

Solid Waste & Recycling Administrative Rules



Washington County
Solid Waste & Recycling Program

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Solid Waste and Recycling Administrative Rules

1. *(Reserved) General*

2. Administrative Rules, Promulgation

To protect the health, safety and welfare of the people of the County, the Department of Health and Human Services has found it to be to the benefit of the public to develop administrative rules and standards for solid waste management. Pursuant to Washington County Code 8.04.050 the Board of County Commissioners may promulgate reasonable rules and regulations to the administration of solid waste.

3. Definitions

- A. Bin means a plastic twelve (12) or fourteen (14) gallon capacity receptacle, without a lid, typically used for the collection of recyclable materials.
- B. Business means any commercial or nonprofit entity, such as a store, office, manufacturing and industry facility, restaurant, warehouse, school, college, university, government, hospital and other similar entities doing business within the unincorporated County, but excludes businesses permitted in residences.
- C. Certificate means a sanitary service certificate, certificate for joint service, limited purpose certificate, temporary certificate or special sanitary service certificate issued by the Board.
- D. Certificate Holder means a hauler that has been issued a certificate allowing the provision of solid waste services within the unincorporated County.
- E. Collection Service means a service that provides for collection of solid waste or recyclables or both, as described in ORS 459 and 459A.
- F. Commercial means relating to an entity that is non-residential in nature.
- G. Commingled Recycling has the same meaning as Mixed Recycling.
- H. Compactor means electromechanical-hydraulic equipment designed for the containment and compaction of waste into a container or tube.
- I. Compacted Load means any container or other receptacle whose contents have been densified by mechanical or other means with the intent to increase the weight or density of the load.
- J. Container means a standardized, typically covered, receptacle of one (1) to eight (8) cubic yard capacity, that is mechanically lifted and the contents of which are combined in the collection vehicle with the material from other containers.
- K. County means the County of Washington, a political subdivision of the State of Oregon.
- L. Curbside means located within five (5) feet of a public or private road for urban service.

- M. Customer means any business, resident, or multi-family dwelling that receives collection service from a hauler and includes the person that enters into an agreement with the certificate holder for collection services.
- N. Drop Box or Roll Off means a metal receptacle, typically uncovered and with doors, used for large volume collection and transportation of garbage or recyclable materials, primarily associated with but not limited to commercial or construction activity, with typical volume capacities of ten (10) to forty (40) cubic yards.
- O. Enclosure means a fenced or walled area designed to secure and hide from view solid waste and recycling containers or other receptacles, but not those open areas which are incidental to a wall, barricade, or other structure.
- P. Gross Receipts means all receipts for the period from all revenue sources, before any adjustments.
- Q. Hauler means a person, firm or corporation engaged in the collection, transportation and/or disposal of solid waste, yard debris and/or recyclable material from any location within the unincorporated County and holds a certificate that has been issued by the County to conduct the aforementioned activity.
- R. Landlord means the owner, or the person who is authorized by the owner, to manage the premises or to enter into a rental agreement on behalf of the owner.
- S. Metropolitan Service District (Metro) means a district organized under ORS chapter 268 and exercising solid waste authority granted to such district as set forth in ORS chapter 459.
- T. Mixed Recycling (also referred to as commingled) means the mixing together in one recycling receptacle all approved recycling material (except glass, motor oil, and yard debris).
- U. Multi-Family means dwellings of five or more units.
- V. Occasional Service means service provided to a customer on other than a regular collection frequency.
- W. Overweight Container means any container, roll cart, or other receptacle whose total weight exceeds an identified maximum allowable weight per cubic yard of content.
- X. Private Road means a road that meets Fire Marshall standards and is accessible to the public.
- Y. Property Manager means that person or entity who, on a regular basis, manages the operation of a multi-family dwelling.
- Z. Property Owner means one or more persons, jointly or severally, in whom is vested all or part of the legal title to property or all or part of the beneficial ownership and a right to present use and enjoyment of the premises. This includes a mortgagee in possession.

