



Proposed Amendments Universal Recycling Ordinance

Zero Waste Advisory Commission
February 13, 2013





UNIVERSAL RECYCLING ORDINANCE – PHASE 2

PURPOSE of AMENDMENTS

1. Clarify Existing Ordinance (Delete CMRFO)
2. Extend URO to other property types
(i.e. retail, restaurants, industrial, manufacturing)
3. Add compostable materials
4. Schedule smaller multifamily and
commercial properties



RECYCLING PLAN

INTENT	ORDINANCE REFERENCE
1. Clarify due dates	PART 6. Section 15-6-101 (A) & (B)
2. Clarify the contents	PART 6. Section 15-6-101 (C)
3. Exempt City-serviced properties	PART 6. Section 15-6-101 (D)

- ✓ Due by Feb. 1 on an annual basis
- ✓ Due within 30 days after:
 - Beginning lease, or
 - Substantive changes to service capabilities
- ✓ Includes service capacities and information needed to verify compliance and track progress of Zero Waste goal
- ✓ Clarifies that properties receiving City service not required to submit Recycling Plan form, but must meet other requirements



AFFECTED PROPERTIES

INTENT	ORDINANCE REFERENCE
1. Clarify the title of section	PART 3. Section 15-6-91
2. Organize dates by property use	PART 3. Section 15-6-91 (A) – (D)
3. Clarify that offices include institutions	PART 3. Section 15-6-91 (B)
4. Authorize Director to define floor area	PART 3. Section 15-6-91 (F)

- ✓ Changed title to AFFECTED PROPERTIES
- ✓ Organized phase-in dates by property type
- ✓ Clarify that office buildings in current URO includes:
 - Medical facilities
 - Religious buildings
 - Private educational facilities
- ✓ Defines “floor area” and ability to use TCAD data



AFFECTED PROPERTIES

INTENT	ORDINANCE REFERENCE
5. Delete 15-6-91(B)(4) & (6)	PART 3. Section 15-6-91
6. Expand affected properties over time	PART 3. Section 15-6-91 (C)
7. Authorize Director to exempt certain properties through rules process	PART 4. Section 15-6-92 (C)
8. Add effective dates for smaller multi-family and commercial properties	PART 3. Section 15-6-91 (A) & (D)

- ✓ Deleted language related to the city single-stream recycling services
- ✓ Expanded schedule to include all property types
- ✓ Added effective dates for smaller properties
- ✓ Clarified the authority to adopt of rules and a process for owners to request a waiver or alternative compliance:
 - Substitute materials or share solid waste services
 - Other means achieve the city’s current Zero Waste goals

PROPOSED IMPLEMENTATION

Effective Year as of October 1	Multi-Family Properties (dwelling units)	Commercial Properties (square feet of floor space)		
		Offices, Institutions	Other including Food Service, Retail, Mfg, or Industrial	Compostable Materials (next section) from Food Service Businesses
2012	>75*	>100,000*	>50,000	>5,000
2013	>50*	>75,000*	>25,000	>5,000
2014	>25*	>50,000*	>25,000	>5,000
2015	>10	>25,000*	>25,000	>5,000
2016	All	>5,000	>5,000	>5,000
2017	All	All	All	All



COMPOSTABLE MATERIALS

INTENT	ORDINANCE REFERENCE
1. Add effective dates for compostable materials	PART 3. Section 15-6-91 (E)
2. Authorize Director to exempt certain establishments that serve only prepackaged foods	PART 4. Section 15-6-92 (C)(5)

- ✓ Added effective dates for collecting compostable from food businesses
 - October 1, 2016 for > 5,000 square feet
 - October 1, 2017 for all food service businesses
- ✓ Food establishments serving only prepackaged food not required to compost



