

Summary of Ordinance Changes

RESIDENTIAL MULTIFAMILY

REPLACE COMMERCIAL COLLECTED RESIDENTIAL TERMINOLOGY WITH MULTIFAMILY RESIDENTIAL IN DEFINITIONS (Sec. 27-72)

~~Commercially-collected residential~~ Multifamily residential service shall mean the collection of solid waste, other than hazardous waste and bio-medical waste, provided to persons occupying residential dwelling units in buildings with five or more dwelling units within the city and persons occupying residential dwelling units in buildings with two to four dwelling units within the city who have been allowed by the city to opt-out of curbside residential service.

ADD A MINIMUM GARBAGE SERVICE LEVEL OF TWICE PER WEEK FOR MULTIFAMILY RESIDENTIAL SERVICED W/O COMPACTORS (Sec. 27-75.b)

Multifamily residential service not serviced by a compacting dumpster shall receive a minimum of twice per week service. When necessary to protect the public health or to enforce the purpose of this article, the city manager or designee shall have the authority to stipulate the frequency of collection or require the implementation of a plan to eliminate the hazard.

CHANGES COMMERCIAL COLLECTED RESIDENTIAL TO MULTIFAMILY (Sec. 27-85)

DIVISION 3. – COMMERCIAL AND MULTIFAMILY RECYCLING

Sec. 27-85. - Mandatory commercial and multifamily recycling established.

~~Commercially-collected residential~~ Multifamily residential service. All ~~commercially-collected multifamily~~ residential serviced units shall establish a recycling program that: ~~includes recycling of all designated recyclable materials and is convenient and accessible to the residents by January 1, 1997.~~

ADD RECYCLING OF ALL DESIGNATED MATERIALS FOR MULTIFAMILY (Sec. 27-85)

Includes recycling of all designated recyclable materials.

ESTABLISH START DATE FOR FOOD WASTE DIVERSION FOR MULTIFAMILY (Sec. 27-85)

By June 1, 2025 or later if determined by the City Manager, include a food waste diversion program.

ADD GUIDELINES FOR RECYCLING AT MULTIFAMILY (Sec. 27-85)

Is as convenient and accessible to the residents as garbage and trash collection containers unless the solid waste division and generator agree upon a site that is better suited for program success.

Provides an adequate level of service and capacity of recyclable collection containers based on the number of residents or units at the given property as determined by the city manager or designee.

Prominently post and maintain one or more signs in common areas where recyclables are collected or stored that specify the materials accepted for recycling and the collection procedures for such materials.

Distributes recycling information in printed or electronic form to each occupant or unit on the property upon leasing and at least once annually and within fourteen (14) days after any changes to recycling services on the property.

ADD REQUIREMENT FOR PROPERTY OWNERS TO PROVIDE TENANTS WITH MULTIFAMILY RECYCLING AND ORGANICS CONTAINERS

Owners of multifamily properties of five or more units shall provide tenants with the following indoor storage containers of a type and design approved by the City for tenants to easily transport recyclables and or organic materials to a central collection area on the property:

- (a) As of October 1, 2022, at least one indoor recycling storage container for each unit.
- (b) At such time as when organic collection services are made available, at least one indoor organics storage container for each unit.

Commercial Service

SIMPLIFY DEFINITION OF DE MINIMUS (Sec. 27-72)

De minimus quantity shall mean no more than 15 percent cumulative total by volume of designated recyclable materials in a solid waste load delivered to a city facility or a facility under contract with the city or in a solid waste container at point of generation.

ADD PROTOCOL FOR POSTING DESIGNATED RECYCLABLE MATERIALS (Sec. 27-27)

The city manager or designee will be responsible for posting the current list of designated recycling materials on the official city website.

ADD EXEMPTIONS CLAUSE TO MANDATORY RECYCLING ORDINANCE (Sec. 27-85)

Exemptions. A commercial generator or multifamily residential serviced property owner shall have the right to file a request for an exemption request from the requirement within Section 27-85. The city manager or designee shall grant a request for an exemption if the commercial generator

demonstration to the satisfaction of the city manager of designee that the volume of recyclables generated is de minimus amounts or space is not available at a given property for additional container placement. Each exemption request must be completed and submitted using the standardized forms as provided by the city manager or designee; Commercial generators and multifamily residential serviced property owners shall be notified in writing within sixty (60) days on the status of their exemption request.

ADD GUIDELINES SOLID WASTE CONTAINER COLOR AND SIGNAGE

As of October 1, 2022, every solid waste commercial service container, except for construction and demolition debris collection containers, shall follow the City's approved color and educational labeling format as follows:

1. The color of the body of commercial dumpsters or the color of the body and lid of commercial carts shall be:
 - (a) Gray in color for collection containers for the disposal of garbage;
 - (b) Pepsi Blue in color, or a close approximation to Pantone color PMS 287 C, for collection containers for the recycling of bottles, cans, and recyclable container-type materials;
 - (c) Burnt Orange in color, or a close approximation to Pantone color PMS 485C, for collection containers for the recycling of corrugated cardboard only or mixed paper materials, with an exception for blue carts with orange lids, as approved by the City;
 - (d) Kelly Green in color, or a close approximation to Pantone color PMS 7728C, for collection containers for recycling and or composting food waste or organic materials.

