



MEMORANDUM

TO: Mayor Laurel Lunt Prussing and Members of the Urbana City Council
FROM: Bart Hagston, Environmental Sustainability Manager
DATE: July 7, 2011
RE: Recommendation on Commercial Recycling Ordinance

Background

For several years there has been discussion amongst City leaders and business representatives about the perceived lack of availability of commercial recycling services in Urbana. (Issue discussed at City Council meetings on Feb. 8, 2010; July 13, 2009; June 22, 2009; and Aug. 25, 2003 among others).

To move this issue forward, on January 10, 2011 staff presented this body with several options aimed at increasing commercial recycling. At that time, staff were directed to develop an ordinance which would require commercial waste haulers to offer recycling to their non-residential customers in Urbana. Haulers were to be required to offer collection of the same materials that are collected in the U-CYCLE residential recycling program. Participation by commercial establishments would be voluntary. Council also directed staff to develop a program to educate commercial establishments about recycling and develop a recognition program for those that recycle.

Update

The attached proposed ordinance has been developed in accordance with the direction provided by Council. It was developed by Environmental Management staff working with the Legal Division. The attached Frequently Asked Questions (FAQ) document was also developed to answer program questions from commercial establishments and waste haulers.

For purposes of this program, “commercial establishments” will be defined as any non-residential property. (All residential properties in Urbana already receive recycling service.)

Commercial establishments that would like assistance in setting up a new recycling program, or expanding an existing one, will be directed to work with their hauler or contact Environmental Management staff for technical assistance.

The City will not dictate pricing under this ordinance. All service arrangements will be directly between the commercial property and the hauler.

Failure of a hauler to comply with the ordinance will constitute a violation and be punishable as currently outlined in the City Code.

Haulers were given two opportunities (November 2010 and May 2011) to review and comment on drafts of the ordinance. No major barriers to implementation of the ordinance were identified. Haulers will be allowed to subcontract the recycling service to other licensed haulers if they do not wish to provide the service themselves. Haulers will be required to submit an annual report to the city to demonstrate compliance with the ordinance.

Haulers were informed that they would be given approximately four months to achieve compliance with the new requirements.

For the educational component, staff have developed a program called “UR2”, the Urbana Recycling Recognition Program. Under UR2, any non-residential property that recycles a significant quantity of their waste stream and recycles multiple types of materials will be eligible for recognition. A simple one-page form will be developed through which interested entities can apply. Staff will verify the information and enroll applicants in the program.

Upon enrollment, all participants will receive a window cling to be displayed at the front of their facility and a certificate for display. Participants will also be recognized on the City website and mentioned in at least one news release per year. Each following year participants will receive a new certificate with the current program year listed. Participants will also be welcome to mention program participation in any of their printed materials.

Once approved by the City Council, a UR2 program logo will be developed and outreach materials will be finalized and disseminated via the web, media outlets, and other appropriate means. Staff also met with the Urbana Business Association and they have agreed to help publicize the program through their existing outreach methods.

As discussed with the City Council in January 2011, this ordinance is viewed as a first step toward increasing commercial recycling in Urbana. Council members asked that staff be prepared to evaluate the effectiveness of this step within two years and explore other options to make participation mandatory within five years. Staff will make preparations for such.

Additionally

The proposed ordinance also cleans up some language in the Code which was outdated or no longer relevant. Definitions for “residential dwelling” and “multi-family dwelling” are updated to be consistent with definitions found in Chapter 22 of the Code of Ordinances (Recycling Tax). Section 10-38 (Exemptions) is eliminated and incorporated into Section 10-20. Section 10-75 is deleted as the actions it authorizes are handled under U-CYCLE collection contracts.

Fiscal Impact

Program costs are expected to be minimal. Implementation of the proposed ordinance and subsequent promotional program can be accomplished with existing staff and budgets.

Recommendation

It is recommended that an Ordinance Amending Chapter Ten of the Code of Ordinances, City of Urbana, Illinois Regulating the Licensing of Haulers be approved.