- AA. Rate(s) means the County-approved customer charges for each specific service as provided in the current approved rate schedule.
- BB. Receptacle means any bin, box, container, roll cart, tub, or other object designed for receiving, holding, or storing material.
- CC. Recyclable Material means any material or group of materials that can be collected and sold for recycling at a net cost equal to or less than the cost of collection and disposal of the same material.
- DD. Recycling means any process by which solid waste materials are transformed into new products in a manner that the original products may lose their identity.
- EE. Regular Service means a pre-determined scheduled collection service that occurs at recurring intervals.
- FF. Residential means single-family dwellings and dwellings having four or less units.
- GG. Reuse means the return of a commodity into the economic stream for use in the same kind of application as before without change in its identity.
- HH. Roadside means located within five (5) feet of where the U.S. Postal Service provides service for rural service.
- II. Roll Cart means a plastic, covered receptacle with an incorporated handle and wheels, used for receiving and holding solid waste or recyclables, with a normal capacity range between twenty (20) and ninety-six (96) gallons.
- JJ. Rural means those unincorporated areas outside the Metropolitan Service District (Metro) boundaries.
- KK. Service Area means the unincorporated portion(s) of Washington County in which a Hauler is permitted to operate.
- LL. Solid Waste means all useless or discarded putrescible and nonputrescible materials, including but not limited to garbage, rubbish, refuse, ashes, paper and cardboard, sewage sludge, septic tank and cesspool pumpings or other sludge; useless or discarded commercial, industrial, demolition and construction wastes, discarded or abandoned vehicles or parts thereof, discarded home and industrial appliances; manure, vegetable or animal solid and semisolid materials, dead animals and infectious waste as defined in ORS 459.386; but does not include:
 - a. Hazardous waste as defined in ORS 466.005;
 - b. Materials used for fertilizer or for other productive purposes or which are salvageable as such materials are used on land in agricultural operations and the growing or harvesting of crops and the raising of animals.
- MM. Source Separated means that the person who last used recyclable material separated the recyclable material from solid waste.

- NN. Technical Assistance Program means any formal program or effort developed by or through the County to provide assistance to businesses to reduce waste, reuse, or recycle.
- OO. Unit means an individual occupied space that exists within a multi-family dwelling.
- PP. Urban means those unincorporated areas within the Metropolitan Service District (Metro) boundaries.
- QQ. Yard debris means grass clippings, leaves, hedge trimmings and similar vegetative waste generated from residential property or landscaping activities, but does not include stumps or similar bulky wood materials.

4. *(Reserved) Regulation*
5. *(Reserved) Solid Waste Advisory Committee (SWAC)*
6. *(Reserved) Franchise Certificates*
7. *(Reserved) Rates*
8. *(Reserved) Washington County Cooperative*
9. *(Reserved) County Solid Waste Management Plan*
10. *(Reserved) Regional Support*
11. *(Reserved) Annual Programs*

12. **Reporting, General**

A. **Recycling and Solid Waste Disposal Report**

- a. The hauler shall collect data monthly relative to disposal and recycling and submit reports to the County's Health and Human Services Department, Solid Waste and Recycling. Haulers are encouraged to submit reports electronically.
- b. Data shall be submitted in full on forms provided by the County.
- c. Only data that is considered complete and acceptable by the County will be used by the County to develop or modify services, and for rate setting purposes.
- d. Reports shall be submitted to the County quarterly and are due no later than April 30th, July 31st, October 31st, and January 31st. Submitted reports shall include data for each month prior to the due date.

B. **Quarterly Gross Receipts Statement**

- a. The hauler shall file with the County a gross receipts statement for services rendered for compensation for the quarterly periods ending March 31st, June 30th,

September 30th, and December 31st of each year. Reports shall be filed on forms provided by the County.

- b. Reports shall be submitted to the County quarterly and are due no later than April 30th, July 31st, October 31st, and January 31st. Submitted reports shall include data for each month prior to the due date.

C. Annual Report

- a. The hauler shall file an end-of-the-year summary of financial and operational activity on forms provided by the County. Haulers are encouraged to submit reports electronically.
- b. Only data considered complete and acceptable shall be submitted. This data may be used by the County to develop or modify services and for rate setting purposes.
- c. Data shall be submitted to the County no later than March 15th of the succeeding year being reported.
- d. The County shall provide Haulers with written confirmation of the receipt of all required reports.