2. Recycling and organic material container educational labeling shall be:
 - (a) Clearly and conspicuously placed on the front loading side of dumpsters or on top of cart lids;
 - (b) At least twenty-five (25) percent of the area of the front loading side of dumpsters or cart lids;
 - (c) Contain in large text the type of material collected in that container, such as "RECYCLING ONLY", "CARDBOARD ONLY", and or "FOOD WASTE ONLY";
 - (d) Clearly identify and describe the materials accepted in that container in a graphic representation using a combination of text and images; and
 - (e) Printed in both English and Spanish text.

3. Labeling graphics and suggested text will be supplied by the City at no cost to commercial service providers operating within the City. The City Manager or designee may waive these requirements if it is determined in the best interest of the intent of this ordinance.

ADD SUNDAY COLLECTION AS COMMERCIAL COLLECTION (Sec. 27-79.e.1 & Sec. 27-79.e.3)

Each commercial franchisee shall make available daily ~~(except Sunday)~~ collection of solid waste. Collection shall begin no earlier than 6:00 a.m. and shall cease no later than 9:00 p.m., Monday through Saturday, except that in areas of mixed residential and commercial occupancy collections shall begin no

earlier than 7:00 a.m. and cease no later than 9:00 p.m., Monday through Saturday. [Sunday service shall not begin before 8:00 am and cease no later than 9:00 p.m.](#)

~~Notwithstanding paragraph (e)(1), the city manager or designee may authorize collection on Sunday where special needs of the customer make it necessary.~~

ADD FOUR DAY PER WEEK COLLECTION OF RESTAURANTS, BARS, AND GROCERY STORES WITHOUT COMPACTING DUMPSTERS (Sec. 27-75.b)

[Alcoholic beverage establishments, grocery stores, and restaurants not serviced by a compacting dumpster shall receive a minimum of four \(4\) times per week service.](#) When necessary to protect the public health or to enforce the purpose of this article, the city manager or designee shall have the authority to stipulate the frequency of collection [or require the implementation of a plan to eliminate the hazard.](#)

FOOD WASTE & ORGANICS

ADD DEFINITION OF FOOD WASTE (Sec. 27-72)

[Food waste is organic materials that are to be recovered or disposed, resulting from food production, preparation, and consumption activities of animals and humans that consists of, but is not limited to, vegetables, grains, animal products, and byproducts, and food-soiled paper.](#)

ADD DEFINITION OF ORGANIC MATERIALS (Sec. 27-72)

[Organic materials shall mean yard trash, vegetative waste, food waste, non-recyclable paper, or other materials that have known compostable potential, can be feasibly composted, and have been diverted and source-separated or removed from the solid waste stream, whether or not the materials require subsequent processing or separation.](#)

ESTABLISH START DATE FOR FOOD WASTE DIVERSION FOR COMMERCIAL GENERATORS WITH MORE THAN ONE CUBIC YARD OF FOOD WASTE PER WEEK (Sec. 27-85)

[Beginning January 1, 2022, or such a later date as designated by the city manager or designee all commercial generators that regularly generate more than one cubic yard of food waste per week shall divert them from the waste stream. The City Manager may implement this section incrementally if the infrastructure does not exist to fully accommodate the city's production. All restaurants, food processors, and grocery stores shall be assumed to be required to meet this requirement unless capable of documenting otherwise.](#)

ESTABLISHES FOOD WASTE DIVERSION HIERARCHY (Sec. 27-85)

[Affected businesses are encouraged to implement the following hierarchy when diverting food waste:](#)

- [\(1\) feeding hungry people;](#)
- [\(2\) feeding animals;](#)
- [\(3\) providing for industrial uses; and](#)
- [\(4\) composting.](#)

ESTABLISH START DATE FOR SINGLE-FAMILY & MULTIFAMILY COMPOSTING

[By January 1, 2024, organic material recycling, including the collection of food waste for composting, shall be made available to all residentially serviced customers or later if the composting facility infrastructure or capacity is not available.](#)

SPECIAL EVENTS

ADD DEFINITION OF SPECIAL EVENT PERMITEE (Sec. 27-72)

[Special Event Permittee shall mean the person or organization that applies and receives a special event permit.](#)

ADD SPECIAL EVENT RECYCLING SECTION AND GUIDELINES FOR COLLECTION OF RECYCLING AND FOOD WASTE AT SPECIAL EVENT (Sec. 27-85)

[Special Event Recycling.](#)

[For community special events requiring an event permit from the City of Gainesville, the special event permittee shall provide recycling and food waste receptacles throughout the event venue.](#)