Attachments:

Proposed Ordinance

Code Showing Addition/Deletions from Proposed Ordinance

FAQ Document

This Ordinance:

AMENDS the Code of Ordinances.

ORDINANCE NO. 2011-07-060

AN ORDINANCE AMENDING CHAPTER TEN OF THE CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS REGULATING THE LICENSING OF HAULERS.

WHEREAS, the General Assembly has stated that it is the policy of the State of Illinois to reduce the stream of solid waste destined for landfills by encouraging solid waste and recycling programs by the enactment of such laws as the Local Solid Waste Disposal Act (415 ILCS 10-1, et seq.), and the Solid Waste Planning and Recycling Act (415 ILCS 15/1, et seq.); and

WHEREAS, the City of Urbana already implemented an extensive recycling program for all residential dwellings; and

WHEREAS, the Urbana City Council finds that it is in the best interest of the City and its citizens to address recycling opportunities involved in commercial establishments.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

The following Sections of the Urbana City Code are hereby amended, or deleted as indicated.

Section 1 of this ordinance:

Section 10-1. Definitions.

a) Is hereby amended to add the following:

“Commercial establishment means, for purposes of this chapter, any physical property not considered a residential dwelling, or a multifamily dwelling as defined in this chapter excluding, however, the properties owned by the University of Illinois, or University of Illinois Foundation.”

b) The following definitions are hereby amended to read as follows:

Debris means the remains of something broken or destroyed.

Municipal waste means any garbage, refuse, rubbish, debris, or litter.

Residential dwelling means any single or multi-family dwelling of four (4) or fewer dwelling units within the corporate limits of the city, but does not include dormitories, hotels, motels, or nursing homes.

c) The following definitions are hereby deleted:

Commercial/industrial hauler means any person who collects and transports municipal waste,

landscape waste or recyclable materials solely from multifamily dwellings of seven (7) or more dwelling units, commercial business enterprises, or industrial enterprises.

Multifamily dwellings means a building or structure of seven (7) or more dwelling units, dormitories, college residence halls, fraternal chapters and cooperatives.

Residential hauler means any person who collects and transports municipal waste, landscape waste or recyclable materials from a residential dwelling.

Section 2 of this ordinance:

Section 10-20, Business license required, is amended to read as follows:

"No person shall engage in the collection of municipal waste, landscape waste, or recyclable materials within the city without having a valid hauler business license issued by the city, except as provided below:

- (a) Any person that self hauls municipal waste, landscape waste, or recyclable materials from property owned or managed by that person;
- (b) Persons transporting municipal waste, landscape waste, or recyclable materials collected from outside the city;
- (c) A contractor whose primary business is to demolish, construct or remodel a building or structure or to haul materials from storage tank cleanup projects;
- (d) Landscape companies; gardeners; tree service contractors; renderers; document shredding companies; automotive fluid reclamation companies; battery and electronics recycling companies; companies collecting medical, pharmaceutical, or radiological wastes; and persons collecting and transporting waste tires under valid permitting requirements; and
- (e) Government operations and operations performed by the University of Illinois."

Section 3 of this ordinance:

Section 10-31 is amended to read as follows:

"All licensed haulers shall submit a certified written annual report, on forms provided by the city, to the director of public works. Such reports shall be submitted no later than thirty (30) days following the end of calendar year 2011 and of each calendar year thereafter. The report shall contain:

- (a) The quantity, by weight, of recyclable materials, landscape waste, and municipal waste, collected within the city during the previous calendar year. All facilities to which recyclable materials, landscape waste, and municipal waste were delivered shall be identified. Haulers shall make a good faith

effort to estimate the quantity by weight of the recyclable materials, landscape waste, and municipal waste so collected where only part of the load was collected in the city.

(b) The information provided by haulers to the city as required herein shall be considered exempt from the Freedom of Information Act disclosure by the city upon assertion as to its proprietary nature by the hauler."

Section 4 of this ordinance:

Existing Sections 10-38 entitled "Exemptions" and 10-75 entitled "Residential and Multifamily Recycling Collection Permitted" are deleted.

