

Sec. 27-85. - Mandatory commercial recycling established.**(a)**

Commercial generators. Beginning January 1, 1997, or such later date as designated by the city manager or designee, all commercial generators and generators of construction and demolition debris shall separate designated recycling materials and make them available for recycling. The commercial generator or generator of construction and demolition debris may utilize a registrant, which includes a commercial franchisee who has obtained a registration, to collect the recycled materials. Failure to separate the designated recyclable materials, except for de minimus amounts, from solid waste loads delivered to a city facility, a facility under contract with the city or a solid waste container at point of generation will result in surcharges against the commercial generator, or the commercial franchisee, unless the generator or commercial franchisee demonstrates to the satisfaction of the city manager or designee that it generates less than de minimus quantities of designated recyclable materials in the aggregate. The amount of the surcharge and procedures for payment and appeal shall be established by the city commission by separate resolution or regulation.

(b)

Commercially-collected residential. All commercially-collected residential 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.

(c)

Location of containers. All recovered materials shall be placed in an appropriate industry standard container. Where garbage cans are used, they shall be placed at the roadside or at such other single collection point as may be agreed to between the registrant and the customer. All containers shall be kept in a safe, accessible location as designated or approved by the city and agreed to by the registrant and customer.

(d)

Maintenance of containers. If a registrant provides recovered material containers to its customers, the registrant will be responsible for the proper maintenance of the container. Customers that acquire their own containers from any other source are responsible for the proper maintenance of the container, except that damage done by the registrant shall be the responsibility of the registrant; and for ensuring that the container can be serviced by the registrant's equipment.

(e)

Proof of participation in recycling program. A commercial generator, generator of construction and demolition debris or owner of a commercially-collected residential property shall produce proof of a valid and current contract with a registrant or receipts for delivery of recovered materials to an approved site, upon request of the city manager or designee.

(Ord. No. 951263, § 2, 8-12-96)