D. Other Reports

The County may require the hauler to file periodic or special reports, or request other information, at its discretion.

13. Education and Promotion, General

- A. The hauler is responsible for notifying and educating its customers on waste reduction, reuse, and the opportunity to recycle. Haulers shall use and distribute educational and other materials provided by the County without alteration except for the addition of hauler contact information. Nothing shall prevent haulers from using their own materials in addition to County materials. A copy of any additional hauler materials shall be filed with the County.
- B. The hauler shall actively promote recycling to its customers, advocating a waste diversion goal equal to or greater than specified in ORS 459A.010, Statewide Goals.
- C. The hauler shall not represent to any customer that materials collected by the hauler as recyclables are actually being recovered if the hauler knows that the material is not actually being recovered.
- D. The hauler shall submit all educational and promotional materials to the County for consistency with County Code and these Rules and shall receive County approval prior to distribution.

14. Service Standards

- A. Purpose. To establish minimum service requirements for solid waste, recycling and yard debris collection.
- B. Scope. These standards apply to all haulers holding a certificate within the unincorporated area of Washington County.
- C. Goal. To provide Washington County residents, businesses and multi-family dwellings safe and efficient solid waste, recycling and yard debris collection service.
- D. Effect. Service standards are designed to provide efficient solid waste service and increase the customer's access to the benefits of recycling and waste reduction, thereby reducing costs to the ratepayer, ensuring a fair return to the hauler, increasing the life of local landfills, and creating a generally positive impact on the environment in terms of reduced waste, conserved resources, reduced pollution, and decreased energy consumption.
- E. Consistent Service Requirement
 - a. Collection Service and Rates
 - 1. The hauler shall provide all services for which it is certificated and for which a rate, including a specified receptacle size, has been established by the County. If the hauler cannot provide a customer requested-sized receptacle (and that requested size is listed in the County established rate sheet), the hauler must provide alternate-sized receptacles sufficient to meet the capacity originally requested by the customer, at the same rate as would have applied for the requested receptacle.
 - 2. The hauler shall not extend preferential treatment to any customer or group of customers. Any service or option available to one customer shall be available to all customers.
 - 3. The hauler shall not charge for any established service a rate or fee other than the established rate or fee. However, nothing is to prevent a hauler from making allowances or providing services at a reduced cost for a charitable, community, or benevolent purpose or event. The hauler shall report to the County, on a quarterly basis, whenever it deviates from established rates for the aforementioned purposes.
 - 4. The hauler shall determine solid waste, recycling and yard debris collection days.
 - 5. The hauler shall provide "recycling only" service upon request.
 - 6. The hauler shall ensure that glass is kept separate from other collected recyclable materials and that source-separated glass is not mixed with other materials on the truck.

7. The hauler is responsible for transport and delivery of source-separated recyclable materials to a processor or broker of recyclable materials or to an end-use market. The hauler shall not deliver or cause to be delivered any collected recyclable materials for disposal except by prior County approval.
8. The hauler shall comply with ORS 459 and its provisions regarding delivery of collected recyclables.

b. Missed Collection

1. The hauler shall collect all properly prepared solid waste and recyclable material placed out for collection on the customer's regularly scheduled collection day. If material placed for collection is not in the proper location, is inaccessible, or is contaminated, or if the receptacle is overweight or in excess of the level of service agreed to by the customer, the hauler may decline to collect it. The hauler must provide the customer a County-approved notice setting forth the reasons for non-collection and list the hauler's name and phone number. The hauler may choose to provide the notice by telephone to its commercial customers.
2. If the hauler misses a scheduled collection day because of an Oregon state legal holiday, the hauler shall notify the customer of the revised collection schedule.
3. The hauler shall not be held responsible for missed collection due to temporary access restrictions imposed by local authority, inclement weather, or natural disaster, but shall make every effort to provide service as soon as possible thereafter. If the hauler misses a scheduled collection day due to inclement weather, generally indicated when schools are closed, the hauler shall provide services the next day. If adverse weather conditions persist (schools continue to be closed) for more than one day, collection services for customers will be deferred until the following week on their regularly scheduled collection day. On any day when services are missed for the reasons stated herein, the hauler shall notify the County via phone message or e-mail no later than 12:00 p.m. on the day in question of the extent that collection schedules have been or are being changed.
4. The hauler shall respond promptly to reports of missed collections. In order to receive a remedy for a missed collection, the customer must notify the hauler no later than the end of the second business day after the date of the missed collection. Customers will not receive a bill credit for missed collections. Instead, the following remedies will be provided:
 - (a) If the missed collection is caused by the hauler the customer may request that the hauler collect the material within one business day of the customer or County report; or the customer can set out the material on the next collection day. There will be no extra charge for missed pick-ups caused by the hauler.