Section 5 of this ordinance:

Enacts a new section to read as follows:

Sec.10-78.Commercial Recycling.

- (a) All licensed haulers that provide municipal waste collection services to commercial establishments on a continuing scheduled basis shall also offer collection service for recyclable materials and shall make known the availability of this service to all such customers at least once annually. Haulers providing only roll-off containers for construction and demolition activities or other types of special cleanup projects are not subject to the requirements this section.
- (b) Licensed haulers that are subject to this section may subcontract collection of recyclables to another hauler licensed by the city. If subcontracted, the primary licensed hauler shall promptly provide the name and address of the subcontractor to the city. Regardless of whether a subcontractor is so employed, the primary license hauler remains subject to this section.
- (c) The recyclable materials that are required to be offered for collection shall be, at a minimum, the same materials required to be collected in the residential and multifamily programs as may be amended from time to time by the city. In addition, haulers may offer recycling collection services for other recyclable materials (e.g. corrugated cardboard), but such service shall be in addition to, not in place of, the range of materials collected in the residential and multifamily program.
- (d) A licensed hauler that fails to offer and provide such collections for the required materials, shall be subject to the general penalties as provided herein, including suspension or revocation of license.
- (e) To assure compliance with this section, each hauler shall annually provide the city with an example of the written material it disseminates to commercial establishments to communicate the availability of recycling collection services. Haulers shall also be required to, upon request, submit to the city a list quantifying the number of physical commercial properties to which they provide:
 - (i) municipal waste collection services, excluding roll-off container service;

- (ii) collection services for the full range of recyclable materials;
and
- (iii) collection services for a more limited range of recyclable materials.

Section 5 of this ordinance:

Sec. 10-80. Establishment of multifamily dwelling, dormitory and rooming house recycling program is changed to amend the definition of multifamily dwelling as follows:

Multifamily dwelling means any building which contains five (5) or more dwelling units within the corporate limits of the city, but does not include dormitories, roominghouses, hotels, motels, or nursing homes.

Section 5. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council on this ___day of _____, 2011.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

Approved by the Mayor this _____day of _____, 2011

Laurel Lunt Prussing, Mayor

URBANA CODE OF ORDINANCES, CHAPTER 10. SOLID WASTE MANAGEMENT

(ONLY SECTIONS WITH PROPOSED REVISIONS INCLUDED IN THIS COPY)

ARTICLE I. IN GENERAL

Sec. 10-1. Definitions.

As used in Chapter 10 of this Code, the following terms shall have the meaning ascribed to each such term as set forth below:

Approving authority means the director of public works or designee.

City means the City of Urbana, Illinois.

~~Commercial/industrial hauler means any person who collects and transports municipal waste, landscape waste or recyclable materials solely from multifamily dwellings of seven (7) or more dwelling units, commercial business enterprises, or industrial enterprises.~~

Construction and demolition debris means non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair and demolition of utilities, structures and roads including, but not limited to the following: bricks, concrete, and other masonry materials, soil, rock, wood, including non-hazardous painted, treated, and coated wood and wood products, wall coverings, plaster, drywall, plumbing fixtures, electrical fixtures, non-asbestos insulation, roofing shingles and other roof coverings, asphalt and similar materials.

Commercial establishment means, for purposes of this chapter, any physical property not considered a residential dwelling, or a multifamily dwelling as defined in this chapter, excluding, however, the properties owned by the University of Illinois, or University of Illinois Foundation.

County means Champaign County, Illinois.

Curbside means that portion of the right-of-way adjacent to and within five (5) feet of paved or traveled roadways, including alleys.

Debris means the ~~scattered~~ remains of something broken or destroyed, ~~apparently abandoned to the elements.~~

Dwelling means any building, but not a travel trailer, which is exclusively designed for or used for one (1) or more dwelling units.

Dwelling units means one (1) room or suite of two (2) or more rooms in a building, designed for and used by one (1) family for living and sleeping purposes, containing its own kitchen and bathroom

facilities, and having its own independent entry/access from the exterior of the structure or from a common interior hallway.

