

**Universal Zero Waste Ordinance
City Manager's Rules
Outline**

I. Definition of Recyclable Materials Interpreting Subsection 6-3-2. - **Definitions**

- *"Single Stream recyclable materials" is defined as ...*
- *"Clean fiber recyclable materials" are defined as source-separated corrugated cardboard, newsprint, or any other source-separated paper that conforms to national marketing standards as established and reported by the North American Pulp and Paper Industry Market Indices*

II. Reporting Requirements Interpreting Subsections 6-3-13. - **Property Owner Requirements for Recyclables and Compostables Collection** and 6-3-14. - **Business Owner Requirements for Recyclables and Compostables Collection.**

- *May require a Zero Waste Report in an electronic format provided by the City.*

III. Guidelines for containers, training and signage Interpreting Subsection 6-3-14. - **Business Owner Requirements for Recyclables and Compostables Collection.**

- *Specific requirements for English and Spanish or picture-only signs at businesses*
- *Requirements for signage at collection containers in enclosures outside the property*
- *Guidance for employee training requirements*
- *Clarification regarding placement of containers for recyclables and compostables*

IV. Compliance Schedule Interpreting Subsection 6-3-16. - **Applicability.**

(a) The requirements of section 6-3-13, "Property Owner Requirements for Recyclables and Compostables Collection" shall apply to all property owners within the City of Boulder beginning one year from the date this Ordinance is adopted by City Council.

(b) The requirements of section 6-3-14, "Business Owner Requirements for Recyclables and Compostables Collection," shall apply to all businesses existing within the City of Boulder by the following dates:

- *Fifteen months from the date this Ordinance is adopted by City Council.*
- *All new businesses and property owners must comply with these sections within 30 days of operating within the City of Boulder.*

V. Exemption Applications Interpreting Subsection 6-3-17. - **Exemptions.**

- *Exemption application process*
- *Exemption application fees, if applicable*
- *Definition of extreme financial hardship*
- *Definition and process for filing with the City a Self-hauling Certification*
- *Definition and process for filing with the City a Shared Service Certification*

VI. Violation Process Interpreting Subsection 6-3-18. - **Violations.**

If the city manager finds a violation of any provision of this chapter, the manager, after notice and an opportunity for hearing under the procedures prescribed by Chapter 1-3,

"Quasi-Judicial Hearings," B.R.C. 1981, may impose a civil penalty according to the following schedule:

- (a) For the first violation of the provision, \$500;
- (b) For the second violation of the same provision, \$1,000;
- (c) For the third and subsequent violations of the same provision, \$2,000; and
- (d) The city manager's authority under this section is in addition to any other authority the manager has to enforce this chapter, and election of one remedy by the manager shall not preclude resorting to any other remedy as well.
- (e) Violations of this chapter are also punishable as provided in Section 5-2-4, "General Penalties," B.R.C. 1981.

Three written warnings will be issued prior to any finding of violation.

Notice under this subsection is sufficient if warnings and/or notices of violation are hand delivered, emailed, mailed, or telephoned to such person, or by posting on the premises.

VII. Directing Materials to the Boulder County Recycling Center Interpreting Subsection 6-12-6. – **Disposition of Recyclable or Compostable Materials**

The intent of this subsection of the code is to prevent high grade recyclable materials from being diverted to recyclable processing centers, and thereby undermine the public benefit and taxpayer investment in the Boulder County Recycling Center.

It shall be presumed that each property owner, property manager, residential customer, commercial customer or multifamily customer has designated both single stream and source-separated, clean fiber recyclable materials as defined above to be hauled to the recyclables processing center owned by Boulder County or its successor in interest ("Boulder County Recycling Center").

The presumption in this subsection (c) shall not apply with respect to source-separated, clean fiber recyclable materials if the hauler can demonstrate in writing to the city manager that the revenue received from the Boulder County Recycling Center is less than eighty-five percent of the hauler rebate offered by or the net profit received from another recycling center that also accepts single stream recyclable materials. For the purposes of this rule, "Net Profit" shall mean the gross revenue received by a hauler for the source-separated, clean fiber recyclable materials less the baling and any other processing costs incurred by the processor.