

ORDINANCE NO. 1319

AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 8.04 BY REQUIRING LOCAL BUSINESSES TO SOURCE SEPARATE AND RECYCLE CERTAIN SOLID WASTE MATERIALS, ESTABLISHING GUIDELINES FOR SOURCE SEPARATING, STORING AND RECYCLING OF SOLID WASTE MATERIALS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby supports the reduction of solid waste generated and disposed per capita through source reduction and recycling activities; and

WHEREAS, businesses annually generate almost one-half of the region's garbage and dispose of more than 100,000 tons of paper and containers each year that could otherwise be recycled; and

WHEREAS, Metro, the regional government, has adopted Ordinance No. 08-1198 which amends the Regional Solid Waste Management Plan, 2008-2018, to include a business recycling requirement: and

WHEREAS, Metro has also adopted Ordinance No. 08-1200, which amends Metro Code Chapter 5.10 by adding provisions implementing a business recycling requirement; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Section 8.04.010 of the CMC shall be amended to add as follows:

8.04.010 Definitions

"Business means any entity or one or more persons, corporate or otherwise, engaged in commercial, professional, charitable, political, industrial educational or other activity that is non-residential in nature, including public bodies." This Ordinance does not apply to home based businesses.

"Source-separated or Source-separate means that the person who last uses recyclable material separates the recyclable material from other solid waste."

Section 2. 8.04 of the CMC is hereby amended by adding a new section 8.04.020 to read as follows:

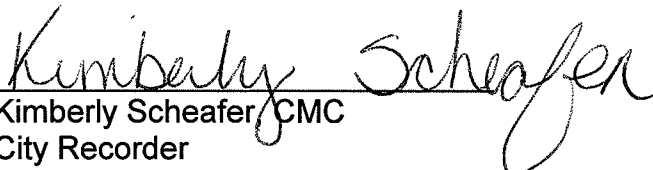
8.04.020 Business Recycling Required

All businesses within the City shall comply with waste prevention, recycling and composting requirements as set forth in this Chapter.

- A. Businesses will Source-Separate all recyclable paper, cardboard, glass and plastic bottles and jars, and metal cans for reuse or recycling.
- B. Businesses will ensure the provision of recycling receptacles for internal and /or external maintenance or work areas where recyclable materials are collected, stored or both.
- C. Businesses will post accurate signs:
 - 1. Describing the location where recyclable materials are collected, stored or both;
 - 2. Identifying the materials the business must Source-Separate for reuse or recycling; and
 - 3. Providing recycling instructions.
- D. Persons and entities that own, manage or operate premises with business tenants and that provide garbage collection service to those business tenants, shall provide recycling collection systems adequate to enable the business tenants to comply with the requirements of subsections A., B. and C. of this section.

Section 3. Emergency Declared. Inasmuch as it is in the best interest of the City to begin this business recycling program as soon as possible, an emergency is hereby declared to exist and this ordinance shall take affect immediately upon final reading and enactment by the Canby City Council.

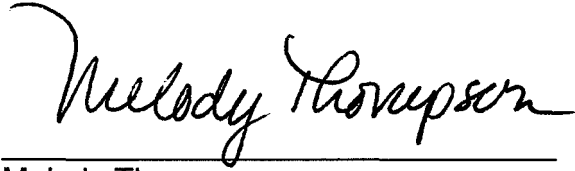
SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, November 4, 2009, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, November 18, 2009, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.


Kimberly Scheafer CMC
City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 18th day of November 2009, by the following vote:

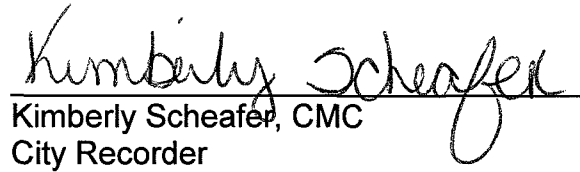
YEAS 5

NAYS 1



Melody Thompson
Mayor

ATTEST:



Kimberly Scheafer, CMC
City Recorder