Front yard means a yard extending across the full width of a lot, and measured between a lot line abutting a street and the nearest line of a structure located on a lot.

Garbage means wastes resulting from the handling, processing, preparation, cooking and consumption of food, and wastes from the handling, processing, storage, and sale of produce.

Generator means any person whose act or process produces or accumulates municipal waste, landscape waste, or recyclable materials.

Hauler means any person who collects and transports municipal waste, landscape waste, or recyclable materials.

Hazardous waste means a waste, or combination of waste, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly managed, and which has been identified, by characteristics or listing, as hazardous pursuant to Section 3001 of the Resource Conservation and Recovery Act of 1976, (P.L. 94-580), as amended, or pursuant to Illinois Pollution Control Board regulations.

Junk means items of no practical or functional utility.

Landscape waste means all accumulations of grass, shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines, and trees (415 ILCS 5/3.20). "Live" Christmas trees and greenery from wreaths or garlands, which are free of ornamentation and metal wire, shall also be considered landscape waste.

Landscape company means a company that provides, for property other than its own, maintenance or removal of lawns, shrubbery, trees, or any ornamental plant, and transports only landscape waste produced directly as a result of landscape care activities of its own employees, and no other landscape or municipal waste.

Litter means any discarded used or unconsumed substance or waste.

~~Multifamily dwellings means a building or structure of seven (7) or more dwelling units, dormitories, college residence halls, fraternal chapters and cooperatives.~~

~~Municipal waste means any garbage, refuse, rubbish, debris, or litter but does not include special waste, landscape waste, or construction and demolition debris.~~

Person means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

Recyclable materials means nonhazardous, nonputrescible materials, that would otherwise be considered or become municipal waste if not for the existence of viable secondary markets for such materials, including but not limited to categories of metals, glass, papers, or plastics that are processed and returned to the economic mainstream in the form of raw material feedstock or products. Specific recyclable materials accepted and collected in the city's authorized recycling programs, shall be as designated by the city.

Refuse means all putrescible and nonputrescible wastes including garbage and rubbish.

Rubbish means nonputrescible wastes consisting of both combustible and noncombustible material and residuals, including but not limited to paper products, cardboard, glass, plastic or metal products, discarded or non-functional automotive parts and tires, discarded furniture or furniture not designed for or modified to withstand the elements and outdoor use, abandoned or non-functional appliances, construction materials that have been exposed to outdoor elements for such a period of time that such material has substantially deteriorated, junk, debris and similar materials.

Residential dwelling means any single or multi-family dwelling of four (4) six (6) or fewer dwelling units within the corporate limits of the city, but does not include dormitories, hotels, motels, or nursing homes.

~~Residential hauler means any person who collects and transports municipal waste, landscape waste or recyclable materials from a residential dwelling.~~

Right-of-way or ROW means the entire dedicated tract or strip of land that is legally used by the public for circulation or service.

Special waste means any industrial process waste, pollution control waste, hazardous waste or potentially infectious medical waste.

(Ord. No. 2000-12-148, § 1, 3-5-01)

ARTICLE II. HAULER LICENSE

Sec. 10-20. Business license required.

No person shall engage in the collection ~~and/or transport~~ of municipal waste ~~from any generator~~, landscape waste ~~from any generator~~, or recyclable materials ~~from a residential dwelling located within the city, or advertise such services~~, without having a valid hauler business license issued by the city, except as provided below:

(a) Any person that self hauls municipal waste, landscape waste, or recyclable materials from property owned or managed by that person;

(b) Persons transporting municipal waste, landscape waste, or recyclable materials collected from outside the city;

(c) A contractor whose primary business is to demolish, construct or remodel a building or structure or to haul materials from storage tank cleanup projects;

(d) Landscape companies, gardeners; tree service contractors; renderers; document shredding companies; automotive fluid reclamation companies; battery and electronics recycling companies; companies collecting medical, pharmaceutical or radiological wastes; and persons collecting and transporting waste tires under valid permitting requirements; and

(e) Government operations and operations performed by the University of Illinois.