- (b) For residential collection only, if the missed collection is caused by the customer setting out the container late, improperly preparing material or improperly positioning the container (i.e. too close to objects or car blocking container) the customer will be given two options. The customer may: 1) request a special pick-up to be charged at the call-back rate established by the County; or 2) set out the material on the next regular collection day without an additional charge if the total volume set out is no greater than the customer's current subscribed level of service. Each customer failure must be documented by the hauler through a verifiable means such as the maintenance of a set-out log book or route video.

c. Collection and Storage

- 1. The hauler shall immediately pick up any solid waste, yard debris or recyclables spilled by the hauler.
- 2. The hauler shall store and collect solid waste, recycling, yard debris, and hazardous wastes so as to not create vector production and sustenance, conditions for transmission of disease to man or animals, fire hazards or hazards to service or disposal workers or to the public.
- 3. The hauler shall load and operate collection vehicles so as to prevent dropping, leaking, blowing, sifting or escaping of wastes or solid wastes from the vehicle on the public highway.
- 4. The hauler shall operate collection vehicles that are sufficiently water tight to prevent the loss of any liquid wastes from the vehicle.
- 5. The hauler shall ensure that the collection vehicle is attended or securely closed except when collecting solid waste, recycling, yard debris or hazardous waste.

F. Customer Service - New Accounts, Service Level Changes, Termination

- a. The hauler shall respond to requests for new service within one business day.
- b. The hauler shall commence the requested level of service on the next regularly scheduled collection day, or no later than five (5) business days after the day that the request was made, unless otherwise requested by the customer. If unable to provide the service, the hauler must notify the County.
- c. The hauler shall provide each new customer with information that includes a description of services and rates, recycling guidelines and resources, recycling options, and hauler contact information, including but not limited to business address, telephone number, fax number, business hours, and e-mail address.

- d. The hauler shall not change a customer's level of service, if not requested by the customer, without giving thirty calendar days notice to the customer and County.
- e. Customers shall make available all receptacles for retrieval by haulers when terminating service. Haulers shall retrieve said receptacles within seven days following the last scheduled day of service.
- f. After service has been terminated, if a customer a customer fails to make their receptacles available for retrieval by the hauler, the hauler may charge a fee to customers for their unreturned receptacles, excluding bins, as specified in the County's approved rate schedule. The hauler must follow the following procedure in order to charge said fee:
 - 1) The hauler shall notify all customers in writing of the requirement for the customer to make available all receptacles for retrieval and of the possibility of incurring a fee should they fail to make their receptacle available. Said notice may be included as part of the customer's regular bill, or as part of the new customer information packet, or in any other comparable means.
 - 2) The hauler shall provide to the County a copy of the written notification that has been provided to their customers.
 - 3) The hauler shall allow a grace period for the customer to return the receptacle prior to the next regularly scheduled pick-up date without charge.
 - 4) After the expiration of the grace period, the hauler may send a bill to the customer noting the fee for the unreturned receptacle as a separate line item on the bill.
 - 5) Upon return of the receptacle, the hauler shall either remove the fee from the customer's bill or provide a refund to the customer.