COMPOSTABLE MATERIALS

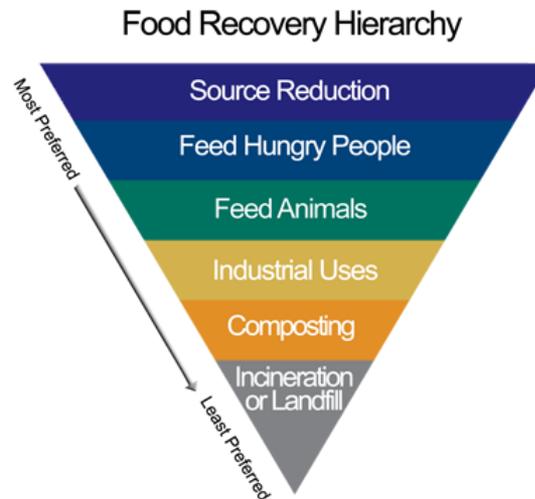
INTENT

3. Support hierarchy of scrap food use

ORDINANCE REFERENCE

PART 4. Section 15-6-92 (D)

- Develop rules that encourage the food recovery
- Good Faith Donor Act set forth in Chapter 76 of the Texas Civil Practice and Remedies Code





COMPOSTABLE MATERIALS

- Add provisions for compostables similar to provisions for recyclables
 - Educate annually
 - Report annually
 - Clearly marked receptacles
 - Well maintained collection service
 - Transport to authorized composting facility



CMFRO & MORE

INTENT	ORDINANCE REFERENCE
1. Delete references to Commercial and Multi-Family Recycling Ordinance	PART 3. Section 15-6-91 - replaced PART 4. Section 15-6-92 – replaced
2. Delete other obsolete or out-of-date sections	PART 5. Section 15-6-93 (C), (D), (E)

- ✓ Deleted sections that will be obsolete or out-of-date:
 - References to Commercial & Multifamily Recycling Ordinance (CMFRO), which expired Sept. 31, 2012
 - Aligned effective dates in Section 15-6-93



MISCELLANEOUS

INTENT	ORDINANCE REFERENCE
1. Delete minimum service frequency	PART 4. Section 15-6-92
2. Clarify that ordinance includes plastic, aluminum, or glass bottles, jars, or cans	PART 4. Section 15-6-92 (A)(1)
3. Change SWS to ARR	PART 4. Section 15-6-92
4. Clarify that Director has authority to add materials	PART 4. Section 15-6-92(B)

- ✓ Delete minimum service frequency requirement for recycling containers
- ✓ Clarify that the ordinance applies to bottles, cans, cups, and tubs
- ✓ Change “Solid Waste Services” to “Austin Resource Recovery (ARR)” throughout ordinance
- ✓ Grant Director authority to add to required materials list with at least 365 days prior notice



MISCELLANEOUS

INTENT	ORDINANCE REFERENCE
5. Keep allowing substitute materials	PART 4. Section 15-6-92(C)(3)
6. Change Volume to Quantity	PART 7. Section 15-6-102
7. Update and add definitions	PART 1. Section 15-6-1
8. Delete or clarify sections that conflict with Hauler Registration Ordinance	PART 7. Section 15-6-102 PART 8. Section 15-6-103 PART 9. Section 15-6-104
9. Clarify which staff are authorized to enter a premises	PART 2. Section 15-6-82(A)

- ✓ Maintain language that provides substitution of materials as alternative compliance
- ✓ Use “Quantity” instead of “Volume”



DEFINITIONS

- Updated current definitions
- Added new definitions
- Matched definitions with:
 - URO Phase 1 Rules
 - Master Plan
 - EPA, TCEQ or Existing City Code



MOBILE FOOD COURTS

1. Challenges
 - Responsible party for enforcement
 - Land Use, Site Plan and Permitting
2. Cross-Departmental Coordination
 - PDRD, ARR, HHSD, Public Works, AWU, AE
3. Seeking ZWAC Input
 - Reconvene the URO Committee
 - Full ZWAC discussion



STAFF RECOMMENDATIONS

1. Approve ordinance amendments
2. Discuss Mobile Food Court challenges
 - Reconvene URO Committee, or
 - Schedule time to discuss issue as a full commission



NEXT STEPS

- Update Sustainable Food Policy Board
- City Council consideration and action
- Stakeholder meetings to develop URO Phase 2 rules



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SOURCE
RECOVERY
A CITY OF AUSTIN SERVICE