(Ord. No. 9495-97, § 6, 5-1-95; Ord. No. 9596-42, § 4, 3-4-96)

Sec. 10-31. Reports.

All licensed haulers shall submit a certified written ~~annual~~ quarterly report, on forms provided by the city, to the director of public works. Such reports shall be submitted no later than ~~thirty (30) fifteen~~ (15) days following the end of ~~each calendar year 2011 and each calendar year thereafter~~ quarter. The report shall contain:

(a) The quantity, by weight, of recyclable materials, landscape waste, and municipal waste ~~where any of the load of the collecting vehicle was collected within the city during the previous calendar year, and delivered to a recycling processor and identification of the processor to which the load was delivered.~~ All facilities to which recyclable materials, landscape waste, and municipal waste were delivered shall be identified. Haulers shall make a good faith effort to estimate the quantity by weight of the recyclable materials, landscape waste, and municipal waste so collected where only part of the load was collected in the city.

(b) The information provided by haulers to the city as required herein shall be considered exempt from the Freedom of Information Act disclosure by the city upon assertion as to its proprietary nature by the hauler.

(Ord. No. 9495-97, § 6, 5-1-95; Ord. No. 9596-42, § 4, 3-4-96)

~~Sec. 10-38. Exemptions.~~

~~The following are exempt from the provisions of this article:~~

~~(a) Any person that collects municipal waste, landscape waste or recyclable materials from property owned or managed by that person and transports such materials directly to a licensed IEPA facility or as provided by state law.~~

~~(b) Landscape companies, commercial/industrial recyclers, and any person that collects only construction or demolition debris.~~

~~(c) Collection operations performed by the University of Illinois.~~

~~(Ord. No. 9495-97, § 6, 5-1-95; Ord. No. 9596-42, § 4, 3-4-96)~~

ARTICLE IV. RECYCLING

~~Sec. 10-75. Recycling collection permitted.~~

~~Licensed haulers may provide backdoor or curbside collection of recyclable materials pursuant to the provisions of this chapter.~~

~~(Ord. No. 9495-97, § 9, 5-1-95; Ord. No. 9596-42, § 5, 3-4-96)~~

~~Sec. 10-78, 10-79. Reserved.~~

Sec. 10-78. Commercial Recycling

(a) All licensed haulers that provide municipal waste collection services to commercial establishments on a continuing scheduled basis shall also offer collection service for recyclable materials and shall make known the availability of this service to all such customers at least once annually. Haulers providing only roll-off containers for construction and demolition activities or other types of special cleanup projects are not subject to the requirements this section.

(b) Licensed haulers that are subject to this section may subcontract collection of recyclables to another hauler licensed by the city. If subcontracted, the primary licensed hauler shall promptly provide the name and address of the subcontractor to the city. Regardless of whether a subcontractor is so employed, the primary license hauler remains subject to this section.

(c) The recyclable materials that are required to be offered for collection shall be, at a minimum, the same materials required to be collected in the residential and multifamily programs as may be amended from time to time by the city. In addition, haulers may offer recycling collection services for other recyclable materials (e.g. corrugated cardboard), but such service shall be in addition to, not in place of, the range of materials collected in the residential and multifamily program.

(d) A licensed hauler that fails to offer and provide such collections for the required materials, shall be subject to the general penalties as provided herein, including suspension or revocation of license.

(e) To assure compliance with this section, each hauler shall annually provide the city with an example of the written material it disseminates to commercial establishments to communicate the availability of recycling collection services. Haulers shall also be required to, upon request, submit to the city a list quantifying the number of physical commercial properties to which they provide:

- (i) municipal waste collection services, excluding roll-off container service;
- (ii) collection services for the full range of recyclable materials; and
- (iii) collection services for a more limited range of recyclable materials.

Sec. 10-80. Establishment of multifamily dwelling, dormitory and roominghouse recycling program.

(a) Definitions.

Dormitory means a building where group sleeping accommodations are provided for persons in one (1) room, or a series of closely associated rooms, with an occupancy capacity of more than fifteen (15) people on a regular basis, for compensation and by prearrangement for a specified period of time, under single management. Cooking facilities are to be common. College residence halls, fraternal chapters and cooperatives are considered typical forms of dormitories.