G. Customer Service – Office Procedures

- a. The hauler shall notify the County in writing of any change in physical business address, business mailing address, business phone number, business hours, or business name. This notice must be filed by letter, fax, or e-mail at least ten (10) business days before the effective date of the change.
- b. The hauler shall provide the County with its current primary and secondary contact names, phone numbers, and e-mail addresses.
- c. The hauler shall provide electronic mail (e-mail) to the County.
- d. The hauler shall provide the County with a current telephone number where it can be reached outside its established office hours in the event of an emergency.
- e. The hauler shall have voice mail, an answering machine, or answering service to receive calls when company personnel are unavailable.

- f. The hauler shall have available the following items for customer review: the County's solid waste & recycling administrative rules, the County's current rate schedule, the hauler's current certificate, and a map of the hauler's service territory.
- g. The hauler shall maintain a system to receive, compile, and respond to service complaints including, but not limited to, missed collection, billing disputes, or service discontinuation. All service complaint calls must be recorded noting date, address, a summary of the complaint, and a description of the method of resolution.
- h. When responding to complaints or otherwise dealing with the public, the hauler shall not use foul or abusive language.
- i. The hauler shall respond to customer or County calls (including Code Enforcement requests), e-mails, faxes or complaints within one (1) business day.
- j. The hauler shall make all individual account information available to County HHS Code Enforcement personnel upon request.

H. Customer Service - Billing

- a. The hauler shall bill customers for regular service either once per month or once every two months.
- b. Customer payments shall not be due more than thirty-one (31) days before the end of the service period being billed, nor less than fourteen (14) days after the date of the postmark on the billing.
- c. The billing statement shall contain the following:
 - 1) Account information including the service address, the billing period, and the customer's level of service and billing rate (for example: 32 gallon standard urban residential service at \$21.10 per month).
 - 2) An itemization of any additional charges incurred during the billing period including, but not limited to, extras, distance charges, overcapacity charges, call-back fees, or non-sufficient check charges. Additional charges shall be stated on the billing statement consistent with County approved rates.
 - 3) The total amount due, the date payment is due, and any amount brought forward.
 - 4) The hauler name, address, and phone number.
- d. The hauler shall provide within five (5) business days of a request by the customer or the County, the customer's billing records or statements of account containing an itemized and dated listing of any disputed charges, except as provided by Section G (j).

- e. The hauler shall either pay a refund due to a customer within 45 calendar days of the hauler being informed or discovering that a refund is required or provide a credit on the customer's next bill.
- f. Vacation Credit:
 - 1) A vacation credit shall be given to customers who stop service for a period of two (2) consecutive weeks or longer.
 - 2) The request for a vacation credit must be made at least 48 hours in advance of the first pickup that is scheduled during the vacation period.
 - 3) A vacation credit shall be determined by dividing the monthly collection rate by the number of collections scheduled for that month and then multiplying that number by the number of weeks of temporary service discontinuation being requested.
 - 4) Only one (1) vacation credit shall be issued to any service account within a single calendar year period. If a customer stops service and then restarts, and the non-service period is for eight (8) weeks or less, then that stop/restart of service shall be considered as one (1) vacation credit.

I. Containers and Receptacles

- a. The hauler shall be responsible for furnishing, delivering, maintaining, and replacing all solid waste, yard debris and recycling receptacles, except a rural customer may provide the can for 32 gallon and smaller service. Replacement of lost, damaged or stolen receptacles provided by the hauler shall be the responsibility of the hauler.
- b. Replacement of receptacles provided by the hauler that have been reported as missing by the customer shall be the responsibility of the hauler.
- c. Repair or replacement of damaged roll carts or bins provided by the hauler shall be the responsibility of the hauler.
- d. Repair or replacement of damaged containers or drop boxes shall be the responsibility of the customer when the damage has been shown to be caused by the customer. In such cases the hauler shall be required to reach a mutual agreement with the customer as to the means and amount of recovery for the costs related to such repair or replacement. If there is not such an agreement with the customer, then the hauler may seek any legal or civil remedy available.
- e. Prior to entering into an agreement for drop box service, the hauler shall provide notice to the customer that damage to drop boxes caused by the customer may be the responsibility of the customer.

