

**ORDINANCE NO. 424**

**AN ORDINANCE AMENDING ORDINANCE NO. 204, ADOPTED BY THE CITY OF WILSONVILLE ON FEBRUARY 1, 1982, TO CREATE A CURBSIDE YARD DEBRIS RECYCLING PROGRAM, AS MANDATED BY OREGON ADMINISTRATIVE RULE 340, AND ESTABLISHING A CURBSIDE SCRAP PAPER RECYCLING PROGRAM, AND DECLARING AN EMERGENCY.**

WHEREAS, yard debris comprises more than one quarter of the garbage disposed of by residences in the state of Oregon; and

WHEREAS, yard debris can be processed into a variety of garden products at a substantially lower cost than disposing of it in expensive and increasingly scarce landfills; and

WHEREAS, the Oregon Department of Environmental Quality, through Oregon Administrative Rule 340, has mandated that all jurisdictions in the Portland metropolitan area must offer weekly curbside collection of yard debris by July 1, 1994 or face fines of up to \$400.00 per day; and

WHEREAS, Metro and the DEQ have established a regional goal of diverting 93% of all yard debris from the residential waste stream by July 1, 1996; and

WHEREAS, scrap paper (including junk mail and packaging) comprises another quarter of the residential waste stream; and

WHEREAS, scrap paper can be readily collected and recycled into new paper products; and

WHEREAS, removing both yard debris and scrap paper from the residential waste stream will allow virtually every residence in the city to downsize to a smaller garbage can at a lower cost for monthly collection; and

WHEREAS, persons who are composting or otherwise disposing of their yard debris in an environmentally sound manner can avoid the costs of a yard debris collection program by canceling their regular weekly garbage service and using on-call service instead;

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. To Section 7 of Ordinance 204 shall be added a sub-section M., which shall read as follows:

M. The Franchisee must provide all residential garbage customers within the City of Wilsonville with the opportunity to recycle yard debris. All residential garbage customers in the City of Wilsonville shall be provided with a 60-gallon container for yard debris only. Yard debris shall be collected on a weekly basis at the curb by the franchisee on the same day as garbage and recyclables with the following exception: Garbage customers in the Charbonneau Homeowners Association, Fountain Lakes Homeowners Association, Fairway Estates Homeowners Association, Village Greens I Homeowners Association, Village Greens II Homeowners Association, Arbor Lakes Homeowners Association, Charbonneau Greens Homeowners Association, Lakeside Homeowners Association, Louvonne Homeowners Association, Fairway Village Homeowners Association and Oak Leaf Mobile Home Park shall be provided with a 32-gallon container for yard debris only. Their yard debris shall be collected on a monthly basis on the same day as garbage and recyclables, unless alternative arrangements are made for yard debris disposal through a common areas landscaper, proof of such arrangements are submitted to the City Council or its appointee, and such arrangements are approved by the City Council or its appointee.

Section 2. To Section 7 of Ordinance 204 shall be added a sub-section N., which shall read as follows:

N. The Franchisee shall provide to all residential garbage customers in the City of Wilsonville the opportunity to recycle scrap paper. All residential garbage customers in the City of Wilsonville shall be provided with a bin for source-separated scrap paper only. Scrap paper shall be collected on a weekly basis at the curb by the franchisee on the same day as garbage and recyclables.

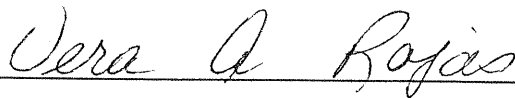
Section 3. The maximum rates set forth in Resolution No. <sup>Reso No. 1087</sup> CB-R-779-94, "A RESOLUTION APPROVING A RATE INCREASE FOR UNITED DISPOSAL SERVICE, INC., TO ADJUST FOR COSTS OF NEW RECYCLING PROGRAMS MANDATED BY THE WILSONVILLE CITY COUNCIL AND MODIFYING SOME RATES FOR COMMERCIAL GARBAGE CUSTOMERS," which resolution was approved by the Wilsonville City Council contemporaneously herewith on the 7th day of February, 1994, effective March 1, 1994, shall remain in effect upon the adoption of this ordinance. Such rates may be changed from time to time in the future by the City Council by Resolution

Section 4. All other provisions of Ordinance No. 204 shall remain in full

force and effect.

Section 5. This ordinance, being necessary for the immediate preservation of the peace, health and safety of the City of Wilsonville and its citizens, an emergency is hereby declared to exist, in that the City desires to continue the good service of the Franchisee and this ordinance shall be in full force and effect upon final passage by the Council.

SUBMITTED to the Council and read the first time at a regular meeting thereof on the 7th day of February, 1994, and scheduled for second reading at a special meeting of the Council on the 15th day of February, 1994.



VERA A. ROJAS, CMC/AAE, City Recorder

ENACTED by the City Council on the 15th day of February, 1994, by the following votes: AYES: 3 NAYS: 0



VERA A. ROJAS, CMC/AAE, City Recorder

DATED and signed by the Mayor this 21<sup>st</sup> day of February, 1994.



GERALD A. KRUMMEL, Mayor

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Van Eck	<u>ABSENT</u>
Councilor Benson	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Lehan	<u>ABSENT</u>