

CHAPTER 1777 - Refuse and Debris

1777.03 MANDATORY RECYCLING.

(a) Notwithstanding any provision in the Sanitary Code in conflict with this Section, no person receiving municipal solid waste collection services in the City shall fail to separate all recyclable materials from other refuse in accordance with the provisions of this Section.

(b) Notwithstanding any provision in the Sanitary Code in conflict with this Section, no person receiving municipal solid waste collection services in the City shall fail to place all separated recyclable materials for collection apart from other refuse on the day of his or her scheduled refuse collection and in accordance with the provisions of this Section.

(c) The Director of Public Works is hereby authorized and directed to establish and promulgate guidelines, consistent with this Section, for the separation of recyclable materials and placement of recyclable materials for collection, which guidelines shall be revised from time to time as may be required to maintain environmental, financial and commercial practicability. The guidelines created hereunder shall be kept in the office of the Director of Public Works and, after creation and any modification thereto, shall be published in a manner consistent with Section 107.01 of the Codified Ordinances, as well as on the City's official Web site. This provision does not in any way limit the Director of Public Works from producing and distributing other materials for the education of persons receiving municipal solid waste collection services in the City.

(d) As used in this section, "refuse" shall have the same meaning as in Section 1703.14 of the Codified Ordinances. As used in this section, "recyclable materials" shall mean any type of refuse designated for separation from other refuse by the Director of Public Works pursuant to this Section, including, if so designated, but not limited to metal cans and containers, glass jars and bottles, plastics, paper, books, boxboard, cardboard, catalogs, magazines, envelopes, newspaper, telephone books, yard waste, grass, garden debris, leaves, branches, logs and shrubs.

(e) Upon the placement of recyclable materials for collection recyclable materials shall become the property of the City. No person, other than authorized agents of the City acting in the course of their employment or by contract, shall remove or cause to be removed from the lawful place of collection any recyclable materials placed for collection.

(f) Any person who violates subsections (a) or (b) of this Section shall be charged a fee for the administrative expense of separating the person's recyclable materials from his or her other refuse; or otherwise shall not have his or her refuse collected until such recyclable materials are separated from the person's other refuse in accordance with this Section. Any fee imposed by the City for a violation of this Section shall be at the rate of fifty dollars (\$50.00) per hour or portion thereof, or the actual cost of such work, whichever is larger. The minimum charge therefore shall be as follows:

Violations	Minimum Fee
1st violation	\$ 50.00
2nd violation	100.00
3rd violation	200.00
4th violation or more	400.00

within a twelve 12 month period. No fee or penalty shall be imposed for a violation of this section unless the violation occurred at least sixty (60) days after the effective date of this section.

(g) Any person who violates subsection (e) of this section shall be guilty of a minor misdemeanor. (Ord. 28-09. Passed 3-16-09.)