- f. The hauler shall deliver all receptacles in serviceable condition.
- g. All solid waste containers, roll carts, and all other receptacles whether provided by the customer or hauler, shall be leak proof and have lids or covers to prevent material from blowing, leaking, or falling out, and to protect the materials from vector populations and the elements.
- h. The hauler may not charge a deposit for receptacles, a cleaning fee for receptacles, or a fee to collect unused receptacles.
- i. All roll carts must be made of materials consisting of a minimum 25 percent recycled content.
- j. Only the certificated hauler shall provide containers that it mechanically collects. However, in lieu of a container, a customer may provide a compactor, so long as the compactor is compatible with the hauler's equipment.
- k. Customers shall not use any material to constrain the lids on any receptacle.
- l. No receptacle shall be placed by the customer in a location or manner that creates a hazardous or unsafe condition for the hauler.
- m. At any time the hauler distributes to either new customers or existing customers desk side containers for the collection of recyclable materials, the hauler must provide the County, within two weeks of delivery of such containers, customer contact information. At a minimum, the information must include the date of delivery, business name, business address, contact name, contact phone number, and the number of boxes delivered.

J. Labeling

- a. All containers and roll carts shall be clearly labeled, using consistent and standardized words and/or graphics.
- b. Labels shall clearly indicate the type of material to be placed in the container or roll cart. If labeled for solid waste, a sign or graphic indicating "garbage only" shall be included. If labeled for recyclables, a sign or graphic indicating "no garbage" shall be included.
- c. Labels on all containers and roll carts must be updated to reflect the current use of the receptacle.
- d. The hauler shall use signs and labels provided by the County where applicable. Nothing shall prevent the hauler from using its own signs and labels to provide additional information not communicated by the signs and labels supplied by the County. Hauler-provided signage shall not be used without prior approval of the County.

- e. County provided materials are for use within the unincorporated County or County-approved areas only. Where a hauler uses County provided materials in unapproved areas, the hauler shall reimburse the County for those materials.

K. (Reserved) Weight limits

L. (Reserved) Restrictions

M. Residential Service Standards, Specific

a. Urban Customers:

- 1) The hauler shall provide to urban customers (including will-call and recycling-only customers) every-other-week recycling collection service.
- 2) This service shall include one clearly labeled ninety to ninety-six (90-96) gallon recycling roll cart for mixed recycling and at least one bin for the collection of glass. The language or graphic on the roll cart label must include the following: No Glass, No Garbage, and No Plastic Bags.
- 3) After a 60-day trial usage period the hauler shall provide an alternative-sized recycling roll cart at no additional cost to urban customers based on a justifiable need limited to the following: physical limitations, space limitations, or home owner association covenants.
- 4) The hauler shall collect mixed recycling, glass, used motor oil or yard debris on the same day of the week that solid waste is collected.
- 5) Distance Charges
 - 1) Haulers may charge a distance fee when receptacles are placed for collection more than five (5) feet from the curbside.
 - 2) Distance charges shall be assessed at a flat rate, as established by the County, for distances from six (6) to fifty (50) feet from the curbside. An additional per foot charge shall be applied for distances greater than fifty (50) feet. Distance charges are limited to a maximum rate or cap as specified in the County's approved rate schedules.
 - 3) When two or more customers are located down a common flag lot or private road distance charges shall be shared equally by all such customers, not to exceed the County established cap.
 - 4) The hauler shall apply distance charges and the distance charge cap in a uniform manner.

b. Rural Customers:

- 1) The hauler shall provide to rural customers monthly recycling collection service.
- 2) This service shall include at least two hauler provided recycling bins for the collection of mixed recycling.
- 3) Distance Charges
 - 1) Haulers may charge a distance fee when receptacles are placed for collection more than five (5) feet from the roadside.
 - 2) Distance charges shall be assessed at a flat rate, as established by the County, for distances from six (6) to fifty (50) feet from where the U.S. Postal Service provides service. An additional per foot charge shall be applied for distances greater than fifty (50) feet. Distance charges are limited to a maximum rate or cap as specified in the County's approved rate schedules.
 - 3) When two or more customers are located down a common flag lot or private road distance charges shall be shared equally by all such customers, not to exceed the County established cap.
 - 4) The hauler shall apply distance charges and the distance charge cap in a uniform manner.

