

ORDINANCE NO. 1280-09

AN ORDINANCE RELATING TO MANDATORY RECYCLING FOR  
BUSINESSES; ADDING NEW SECTIONS 9-6-005, 9-6-010, 9-6-020  
and 9-6-030 TO THE TUALATIN MUNICIPAL CODE.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. A new section, 9-6-005, is added to the Tualatin Municipal Code to read as follows:

Purpose and applicability.

- (1) The purpose of this Ordinance is to comply with the Business Recycling Requirements set forth in Metro Code Chapter 5.10 and to assist the Metro region in achieving waste reduction goals, conserving natural resources, and reducing greenhouse gas emissions by increasing business recycling.
- (2) This Ordinance applies to all businesses and business recycling service customers for which the principal office is not a residence.
- (3) The City may exempt a business from some or all of the Business Recycling Requirements if:
  - (a) The business provides access for a site visit; and
  - (b) The City or its designee determines during the site visit that the business cannot comply with the Business Recycling Requirement.

Section 2. A new section, 9-6-010, is added to the Tualatin Municipal Code to read as follows:

As used in this Ordinance, the following definitions apply:

- (1) "Business" means an entity of one or more persons, corporate or otherwise, engaged in commercial, professional, charitable, political, industrial, educational, or other activity that is non-residential in nature, including public bodies.
- (2) "Business recycling service customer" means a person who enters into a service agreement with a waste hauler or recycler for business recycling services.

Section 3. A new section, 9-6-020, is added to the Tualatin Municipal Code to read as follows:

- (1) Businesses shall ensure that recycling containers for internal maintenance of work areas are provided where recyclable materials may be collected, stored, or both.
- (2) Businesses and business recycling service customers shall post accurate signs that:
  - (a) Describe the location where recyclable materials are collected, stored, or both;
  - (b) Identify the materials that the business must source separate for reuse or recycling; and
  - (c) Provide recycling instructions.

Section 4. A new section, 9-6-030, is added to the Tualatin Municipal Code to read as follows:

- (1) In order to encourage maximum participation in the Business Recycling Program, the City or its designee will offer technical assistance to businesses, upon request. Code enforcement and penalties will be used as a last resort and reserved for those few uncooperative businesses that refuse to improve their waste prevention recycling practices after technical assistance efforts.
- (2) Code enforcement actions will be handled as follows:
  - (a) Businesses found out of compliance may receive a written notice of non-compliance that describes the violation, how the violation can be cured through the education process, and an offer of assistance.
  - (b) If the business does not cure the violation within the timeframe specified, the enforcement procedures and penalties found in TMC 9-1-080(1) may be used.

INTRODUCED AND ADOPTED this 23rd day of March 2009.

CITY OF TUALATIN

By   
Mayor

ATTEST:

By   
City Recorder

Approved as to legal form:

  
City Attorney