

CHAPTER 56.1

RECYCLABLE MATERIALS

1. **DEFINITIONS.** As used in this Chapter, unless the context requires otherwise, the singular shall include the plural and the plural shall include the singular, and the following phrases shall mean:

Dwelling: Any occupied single family residence and any occupied multifamily residence containing not more than six units, provided that each occupied unit in a multifamily residence shall be considered one dwelling.

Processing Facility: A facility where recyclable materials are sorted and processed or prepared for bulk shipment to a manufacturer for use as a raw material.

(Amended, Ordinance No. 2010-90, December 20, 2010)

Recyclable Materials: Material that has been recovered or diverted from the non-hazardous solid waste stream for purpose of reuse, recycling or reclamation and a substantial portion of which is consistently used in the manufacture of products, which may otherwise be produced using raw or virgin materials. (Amended, Ordinance No. 2010-90, December 20)

Recycle: To process used and discarded objects and materials into objects or materials that may be reused for ultimate consumption and manufacturing and/or remarketed for value.

Recycling Program: A comprehensive program in which citizens are provided with the opportunity to have recyclable materials collected from their dwellings and recycled.

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2. **RECYCLING PROGRAM.** The City Manager may, by appropriate action, institute a recycling program for the City of Decatur, subject to Council authorization as required herein.

3. **RECYCLING CONTRACT.** The City may, by action of the Council, contract with, or authorize a contract with, any person, firm or corporation for the collection and / or processing of recyclable materials from all dwellings within the City pursuant to a recycling program. The City may, by action of the Council, authorize licensed refuse removal haulers for the collection of recyclable materials from all dwellings within the City pursuant to a recycling program and may reimburse licensed haulers for the collection of those recyclable materials through a service charge as described in Paragraph 4 below. The Council hereby ratifies any such contract authorized prior to the effective date of this Chapter and which has an effective date on or about October 1, 1991. (Amended, Ordinance No. 2010-90, December 20, 2010)

4. **SERVICE CHARGE.** To provide for the expense of providing a recycling program for the citizens of the City of Decatur, the City may, by action of the Council, levy a charge on the owners of all dwellings within the City from which recyclable materials must be collected under the provisions of any contract as provided herein. Such charge may only be in such amount as represents the actual costs and contractual obligations of the City and provide for other administrative expenses of the City related to the collection of recyclable materials. The owners of such dwellings shall be responsible for the payment of all charges levied under the provisions hereof. The City Manager may, upon public notice in a newspaper of general circulation not less than 30 days in advance, adjust the service charge in accordance with the contractual obligations and actual costs approved by the City Council.

(Amended, Ordinance No. 2010-90, December 20, 2010)

(Amended, Ordinance No. 2005-104, November 12, 2005)

5. **CHARGE MANDATORY.** Any charge levied by the Council on any owner of a dwelling pursuant to this Chapter shall be fully due and owing to the City regardless of whether such owner, or any occupant, of such dwelling provides recyclable materials to such contractor for collection.

6. **BILLING.** The Department of Financial Management shall be responsible for the billing and collection of any charges levied by the Council pursuant to this Chapter, shall bill therefore not less frequently than quarterly.

7. **RULES AND REGULATIONS.** The provisions hereof shall be administered under the supervision of the City Manager which officer is authorized to promulgate reasonable rules and regulations not contrary thereto in order to facilitate such administration and to carry out the intent and purpose thereof.

8. **NO SCAVENGING.** It shall be unlawful for any person, firm or corporation to collect, obtain, possess or pick up any recyclable material placed for collection in front of a residence as a part of, and in accordance with, the City of Decatur's recycling program, unless such person, firm or corporation has a valid and current contract with the City to collect recyclable material as authorized by this Chapter. Any person, firm or corporation who shall violate the provisions of this Chapter shall be fined not less than One Hundred Fifty Dollars (\$150.00) nor more than Five Hundred Dollars (\$500.00) for each offense.

(Amended, Ordinance No. 2011-72, October 31, 2011)