c. For All Customers:

- 1) The hauler shall provide weekly solid waste collection service.
- 2) Residential collection shall begin no earlier than 6:00 a.m. and shall be completed by 6:00 p.m. The County must be notified in advance of collection made after 6:00 p.m. on a particular day.
- 3) The customer shall set out the receptacle prior to 6:00 a.m. on the collection day.
- 4) The hauler shall deliver clean, and in working order, recycling bins and roll carts to customers.
- 5) The hauler must notify the customer at least 24 hours prior to retrieving receptacles.
- 6) The hauler shall only be required to collect the contents of any roll cart if it is set out without impediment to the automated collection process and to prevent damage to property during collection.
- 7) The customer will not receive a reduced rate if recycling or yard debris service is refused.

8) The hauler shall pick up the following materials set out for collection, as long as the materials are prepared according to County guidelines and education materials. Customers will not be charged extra for recyclable material that does not fit in containers (the container is full) as long as it is properly prepared and set out on the scheduled pick up day. However, if an urban customer requests an additional roll cart(s) for purposes of setting out additional recyclable material the hauler shall charge a fee for the additional roll cart.

1) Mixed Recycling

- a) Metals: Aerosol cans, aluminum and steel tinned containers, ferrous and nonferrous scrap no greater than 36 inches in length and forty pounds in total weight.
- b) Paper: Magazines, newspapers, office paper (including white and colored ledger and computer), scrap paper (including envelopes, fax paper, blueprints, brochures and other miscellaneous papers), paper board, box board, and telephone directories.
- c) Corrugated cardboard and Kraft paper; Boxes placed outside the container should be flattened and cardboard pieces should be no larger than 36 inches by 36 inches.
- d) Plastic bottles and tubs larger than six ounces, plastic buckets five gallons or less and rigid plastic nursery pots four inches or larger.

2) Glass: bottles/jars, colored and clear mixed. Glass shall be kept on the side, separate from other recyclables, in a rigid container.

3) Used Motor Oil: contained in see-through plastic container with a screw-top lid. No breakable or leaking containers. No contaminants such as anti-freeze, solvents, gasoline or water shall be included.

4) Yard Debris: leaves, weeds, grass clippings, branches, and prunings no greater than 4 inches in diameter or 36 inches in length. No animal waste, dirt, sod, stumps, metal, rocks, ashes, food waste, lumber, or garbage shall be included.

N. Multi-Family Dwelling Service Standards, Specific

- a. Multi-family dwelling collection will begin no earlier than 6:00 a.m. and shall be completed by 6:00 p.m. The County must be notified in advance of collection made after 6:00 p.m. on a particular day.

b. Container Location:

- 1) The hauler shall not be required to place a container in an enclosure unless there is clear and unobstructed vehicle access to the enclosure, any gate or door on the enclosure is openable during the time of service, the gate or door is able to be secured in the open position, and the usable enclosure opening is at least ten (10) feet wide.
- 2) The hauler shall not:
 - a) place a container in an area that has less than twenty-five (25) feet of vertical clearance,
 - b) place a container so as to obstruct traffic or designated pedestrian walkways,
 - c) place a container with wheels on an incline unless the wheels are lockable and able to be positioned in a direction opposite the incline,
 - d) place a container on, over, or behind a curb or any other obstruction that prevents ease of movement without consent of the customer, or
 - e) place a container so as to obstruct or block drainage, fire hydrants, or emergency access/egress to a structure.
- 3) The hauler shall not be required to service any container that has been significantly moved from the original location agreed upon at the time of initial service.

c. Overweight and Overloaded Containers:

- 1) Any container, whose contents can be shown to weigh more than the established maximum allowable weight per cubic yard, shall be considered overweight and shall be charged as a compacted load.
- 2) When providing service, the hauler shall inform the customer of potential overweight or overloaded conditions.
- 3) Prior to assessing an overweight charge the hauler shall notify the customer of the overweight condition. The customer shall then be given a reasonable opportunity to remedy the overweight condition.
- 4) The maximum weight of a container's contents shall be 300 pounds per loose cubic yard.
- 5) No hauler shall be required to pick up an overweight container.