Dwelling units means one (1) room or suite of two (2) or more rooms in a dwelling, used by one (1) family for living and sleeping purposes, containing its own kitchen and bathroom facilities, and having its own independent entry/access from the exterior of the structure or from a common interior hallway.

Multifamily dwelling means any building which contains five (5) ~~seven (7)~~ or more dwelling units within the corporate limits of the city, but does not include dormitories, roominghouses, hotels, motels, or nursing homes.

Owner means the record owner of the real estate parcel improved with a multifamily dwelling or a dormitory or a roominghouse.

Recyclable materials to be collected under the agreement are:

Paper fibers:

ONP--Newspaper and inserts; and

OCC--Corrugated cardboard, paperboard (such as cereal boxes, frozen food boxes, 12/24 can beverage cartons); and

OMG--Magazines, catalogs; and

RMP--Residential mixed paper (paper that is written upon, read from or used for packaging; such as junk mail, stationery, computer paper, kraft paper, etc.); and

Containers:

Steel [tin], bi-metal, aluminum cans, trays and foils, and empty aerosol cans; and

Glass containers and jars (clear, brown and green/blue); and

PETE, SPI code #1--Polyethylene terephthalate containers, natural and pigmented; and

HDPE, SPI code #2--High-density polyethylene containers, natural and pigmented; and

LDPE, SPI code #4--Low density polyethylene six and twelve pack ring carriers; and

#3 through #7 SPI coded "narrow necked" plastic containers; and

Aseptic boxes and "gable topped" cartons (such as dairy, fabric softener, and juice)

Containers that have contained paint, lubricating oils, agricultural chemicals or other toxic materials are unacceptable. The number and type of recyclable materials may be amended as approved by the director of public works.

Roominghouse means a building where group sleeping accommodations are provided for persons in one (1) room, or a series of closely associated rooms, with an occupancy capacity of not more than fifteen (15) people, but more than four (4) unrelated people on a regular basis, for compensation and by prearrangement for a specified period of time, under single management. Cooking facilities are to be common. Boardinghouses are typical rooming houses and may be a fraternal chapter or cooperative.

(b) Program requirements.

(1) Owners of multifamily dwellings, dormitories and roominghouses shall be required to use the city's exclusive contractor who shall provide on-site recycling services to all multifamily dwellings, dormitories and roominghouses within the city.

(2) Recyclable materials shall be collected from multifamily, dormitories and roominghouses on a regular collection schedule under a contract between a service provider and the City of Urbana.

(3) The city shall provide for an adequate number of recycling storage containers given the type of materials collected, the number of dwelling units in the building or complex, and tenant participation at any given location. Such recycling containers shall be owned by the city.

(4) Owners of multifamily dwellings, dormitories and roominghouses shall maintain recycling station areas and such areas shall be adequate in number and conveniently located in such a manner so as to encourage and promote recycling efforts of tenants and shall be kept in a neat and clean manner by the owner and or manager.

(5) All owners and or managers of such units shall cooperate with, including the disbursement of promotional and educational materials, the city and its representative, in establishing and during the operation of, the recycling program.

(c) Exclusions. All multifamily dwellings, dormitories and roominghouses owned by the University of Illinois are excluded from this section.

(Ord. No. 1999-05-031, § 1, 5-17-99)

Cross reference(s)--Recycling taxes, § 22-101 et seq.



FAQs (Frequently Asked Questions) on the City of Urbana's Proposed Commercial Recycling Ordinance

This document is separated into two sections: Questions from Businesses/Institutions and Questions from Haulers. Please see the appropriate section to answer your questions.

Questions regarding the City's recycling efforts should be directed to Urbana Public Works, Environmental Management Division, at 217/384-2381.

Questions from Businesses/Institutions

1. How will the ordinance help my business recycle?

Currently, many businesses in Urbana, particularly small businesses, find it difficult to locate a service provider (hauler) willing to collect multiple types of recyclable materials from their business. Many haulers operating in Urbana either do not provide recycling service or collect only a narrow range of recyclables (such as cardboard). The ordinance will require all haulers that provide waste collection services to commercial establishments to also offer recycling service for multiple materials.

