1	ORDINANCE NO. 20,854
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3	AN ORDINANCE TO ESTABLISH RECYCLING OF MULTI-FAMILY
4	RESIDENCES; AND FOR OTHER PURPOSES.
5	ABSIDENCES, INVESTOR STREET OR SEES.
6	WHEREAS, the City of Little Rock, Arkansas desires to develop programs to assist in achieving
7	waste reduction from the City's landfill and increase its useful life; and,
8	WHEREAS, recycling by multi-family residential communities will assist in enabling the City of
9	Little Rock to comply with the goals and objectives of the State of Arkansas Solid Waste Management
10	Act of 1971; and,
11	WHEREAS, the City desires to reduce harmful environmental impacts and boost economic
12	development so that all residents have convenient access to recycling; and,
13	WHEREAS, the City now finds it desirable to revise Chapter 28 of the Code of Ordinances so that
14	the new recycling program can be fully implemented;
15	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY
16	OF LITTLE ROCK, ARKANSAS:
17	Section 1. The purpose of this article is to ensure that all existing and future multi-family
18	communities in the City of Little Rock are provided access to convenient recycling containers, so that
19	residents of those communities can recycle the same materials that are collected by the City of Little
20	Rock's single-family curbside recycling program.
21	Section 2. The following definitions shall apply to standards dealing with this article:
22	City means the City of Little Rock, Arkansas, a municipal corporation in the state of
23	Arkansas.
24	Multi-family housing means any community that is not subject to a solid waste user fee that is
25	designated by the City Collector as a single-family residence, and consists of 100 or more
26	dwelling units including, but not limited to, apartments, townhouses, condominiums, public
27	housing communities, dormitories and mobile home parks.
28	Multi-family housing staff means the owner, developer, person, firm, corporation, company,
29	management, or other group, association, or personnel responsible for providing solid waste
30	collection services directly or through a contract hauler and for the furnishing and maintenance of
31	containers for solid waste, garbage, and refuse disposal for its residents.
32	Recyclables means items included in the City's approved recycling program that includes, but
33	is not limited to, newsprint and accompanying inserts; brown, clear, and green glass containers;
34	aluminum cans, clean aluminum foil, and clean aluminum food trays; steel cans; plastic bottles

and jugs; all cardboard; magazines; office paper; residential mixed paper (office paper, junk mail, catalogs, and paper board such as cereal/food boxes); and other local recyclable processor agreed upon materials.

Recycling means the process by which recovered materials are collected, separated, processed, and reused as materials for the manufacturing of new consumer products.

Recycling collection means a receptacle, including, but not limited to, a container or dumpster, designed for the purpose of collecting recyclable materials, with sufficient capacity to provide collection without overflowing or spilling.

Service provider means the person, corporation, partnership, or entity awarded the contract by the multi-family housing community's authorized management agent which provides cart or dumpster services and/or recyclable materials collection, hauling, and delivery.

- **Section 3.** The owner and or manager of each multi-family housing residence of 100 or more dwelling units shall provide recycling and encourage participation by the tenants, renters, or owners of each living unit in such multi-family residence.
- Section 4. Information and education shall be provided by multi-family housing staff to the tenants, renters, or owners about the recycling program and the items that are recyclable. The information shall include, but is not limited to, flyers or other forms of communication. Information shall be provided to all existing tenants at the start of the program and shall be provided to all new tenants at the time of occupancy. Information shall include materials accepted, recycling containers, locations and service frequency. Multi-family management shall document in writing that the recycling program information has been provided to tenants and employees.
- Section 5. The recycling program at each multi-family residence shall ensure that each living unit has access to a sufficient container or containers suitable for the collection of recyclables as defined in this chapter. The type and frequency of collection service, and the type, number and size of recyclable containers, shall be determined based on the disposal needs of the particular multi-family residence location. Collection shall be frequent enough so as to prevent the containers from overflowing. A contract with a licensed private service provider, or copies of receipts from a facility duly licensed for the disposal of recyclables, shall be evidence the recyclables are being collected in accordance with this section. Such documentation shall be presented by the licensed service providers, no less than annually, to the City's Sustainability Officer.
- **Section 6.** Recycling, including containers, shall not be placed in a location that obstructs pedestrian or vehicular traffic patterns within the development.

Section 7. Recycling containers shall be well-maintained by the service provider and the containers provided shall be visually distinct and identified for the deposit of recyclables so as to differentiate recycling containers from trash containers.

Section 8. Recycling containers shall be located within close proximity of trash collection containers or collection points and provide continuous access for tenants and facility maintenance personnel. Multifamily housing staff may request a modification from the City of Little Rock's Public Works Department on the location of exterior containers by requesting a waiver in writing on a form provided by the City so long as the placement or servicing issue meets one of the following conditions:

- Site plan limitations, obstructions, physical layout, or topography.
- Violation of one or more other City Codes.
- Vehicle parking space limitations.
- Vehicle access limitation.

Section 9. Each licensed private service provider providing recyclable collection services to multifamily residences within the City shall report, on a form provided by the City, the total number of living units served for such multi-family residences and the total number of tons of recyclable materials collected. Reports from such collection shall be provided to the City on a quarterly basis.

Section 10. The City of Little Rock has the right to visit and inspect the premises to evaluate whether an ordinance violation has occurred or to investigate a complaint.

Section 11. Each licensed service provider shall deliver all residential recyclables to facilities in accordance with existing laws and city ordinances.

Section 12. Failure to comply with any of the requirements of Sections 3-9 shall be subject to the penalty provisions as set forth in Section 1-9 of the Little Rock City Code of Ordinances.

Section 13.

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- (a) All multi-family housing, regardless of the number of dwelling units, is encouraged to comply with the provisions of this ordinance as soon as is practical from and after its passage.
- (b) Notwithstanding the provisions of Section 13(a) of this ordinance, all multi-family housing consisting of 100 units or more shall have until January 1, 2015, to come into compliance with the provisions of this ordinance. Following successful implementation, it is the intention of the City of Little Rock to expand the provisions of this ordinance to additional multi-family housing. The Public Works Department may grant a modification of the compliance date required in this subsection upon a showing of good cause.

Section 14. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or

1 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or 2 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and 3 effect as if the portion so declared or adjudged to be invalid or unconstitutional were not originally a part 4 of the ordinance. 5 Section 15. Repealer. All laws, ordinances, resolutions, or parts of the same that are 6 inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency. 7 PASSED: March 4, 2014 8 ATTEST: **APPROVED:** 9 10 11 Susan Langley, City Clerk Mark Stodola, Mayor 12 APPROVED AS TO LEGAL FORM: 13 14 15 Thomas M. Carpenter, City Attorney 16 // 17 // 18 // 19 // 20 // 21 // 22 // 23 // 24 // 25 // 26 // 27 // 28 // 29 // 30 // 31 // 32 // 33 //

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