

Summary of DRAFT Changes to Code Language for Community Recycling Ordinance

Change in code language	Reason for change
Changes Impacting Single-Family Residential Service	
Clarifies that a small capacity trash container (30-39 gal) option is required §15-412(c)(1)	Provides greater clarity
Allows service surcharge up to 25% the cost of the smallest trash can §15-412(e)(2)	Reinstates pre-2009 fee to pay for fluctuating costs such as fuel or recycling fees
Haulers must send City-provided recycling guidelines and information about pay-as-you-throw to customers once / year. Information must be sent in paper form to customers receiving paper bills or service calendars. Customers who receive all electronic communications can receive information electronically §15-413(d)(1)	Haulers have been required to send residents educational information for many years. In order to support the haulers and ensure consistency of information to residents, the updated ordinance requires the educational materials sent out by the haulers be created and funded by the City.
Homeowner’s Association and other group service contracts must be in writing, be kept on file, and be available for review by City staff or designated auditors §15-412(c)(2) and 15-420(d)	Allows City to follow up on complaints and requires documentation consistent with enforcing the ordinance
Amount of recycling included in basic service is equal to two large capacity (90-99-gallon) containers §15-413(a)(1)	Prevents residents from putting out excessive amounts of recycling for no additional fee, which currently causes issues for haulers
Hauler can require residential recycling to fit inside cart if customer has 2 large capacity containers §15-413(a)(2)	Allows for automated collection of recycling carts – if all recycling is in a cart, hauler’s staff doesn’t have to exit truck to service the cart
Hauler must offer yard trimmings collection service as of 4/1/2017. Can charge separate fee for service §15-414(a)	Allows all residents access to yard trimmings collection service, no matter the hauler they select
Yard trimmings can’t be landfilled – have to be composted or mulched §15-414(c)	Clarifies appropriate uses for yard trimmings collected
Changes Impacting Grocery Stores	
By December 31, 2017, grocers must have compost collection service for food scraps §12-23(a)	All grocers will have compost collection service, consistent with Road to Zero Waste Plan and council-adopted goals for waste reduction and greenhouse gas reduction
Applies only if store disposes of more than 96 gallons of food scraps per week §12-23(a)	Minimum service level provided by haulers is 96 gallons / week, and is consistent with minimum generation requirements for commercial / multi-family recycling
12-month variance available for: <ul style="list-style-type: none"> • Self-hauling • Space constraints • Using garbage disposal-type equipment • Donating all food scraps for human or animal consumption • Composts on-site • Doesn’t generate food scraps §12-23(a)(1)	Outlines exceptions to the ordinance
Must be collected frequently enough to avoid overflow and must be composted (not landfilled) §15-415(a) and 12-23(c)	Clarifies appropriate service frequency and uses for food scraps collected

Changes Impacting Multi-Family and Commercial Service	
<p>Requires hauler to provide recycling with trash service by end of 2020 (not required to bundle costs – recycling can be charged as separate fee)</p> <ul style="list-style-type: none"> Recycling must be at a minimum 33% of total solid waste and recycling service volume <p><i>§15-413(b)(3)</i></p>	<p>All multi-family and commercial customers will have recycling service, consistent with Road to Zero Waste Plan and council-adopted goals. Method for delivering the service with minimum recycling requirement was suggested by haulers as way to achieve goals with less administrative burden.</p>
<p>Haulers are required to provide recycling service to at least xx% of their existing non-recycling customers per year from 2017 to 2020 (pending further input from Council)</p> <p><i>§15-413(b)(3)</i></p>	<p>Ensures progress toward 2020 requirement for all multi-family and commercial locations to have recycling</p>
<p>If customer refuses recycling service, but does not qualify for any variance, customer still has to pay for recycling service</p> <p><i>§15-413(b)(3)</i></p>	<p>Provides clarity that customers aren't required to use recycling service, but must pay for service (similar to residential pay-as-you-throw)</p>
<p>Customers can apply for a variance for the following reasons:</p> <ul style="list-style-type: none"> Space constraints, self-haul their recyclables Contracts separately for recycling services (not provided by solid waste provider) Recycling bin location would be unsafe to service Doesn't generate recyclables <ul style="list-style-type: none"> If customer doesn't generate recyclables of at least 33% of total volume of waste and recycling, but does generate at least 96 gallons / week of recycling, the customer is required to have the level of recycling service equivalent to what the customer generates. <p><i>§15-413(b)(3)(i)</i></p>	<p>Outlines exceptions to the ordinance</p>
<p>Customers apply for variances with City; approval or rejection of variance shared with customer, hauler</p> <ul style="list-style-type: none"> If variance rejected, hauler must charge for solid waste and recycling services without cost reduction If variance approved, rate may be reduced to exclude charges for recycling <p><i>§15-413(b)(3)(i)</i></p>	<p>Clarifies process for variances</p>
<p>Variance would be valid for 5 years, at which point customer could apply again if situation remains</p> <p><i>§15-413(b)(3)(iv)</i></p>	<p>Clarifies effective length of time for variance</p>
<p>Haulers provide customers with recycling guidelines signage for use in facilities</p> <ul style="list-style-type: none"> Can use own materials if City-approved or can use City-provided materials <p><i>§15-413(b)(5)</i></p>	<p>Ensures following best practice of providing educational material where needed, especially for those new to recycling</p>
<p>Recycling bins must be labeled with the chasing arrows symbol and a graphics-based guidelines sticker. Can use City-provided materials or hauler-provided materials that are approved by City.</p> <p><i>§15-413(c)(2)</i></p>	<p>Ensures users can identify recycling bin vs trash bin, no matter the language the user speaks. City will create and fund the guidelines decals.</p>

Administrative Changes	
Minor edits made to a number of definitions <i>§15-411</i>	Clarity and simplicity; some necessary to implement new provisions outlined above
Includes haulers of yard trimmings, food scraps and recyclables in definition of “collector”, which has effect of requiring a license for any company collecting trash, recycling, yard trimmings or food scraps <i>§15-411</i>	Allows for enforceability of ordinance on collectors of all materials
Adds language clarifying that carts can be placed on the street side of the curb for servicing, except if on arterial street or cart would block bike lane (permitted by City Code §23-46) <i>§15-411</i>	Allows haulers to service bins from most efficient location for automated trucks
Adds definition of food scraps usage hierarchy for use in designating materials as compostable locally and clarifying that food donation is preferred over composting food <i>§15-411</i>	Ensures that ordinance is not interpreted to require food be composted that could have been donated
Defines volume categories for sizes of carts <i>§15-411</i>	Retains intent of ordinance but allows haulers freedom to use carts from various manufacturers, which have slightly varying capacities
Adds hierarchy of materials management definition for use in City Manager’s designated recyclables list <i>§15-411</i>	Provides consistency with other communities and baseline for determining whether a material is recyclable locally
City Manager shall update designated recyclables list by October 1 st each year <i>§15-416(a)</i>	Moves date up from current Nov. 30 – allows time for haulers to adapt to any changes before determining next years’ rates
Haulers must provide on licensing application information about organics collection program and how it fits with regulations <i>§15-417(a)</i>	Similar to current requirements for recycling service, allows for enforcement of ordinance
Haulers must include amounts of yard trimmings collected as part of tonnage reporting <i>§15-420(a), (g)</i>	Similar to current requirements for recycling service, provides consistency in ordinance