2. What establishments will be covered under the ordinance?

Any physical property within Urbana not considered a residential dwelling, either single or multi-family, will be covered under this ordinance. Residential properties already participate in City-run recycling collection programs and pay for services through a City recycling tax. Properties owned by the University of Illinois or University of Illinois Foundation are exempt from the requirement.

3. What if my business does not want to participate in recycling?

Participation by businesses in this program will be voluntary. While the City of Urbana wants to encourage recycling and facilitate services to the business community, participation by your business will remain your choice.

4. What recyclables will be collected through the program?

At a minimum, haulers must offer collection of the same materials that are collected in Urbana's residential recycling program, U-CYCLE. This list includes all of the following materials: Mixed paper (including cardboard, paperboard, assorted office paper, newspaper, magazines, catalogs, junk mail, books, and file folders); glass bottles and jars; steel cans; dairy/juice cartons; aluminum cans, foil and foil pans; plastic containers #1-#7, except expanded polystyrene; and #2 and #4 plastic shopping bags. Service providers may voluntarily collect additional types of recyclables, as well.

5. What if my business wants to only recycle cardboard?

The commercial recycling ordinance will require haulers to offer recycling service for multiple materials. However, service providers will still be able to offer other levels of service, such as a cardboard-only collection, to those establishments that do not want to recycle multiple materials.

6. Who should I contact to inquire about recycling service?

You may contact any City-licensed waste hauler for recycling service. As the ordinance will require all waste haulers to offer multiple material recycling service, you may be able to reduce your waste hauling costs if your business can reduce its dumpster size (or cart quantity) and/or frequency of collection by starting to recycle. Businesses with larger volumes of waste will be able to realize more waste hauling savings through recycling than business with smaller waste volumes. Your waste hauler may be more flexible about adjusting waste hauling services if you procure recycling service through them as well. However, there are also companies that provide recycling services to businesses that are not involved in waste hauling. For a list of licensed haulers, please contact the Urbana Public Works Department at 217/384-2381.

7. How will my business be billed for recycling service?

You will be directly billed for recycling service by the hauler with which you contract.

8. How much will recycling service cost?

Prices for recycling service will be set by each hauler and will depend upon the types and number of recycling containers your business will need and how often pickup will be needed. The greater the collection frequency and/or quantity of recyclables, the greater the cost. However, do not forget that recycling may also help offset some waste hauling costs if you are able to reduce your dumpster size (or cart quantity) and/or collection frequency. Your hauler should be able to help you determine the appropriate levels of waste and recycling service. Technical assistance from Urbana Public Works staff is also available upon request by calling 217/384-2381 or sending email to bwhagston@urbanaininois.us.

9. What type of recycling container will I be provided?

The type of container will depend upon the hauler you select, the quantity of recyclables you generate, and any space limitations you have. Many haulers will provide recycling carts with wheels and lids. For larger quantities, haulers may provide a dumpster. Businesses should work with their hauler to determine if space is available outside the business for a recycling container(s).

10. Can two or more businesses share recycling service?

It is possible for more than one business to share a recycling container(s). Such an arrangement would make sense for several small offices located in the same building or in adjacent buildings, especially if space outside for recycling containers is very limited. Such an arrangement would be a private agreement between the owners/managers of the participating businesses.

11. When will this requirement go into effect?

If and when the Urbana City Council approves the ordinance, it will immediately go into effect. However, from an enforcement standpoint, City staff will give haulers approximately four months to obtain compliance. During this time period, all commercial customers should hear from their waste hauler regarding their plans to provide recycling service.

12. What should a business do if they know of a hauler that is not complying with the ordinance?

Anyone who knows of a hauler in Urbana that is not complying with the commercial recycling requirement may report them to the Urbana Public Works Department by calling 217/384-2381. When making a complaint, the more detailed the information provided, the more likely the City will be able to verify the complaint and take action.

