

ORDINANCE NO. 0-2012-21

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 50, "SOLID WASTE AND RECYCLING MANAGEMENT" OF THE CODE OF ORDINANCES TO ESTABLISH A MANDATORY RECYCLING PROGRAM FOR ALL MULTI-FAMILY DWELLING OF MORE THAN TWO UNITS AND COMMERCIAL ESTABLISHMENTS.

WHEREAS, Chapter 50 of the Hollywood Code of Ordinances establishes the procedures and regulation for solid waste and recycling management; and

WHEREAS, the City's Green Team Advisory Committee has recommended to the City Commission that a mandatory recycling program be established for existing multi-family dwellings and commercial establishments; and

WHEREAS, Section 50.04 (B)(2) currently requires the implementation of an on-site recycling program for those multi-family unit owners, landlords, agents, and associations and all commercial establishments within 30 days of the activation of utility services for these dwelling and establishments; and

WHEREAS, the Department of Public Works staff have reviewed the Green Team Advisory Committee's recommendations and have determined that the current ordinance regulations should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That Chapter 50, "Solid Waste and Recycling Management," of the Code of Ordinances of the City of Hollywood is hereby amended as follows:

TITLE V: PUBLIC WORKS

CHAPTER 50. SOLID WASTE AND RECYCLING MANAGEMENT

* * *

Coding: Words in ~~struck-through~~ type are deletions from existing law; words underscored are additions).

§ 50.04 COLLECTION OF COMMINGLED WASTE AND RECOVERED MATERIALS.

* * *

(B) *Recycling.*

* * *

(2) *Dwellings of more than two units.*

(a) All new and existing multi-family unit owners, landlords, agents, and associations shall be responsible for implementing an on-site recycling program which must be source separated for each of their multi-family units within 30 days of activating utility services with the city no later than October 1, 2015, unless otherwise noted and excepted.

(b) The on-site recycling program shall provide for recycling a minimum of the following materials:

1. Glass (brown, green and clear) food and beverage containers;
2. Plastic beverage bottles and jugs such as soda bottles, milk, water detergent and shampoo bottles without lids or caps;
3. Metal cans (steel, tin, and aluminum);
4. Aseptics, including milk cartons and juice boxes;
5. Newspapers, including inserts; and
6. Flattened Corrugated card-board; and
7. Paper, magazines, catalogs, and junk mail.

(c) All multi-family unit owners, landlords, agents and associations shall be responsible for notifying and continually educating unit owners and tenants on recycling practices through formal and ongoing education programs. The multi-family unit owners, landlords, agents and associations shall submit evidence on a yearly basis that an on-site recycling program is in place and that ongoing education programs have occurred. General recycling information and current program recycling guidelines shall be distributed to new unit owners or tenants and to all existing unit owners and tenants on an annually basis.

(d) Exceptions or alternatives to the on-site recycling program requirement may be requested by the multi-family units owners, landlords, agents or associations in writing to the Director of Public Works or his/her designee. Said request will set forth the reasons why such on-site recycling program cannot be implemented and providing possible alternatives that the multi-family property may utilize. Upon receipt of the written request, the Director or his/her designee will evaluate the written request and determine if compliance with the on-site recycling programs requirements would result in an undue hardship to the property owner(s) and such need for an exception would not be shared generally by other multi-family properties. If such determination is made, the Director of Public Works may approve the exception and require an alternative recycling method be put in place unless all reasonable alternatives are not feasible.

(3) *Commercial establishments.*

(a) All new and existing commercial establishments shall implement an on-site recycling program which must be source separated within 30 days of activating utility services with the city no later than October 1, 2015, unless otherwise noted and excepted. However, commercial establishments that are on minimal waste service of one or fewer waste pickups per month, are exempt from providing an on-site recycling program. Buildings, commercial centers, or office parks with multiple commercial establishments may implement a single on-site recycling program shared by the commercial establishments.

(b) The program shall provide for recycling of at least three types of materials listed below that constitute the largest volume of the recovered materials of the business a minimum of the following materials:

1. Glass (brown, green, and clear) food and beverage containers;
2. Plastic food and beverage bottles and jugs;
3. Metal cans (steel, tin, and aluminum);
4. Aseptics, including milk cartons and juice boxes;
5. Newspapers, including inserts;
6. Flattened Corrugated cardboard;
7. Office paper, magazines, catalogs, and junk mail; and
8. Used motor oil; and
9. Wood.

(c) Commercial establishments shall be responsible for notifying and continually educating employees on recycling practices through formal and ongoing education programs. The commercial unit owners, landlords, agents and associations shall submit evidence on a yearly basis that an on-site recycling program is in place and that ongoing education programs have occurred. General recycling information and current program recycling guidelines shall be distributed to new unit owners or tenants and to all existing unit owners and tenants on an annually basis.

(e) (d) Exceptions can be made if formally requested and approved by the Director of Public Works or his/her designee or alternatives to the on-site recycling program requirement may be requested by the commercial establishments in writing to the Director of Public Works or his/her designee. Said request will set forth the reasons why such on-site recycling program cannot be implemented and providing possible alternatives that the commercial establishment may utilize. Upon receipt of the written request, the Director or his/her designee will evaluate the written request and determine if compliance with the on-site recycling programs requirements would result in an undue hardship to the commercial establishment and such need for an exception would not be shared generally by other commercial establishments. If such determination is made, the Director of Public Works may approve the exception and require an alternative recycling method be put in place unless all reasonable alternatives are not feasible.

Section 2: That is the intention of the City Commission and it is hereby ordained that the provisions of this ordinance shall be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of said sections may be renumbered to accomplish such intention.

Section 3: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

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AMENDMENT TO CHAPTER 50 SOLID WASTE AND RECYCLING MANAGEMENT TO ESTABLISH MANDATORY RECYCLING

Section 5: That this ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised on Oct 26, 2012.

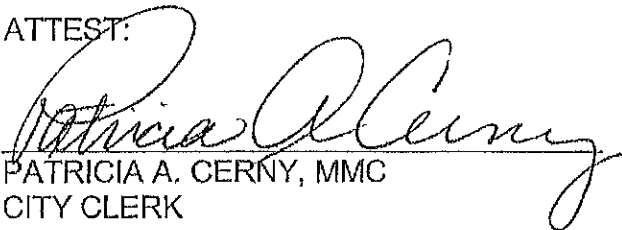
PASSED on first reading this 3 day of Oct, 2012.

Nov PASSED AND ADOPTED on second reading this 7 day of Nov, 2012.



PETER BOBER, MAYOR

ATTEST:



PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida only.



JEFFREY P. SHEFFEL, CITY ATTORNEY

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