

ORDINANCE NO. 443

AN ORDINANCE REQUIRING THAT MULTI-FAMILY RESIDENTIAL LANDLORDS OFFER RECYCLING SERVICES TO THEIR TENANTS.

WHEREAS, the City of Wilsonville wishes to provide convenient access to recycling services for all of its residents; and

WHEREAS, a substantial portion of the population of the City of Wilsonville lives in multi-family residences; and

WHEREAS, many of these citizens wish to participate in residential recycling programs and would be encouraged to do so by convenient access to recycling services; and

WHEREAS, the City of Wilsonville has entered into an intergovernmental agreement with Washington County for a recycling and waste reduction program, including education, promotion, planning and administrative services, which agreement requires that the city shall establish a multi-family recycling program by July 1, 1995; and

WHEREAS, ORS 90.318 states that where a city has implemented recycling services, a landlord who has five or more residential units on a single premise or five or more manufactured dwellings in a single facility shall offer to their tenants on-site recycling of at least four of the principal recyclable materials as defined by the Oregon Environmental Quality Commission under the authority of ORS Chapter 459; and

WHEREAS, the availability of on-site recycling programs for residents of multi-family buildings will provide the opportunity for increased levels of recycling in the Portland metropolitan area in order to help meet the regional goal of 50% waste recovery by the year 2000 and 56% by the year 2010; and

WHEREAS, the City of Wilsonville wishes to support these goals through responsible and effective waste reduction activities;

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. Definitions.

(a) A multi-family residential landlord is defined as a landlord who has five or more residential dwelling units on a single premise or five or more manufactured dwellings in a single facility.

(b) "Source separated recyclables" or "recyclable materials" are defined as any material or group of materials that have been separated from other solid waste by the person using the material and which can be collected and sold for recycling at a net cost equal to or less than the cost of collection and disposal of the same material.

Section 2. On or before July 1, 1995, multi-family residential landlords shall implement and maintain on-site recycling of newsprint, tin (steel) cans, container glass and corrugated cardboard for their tenants. Landlords may, at their discretion, offer recycling services for materials other than those identified in this section.

Section 3. Multi-family residential landlords shall ensure regular collection of any source-separated recyclable materials, with the exception of yard debris, by the city's franchised garbage hauler, which is currently United Disposal Service.

Section 4. The type and size of collection container to be used in multi-family residential landlord recycling programs shall be determined by the city manager or city manager's designee after conferring with the city's franchised garbage hauler, taking into account program effectiveness, adequacy of the containers to hold the anticipated volume of each material, and space availability at multi-family residential premises or facilities.


Section 5. Landlords shall provide notice to their tenants at least once a year of the opportunity to recycle with a description of the location of the containers or depots on their premises and information about how to recycle. New tenants shall be notified of the opportunity to recycle at the time of entering into a rental agreement.

Section 6. Landlords of multi-family residential premises or facilities in which tenants pay for and receive individual residential garbage collection and recycling service or meet ORS 495A.075 qualifications for fair market purchase or exchange shall be exempt from the provisions of this ordinance.

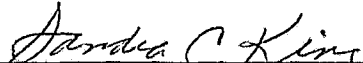
Section 7. The failure of any landlord to implement and/or maintain recycling services as provided for in this ordinance is punishable upon first conviction as a violation, pursuant to W.C. 1.012 and upon a subsequent conviction as a Class C misdemeanor, pursuant to W.C. 1.011. In case of continuing offense, each day of any violation shall constitute a separate offense.

SUBMITTED to the City Council of the City of Wilsonville and read for the first time at a regular meeting thereof the 1st day of May, 1995 and scheduled for second

reading and public hearing at a regular meeting of the City Council on the 15th day of May, 1995, commencing at the hour of 7:00 p.m. at the Wilsonville Community Development Annex Conference Room.


Sandra C. King, City Recorder

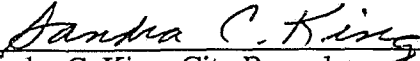
ENACTED by the City Council on the 15th day of May, 1995 by the following
votes: YEAS : 4 NAYS: 0


Sandra C. King, City Recorder

DATED and signed by the Mayor this 16th, day of May, 1995.


GERALD A. KRUMMEL, Mayor

ATTEST:


Sandra C. King, City Recorder

SUMMARY of votes:

Mayor Krummel	Yes
Councilor Lehan	Yes
Councilor Hawkins	Yes
Councilor Leahy	Yes
Councilor Leo	Absent