

ORDINANCE NO. 1999-05-031

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE IV OF THE
URBANA CITY CODE REGARDING RECYCLING

WHEREAS, the General Assembly, in enacting the Illinois Solid Waste Management Act (415 ILCS 20/2 et seq.) and the Solid Waste Planning and Recycling Act (415 ILCS 15/2 et seq.) have established State policy that local governments should encourage and promote alternate means of managing solid waste and establish plans for comprehensive solid waste management with a substantial emphasis on recycling; and

WHEREAS, the City of Urbana, being a home rule unit, in the exercise of its home rule powers to regulate and protect the public health, safety and welfare, has made a commitment to recycling and has already implemented a curbside program of recycling for residential dwelling units of six (6) or less dwelling units; and

WHEREAS, after consideration of all relevant factors, the City Council has determined it is in the best interests of the City to implement a program for collection of recyclables in multifamily dwellings containing more than six (6) dwelling units and dormitories and rooming houses; and

NOW THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL that the following new sections to Chapter 10, Article IV of the Urbana City Code are enacted:

Section 1. "Sec. 10-80 Establishment of Multifamily Dwelling, Dormitory and Rooming House 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.

Multi-family dwelling means any building which contains seven (7) or more dwelling units within the corporate limits of the City, but does not include dormitories, rooming houses, hotels, motels, or nursing homes.

Owner means the record owner of the real estate parcel improved with a multi-family dwelling or a dormitory or a rooming house.

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.

Rooming House 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 multi-family dwellings, dormitories and rooming houses shall be required to use the City's exclusive contractor who shall provide on-site recycling services to all multi-family dwellings, dormitories and rooming houses within the City.
- (2) Recyclable materials shall be collected from multifamily, dormitories and rooming houses 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 multi-family dwellings, dormitories and rooming houses 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) All multi-family dwellings, dormitories and rooming houses owned by the University of Illinois are excluded from this ordinance.

Sec. 10-81. Unauthorized Tampering. It shall be unlawful for any unauthorized persons to remove or damage any recyclable materials once placed into temporary storage containers, or the containers themselves. Title to recyclables, once placed into the contractor's collection vehicle, shall vest in the City's authorized contractor. "

Section 2. 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 regular meeting of said Council.

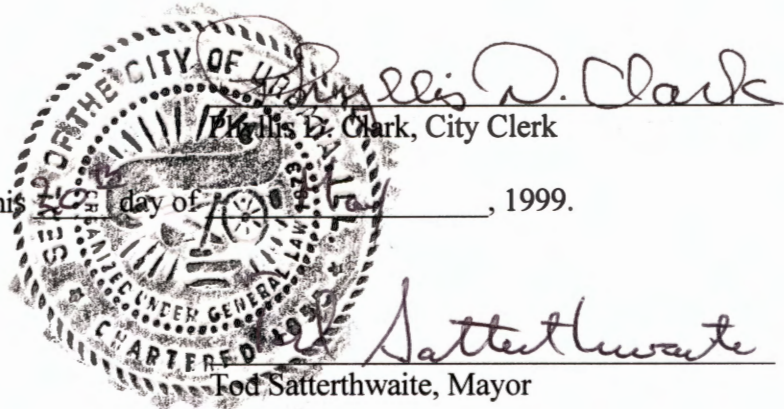
PASSED by the City Council this 17th day of May, 1999.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Wyman

NAYS:

PRESENT:

APPROVED by the Mayor this 17th day of May, 1999.



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the _____ day of _____, 19____, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled " AN ORDINANCE AMENDING CHAPTER 10, ARTICLE IV OF THE URBANA CITY CODE REGARDING RECYCLING ", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 19____, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 19____.

(SEAL)

CITY CLERK



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting
Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 17th day of May, 1999,
the Corporate Authorities of the City of Urbana passed and approved Ordinance
No. 1999-05-031, entitled:

"AN ORDINANCE AMENDING CHAPTER 10, ARTICLE IV
OF THE URBANA CITY CODE REGARDING RECYCLING"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1999-05-031 was
prepared, and a copy of such Ordinance was posted in the Urbana City Building
commencing on the 21st day of May, 1999, and continuing
for at least ten (10) days thereafter. Copies of said Ordinance were also available for
public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 21st day of May,
1999.



Phyllis D. Clark
City Clerk
by Deborah J. Roberts
Deputy Clerk