[The number of recycling and food waste receptacles shall be equal to the number of garbage receptacles.](#)

[Garbage, food waste, and recycling receptacles shall be placed next to each other throughout the event venue.](#)

[The minimum of recyclable items that shall be collected in event recycling receptacles shall be plastic beverage bottles, aluminum cans and bottles, and glass bottles.](#)

[The special event permittee shall provide recycling containers for corrugated cardboard that is generated at the event by the special event permittee or vendors at the special event. The special event permittee shall inform vendors at each event of the requirement for the recycling of corrugated cardboard.](#)

[If the City's Solid Waste Division determines that food waste collection is appropriate for the event, the special events permittee shall abide by the requirements for commercial food waste processing as prescribed in this chapter.](#)

Each receptacle shall be clearly identified for the products to be placed in each receptacle.

All food waste receptacles using bags for collection shall use compostable bags as certified by the Biodegradable Products Institute.

OPERATIONAL & LITTER CONTROL UPDATES

ADD COMMERCIAL CONTAINER COVERS CLOSED WHEN NOT IN USE (Sec. 27-73.21 & Sec. 27-73.22)

To leave a garbage, trash, recovered material, or food waste container cover open when not in use.

To collect garbage, trash, recovered material, or food waste a container without a properly sized or fitted cover.

ADD DUMPSTER SHARING WITH ADJACENT GENERATORS (Sec. 27.75.b)

Collection frequency and method: Each ~~C~~commercial generators or ~~commercially-collected multifamily~~ residential service customers shall enter into an agreement with a franchisee of the city for the frequency and method of refuse collection except where landlords provide service through a franchisee or generators reach a dumpster sharing arrangement with an immediately adjacent generator.

ADD REQUIREMENT FOR PROPERTY OWNERS TO PROVIDE ACCOMMODATION FOR SOLID WASTE CONTAINERS

Property owners shall provide tenants with space for commercial service containers for garbage, recycling, and organic materials collection or make reasonable accommodations for shared commercial service containers for garbage, recycling, and organic materials collection in a nearby location.

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SINGLE-USE PLASTIC FOOD ACCESSORIES AVAILABLE UPON REQUEST

Sec. 27-91. – Single-Use Plastic Food Accessories available upon request.

Prepared food providers shall not provide single-use plastic food accessories for dine-in, take-out or delivery, unless the single-use food accessory is specifically requested by the customer or is provided at a customer self-serve station.

PROHIBITION ON USE OF EXPANDED POLYSTYRENE CONTAINERS ON CITY PROPERTY

Sec. 27-92. - Prohibition on use of expanded polystyrene containers on city property or city right-of-way.

Any person or entity that is required to obtain a permit, use agreement, or other authorization or approval to use city property or city right-of-way pursuant to Chapter 18, Article II. Park Regulations; Chapter 19 Peddlers, Solicitors and Canvassers; and Chapter 30, Article V. Use Standards, is prohibited from using expanded polystyrene containers for the permitted activity on city property or city right-of-way. This prohibition excludes the distribution of any prepackaged food that is filled and sealed in an expanded polystyrene container prior to receipt

by the person or entity and it excludes raw meat or seafood that is stored in an expanded polystyrene container and sold from a refrigerated display or storage case.

PROHIBITION ON INTENTIONAL RELEASE OUTDOORS OF PLASTIC CONFETTI, GLITTER AND BALLOONS

Sec. 27-93. Prohibition on intentional release outdoors of plastic confetti, glitter and balloons.

All persons are prohibited from intentionally releasing outdoors any plastic confetti, glitter or balloons. Consistent with Section 379.233, Florida Statutes, the following balloon releases are exempt from the above prohibition: (a) balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes; (b) hot air balloons that are recovered after launching; or (c) balloons that are either biodegradable or photodegradable, as determined by rule of the Fish and Wildlife Conservation Commission, and which are closed by a hand-tied knot in the stem of the balloon without string, ribbon, or other attachments. The party responsible for the release shall make available evidence of the biodegradability or photodegradability of said balloons in the form of a certificate executed by the manufacturer. Failure to provide said evidence shall be prima facie evidence of a violation of this act.

ADD PRESCRIPTION DRUG, PLASTIC BAG & EXPANDED POLYSTYRENE RECYCLING

Businesses distributing and or providing the following items shall provide on-site publicly accessible containers for the recycling of the items listed:

- (a) Prescription medicines;
- (b) Single-use plastic bags; and or
- (c) Expanded polystyrene.

ADD GUIDELINES FOR PUBLIC RECYCLING AND COMPOSTING CONTAINERS AT BUSINESSES

Any establishment providing receptacles for collecting and disposing of garbage shall provide an equal number of collection receptacles for recyclable materials paired next to the garbage receptacle. For establishments required to have food waste recycling services, an equal number of collection receptacles for food waste materials shall also be made available and paired next to the garbage and recycling receptacles.