given area. It can also refer to self-hauling, when a site handles the transportation and disposal of their own waste.

- ☐ Businesses must have adequate service to collect all of the recyclables and organic waste generated, unless self-hauling and maintaining records proving separation.
 - Organic waste includes food scraps, yard trimmings, and paper/cardboard.
- ☐ Organic waste and recycling carts must be located at each waste enclosure.
- ☐ All waste enclosures must have a designated spot for cardboard recycling, or adequate bin space for cardboard recycling.
- ☐ Ensure contracts or work agreements between your property and a gardening or landscape service specify that yard waste will be kept out of landfill.



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Indoors: Bin Placement Requirements (CA Senate Bill 1383)

Bin placement requirements detail where recycling and compost bins must be accessible.

- ☐ Ensure all employees, contractors, and tenants have access to adequate recycling and compost bins, including:
 - Adequate number
 - Adequate size
 - Adequate location
- ☐ Ensure that recycling and compost bins are available next to all landfill bins provided for customer use, except in restrooms.
- ☐ All waste bins must be color-coded and/or clearly labeled:
 - For color coding, trash/landfill must be grey or black, recycling must be blue, and compost must be green.
 - Signage should clearly label what can and cannot go in each bin.
 - Note: best practice is to color-code **and** label each of the bins.

Edible Food Recovery Requirements (CA Senate Bill 1383)

If you have been identified as a Tier 1 or Tier 2 commercial edible food generator, you must recover the maximum amount of surplus edible food to donate for human consumption. If you have been identified as a Tier 1 or Tier 2 generator, you have been contacted by Zero Waste Marin.

- ☐ Arrange to recover the maximum amount of surplus edible food generated by your business. Note that food that has been served to a customer does not qualify as surplus.
- ☐ Have a contract or written agreement on file with a Food Recovery Organization or Service.
- ☐ Maintain records of your donations, which can be requested for viewing during inspections. Records should contain:
 - Frequency of donations
 - Type of food being donated
 - Amount of food being donated
 - Contact information for the organization picking up food



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Education & Training Requirements (CA Senate Bill 1383)

- ☐ Annually, train all employees, contractors, and tenants on the following:
 - Waste diversion requirements under the law, and
 - How to properly sort recycling and compost into the correct bins.
- ☐ Train employees that placing recyclables and organic waste into the wrong bins is prohibited.
- ☐ Provide information to new tenants about their responsibilities to sort waste correctly within 14 days of move-in.

Education & Training Log

Use this part of the checklist to keep track of required education. Recordkeeping is part of the requirements.

Annual training was provided on this date:	
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Training included:

- ☐ Flyers distributed to staff/ contractors/ tenants
- ☐ Video(s) distributed to staff/ contractors/ tenants
- ☐ Video(s) shown during a staff meeting
- ☐ Presentation/training given during a staff meeting
- ☐ Other:

Contamination Monitoring Requirements (CA Senate Bill 1383)

- ☐ Inspect trash/landfill, recycling, and compost bins for contamination on a quarterly basis.
- ☐ Remind employees about proper sorting if bins are found to be contaminated.

Contamination Monitoring Log

Use this part of the checklist to keep track of required contamination monitoring. Recordkeeping is part of the requirements.

Quarter	Monitoring Date	Contamination Found?	Date of Reminder to Staff
January - March			
April - June			
July - September			
October - December			

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Customer Access to Recycling (CA Assembly Bill 827)

All commercial food service establishments that provide food for purchase and immediate consumption on site must comply with AB 827. "Full-service restaurants" are exempt as long as they provide organics and recycling bins in the back of house for their employees. Full-service restaurants are defined as those **where all the following are true**: 1) Customers are escorted or assigned to an assigned eating area. 2) Customers' food and beverage orders are taken after being seated. 3) The food and beverage orders as well as any other requested items are delivered directly to the customers. 4) The check is delivered directly to the customer at the assigned eating area.

- ☐ Recycling and compost bins must be provided to customers directly adjacent to a landfill/trash bin.
- ☐ Bins must be clearly labeled.
- ☐ These bins must be properly serviced: recyclables collected in recycling bins must be recycled, and compostables collected in a compost bin must be composted.

Marin County Reusable Foodware Ordinance

The Marin County Reusable Foodware Ordinance was passed by nearly all of the cities and towns across Marin in 2023 and **applies to all businesses in Marin selling prepared food to the public** (excluding public and private schools); the Town of Corte Madera has its own version of the Ordinance. Please note that the Marin County Environmental Health Services Department acts as the lead enforcement agency.

- ☐ All takeout disposable foodware must be unlined natural-fiber/paper/wood compostable (no bioplastics or compostable plastics) or made entirely of glass or aluminum. Additionally:
 - Fiber foodware must also be certified by the Biodegradable Products Institute (BPI) or chemical-free.
- ☐ Reusable foodware and utensils must be used if a customer is dining in at a restaurant.
- ☐ A \$0.25 charge will be added for **ALL** disposable cups.
 - To be retained by the Food Vendor.
 - Charge must be itemized on customer receipt.
 - Exemptions for Cal Fresh/SNAP and WIC customers.
- ☐ Plastic and plastic-lined paper takeout containers are prohibited.
 - Visit the website below for exemptions.



For more information on the Reusable Foodware Ordinance and requirements:

<https://www.marincounty.org/depts/cd/divisions/environmental-health-services/reusable-foodware-ordinance>

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