Questions from Haulers

13. What will the ordinance require of haulers?

All City-licensed haulers shall offer recycling service for multiple materials (as listed previously in answer to #4) to all of their non-residential customers in Urbana. Haulers shall communicate the availability of this service at least once annually to all such customers. (City licenses are already required for all haulers operating within Urbana).

14. To which establishments will haulers be required to offer service?

Multiple material recycling service shall be offered to all non-residential customers with Urbana. While haulers typically consider multi-family residential accounts to be “commercial” accounts, for purposes of this program multi-family residences will be considered “residential” as they are already provided recycling service by the City. Properties owned by the University of Illinois or University of Illinois Foundation are exempt from the program.

15. What if a business declines to participate in the recycling program?

Participation by commercial customers will be voluntary; the City will encourage, but not require, businesses to participate.

16. Are there any restrictions placed upon what haulers can charge for recycling service?

Haulers will be able to determine their own rates for providing recycling services. However, the City expects haulers to not charge unreasonably high fees just to avoid having customers accept recycling service. If such a situation becomes prevalent, the City may re-evaluate commercial recycling rate setting in the future.

17. How will haulers be required to inform their customers of the service?

Haulers will be required to provide their commercial customers with written materials detailing the availability of multiple materials recycling service. An example of the materials shall be provided annually to the City. Upon request, City staff will assist haulers in the development of messages or materials. For assistance, call 217/384-2381 or send email to bwhagston@urbanaillinois.us.

18. Will haulers be able to continue providing cardboard-only recycling service?

Haulers can continue to provide cardboard-only recycling service, but it must be in addition to (and not in place of) offering a multiple material recycling service to all commercial customers in Urbana.

19. Will haulers be required to utilize a certain recycling facility under the ordinance?

Haulers will continue to be able to utilize a recycling facility of their choosing, so long as the facility legitimately processes and markets the required materials. Haulers will be required to inform the City as to which recycling facilities they are utilizing.

20. Will all haulers be covered under this ordinance?

Entities that are exempt from City licensing or do not provide waste collection service to commercial (non-residential) accounts in Urbana are not covered under this ordinance. For example, a hauler that only picks up residential waste in Urbana is not required to offer commercial recycling service. In addition, haulers that exclusively provide roll-off container service (and no other commercial waste collection) are exempt from the requirement.

21. Can a hauler use a subcontractor to provide the service?

Haulers can use a subcontractor to comply with the commercial recycling requirements, so long as they inform the City which subcontractor(s) are being utilized and each subcontractor possesses a City hauling license.

22. What reporting requirements will haulers need to complete?

Each City-licensed hauler will be required to provide an annual report with the weight of all waste, recyclables and landscape waste collected in Urbana. The report shall be for the calendar year and be submitted within thirty days of year's end. All facilities to which waste, recyclables, and landscape waste are delivered must be identified. (Currently, City ordinance requires the above information be provided quarterly, but the requirement has not been enforced). Haulers that utilize subcontractors will need to obtain the required information from their subcontractors for completion of the annual report.

23. What will the penalties be if a hauler does not offer recycling service?

Haulers that fail to comply with the requirements will be subject to the general penalties of the ordinance. A first offense may result in a fine of \$100 to \$200. Subsequent offenses may result in fines of \$200 to \$500. Offenses determined by the City to be serious or repeated may result in suspension or revocation of a hauler's license to do business within Urbana, upon the finding of an administrative hearing on the matter.

24. When will this requirement go into effect?

If and when the Urbana City Council approves the ordinance, it will immediately go into effect. However, from an enforcement standpoint, City staff will give haulers approximately four months to obtain compliance. This period will give haulers the opportunity to develop communication materials, contact their customers, and arrange for new routes, equipment, subcontracts, etc. as necessary.

25. What should a hauler do if they know of another hauler that is not complying with the ordinance?

Anyone who knows of a hauler in Urbana that is not complying with the commercial recycling requirement may report them to the Urbana Public Works Department. When making a complaint, the more detailed the information provided, the more likely the City will be able to verify the complaint and take action.

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