

ORDINANCE 247-09

AN ORDINANCE OF THE CITY OF DURHAM, OREGON IMPLEMENTING THE BUSINESS RECYCLING REQUIREMENT SET FORTH IN METRO CODE CHAPTER 5.10

WHEREAS, the Durham City Council is required to implement the Business Recycling requirement set forth in Metro Code Chapter 5.10 or apply to Metro for approval of an alternative program; And

WHEREAS, the Durham City Council has chosen to implement the Business Recycling requirement per Metro Code Chapter 5.10;

NOW THEREFORE, the Durham City Council Ordains as follows:

Section 1. Intent: The purpose of this ordinance is to comply with the Business Recycling Requirement set forth in Metro Code Chapter 5.10. A significant increase in business recycling will assist the Metro region in achieving waste reduction goals, conserving natural resources and reducing greenhouse gas emissions.

Section 2. Applicability: This Ordinance applies to all businesses and business recycling service customers as those terms are defined in Metro Code. This Ordinance does not apply to businesses whose primary office is located in a residence. A residence is the place where the business owner resides.

Section 3. Business Recycling Requirement: Businesses shall source separate all recyclable paper, cardboard, glass and plastic bottles and jars, and aluminum and tin cans for re-use or recycling.

Businesses and business recycling customers shall ensure the provision of recycling containers for internal maintenance or work areas where recyclable materials may be collected, stored, or both.

Business and business recycling customers shall post accurate signs where recyclable materials are collected, stored or both that identify the materials that the business must source separate for re-use or recycling and that provide recycling instructions.

Section 4. Exemption from Business Recycling Requirement: A business may seek exemption from the business recycling requirement by providing access to a recycling specialist for a site visit and establishing that it cannot comply with the business recycling requirement.

Section 5. Compliance with Business Recycling Requirement: Compliance enforcement shall be conducted by Metro in accordance with an Interlocal Agreement between Metro and the City of Durham.

A business or business recycling customer that does not comply with the business recycling requirement may receive a written notice of noncompliance. Businesses or a business recycling

customer will be provided a timeframe to implement compliance. A business or business recycling customer that does not implement an acceptable program within the specified time on the notice of noncompliance commits a Violation as defined in City code.

First Reading: January 27, 2009

Second Reading: February 24, 2009

CITY OF DURHAM

By: _____
Gery Schirado, Mayor

ATTEST:

Roland Signett, City Administrator/Recorder