- 6) An overweight container shall be charged at the compacted load rate as indicated in the current rate schedule.
 - a) To determine the container overweight charge, divide the normal monthly charge by 4.33; divide the result by the number of weekly pickups, then multiply that number by the current compacted rate.
 - b) Additional charges such as unscheduled service fees and call-back fees may be charged.
 - 7) No hauler shall be required to pick up an overloaded or otherwise unsafe container. A container shall be considered overloaded or unsafe if the container is so filled as to allow material to fall out, has large items extending from the container, or is so improperly loaded as to potentially cause damage to equipment or harm people.
- d. Multi-family dwelling mixed recycling service must be made available by the hauler. If ORS 90.318 (Criteria for landlord provision of certain recycling services) applies to an owner of a multi-family dwelling, the owner shall at times during tenancy provide to all tenants:
- 1) A separate location for containers or depots for at least four principal recyclable materials or for the number of materials required to be collected under the residential on-route collection program, whichever is less, adequate to hold the reasonably anticipated volume of each material; and
 - 2) Regular collection service of the source separated and mixed recyclable materials; and
 - 3) Notice at least once a year of the opportunity to recycle with a description of the location of the containers or depots on the premises and information about how to recycle. New tenants shall be notified of the opportunity to recycle at the time of entering into a rental agreement.
- e. The hauler shall provide mixed recycling service to all multi-family dwelling accounts as part of regular solid waste service. The service ratio of garbage to recycling shall be 1:2, where the volume of receptacles for recycling is twice that for solid waste. Additional recycling volume shall be charged at the 'recycling only' rate. Yard debris collection shall be considered additional service and charged a Board-approved collection service rate. The requirements of this section do not apply when service is provided by drop box, compactor or compacted container.
- f. The requirement to provide mixed recycling does not limit the ability of the hauler to collect any other material deemed recyclable by the hauler, or to provide the customer with additional receptacles at no charge for high volumes of specific commodities such as paper or cardboard.

- g. The hauler shall pick up the following materials set out for collection as long as the materials are prepared according to County guidelines and educational materials.
 - 1) Mixed Recycling
 - a) Metals: Aerosol cans, aluminum and steel tinned containers, ferrous and nonferrous scrap.
 - b) Paper: Magazines, newspapers, office paper (including white and colored ledger and computer), scrap paper (including envelopes, fax paper, blueprints, brochures and other miscellaneous papers), paper board, box board, and telephone directories.
 - c) Corrugated cardboard and Kraft paper: Boxes placed outside the receptacle should be flattened and cardboard pieces should be no larger than 36 inches by 36 inches.
 - d) Plastic bottles and tubs larger than six ounces, plastic buckets five gallons or less and rigid plastic nursery pots four inches or larger.
 - 2) Glass: bottle/jars, colored and clear mixed. Glass shall be kept on the side, separate from other recyclables, in a rigid container.
 - 3) Yard Debris: leaves, weeds, grass clippings, branches, and prunings no greater than 4 inches in diameter or 36 inches in length. No animal waste, dirt, sod, stumps, metal, rocks, ashes, food waste, lumber, or garbage shall be included.
- h. On an annual basis the hauler shall provide to a property manager recycling information that includes a description of services and rates, recycling guidelines, resources and options, and hauler contact information that for each hauler listed shall include the business address, telephone number, fax number and e-mail address. The hauler must provide the County with verification that annual recycling information has been provided to property managers.

O. Business Service Standards, Specific

- a. Consistent Service Requirement
 - 1) The hauler shall provide mixed recycling service to all commercial accounts as part of regular solid waste service.
 - 2) All haulers shall provide commercial service, with containers and receptacles in sizes for which a rate has been established. The service ratio of garbage to recycling shall be 1:2, where the volume of receptacles for recycling is twice that for solid waste. Additional

recycling volume shall be charged at the 'recycling only' rate. Yard debris collection service shall be considered additional service and charged a Board-approved collection service rate. The requirements of this section do not apply when service is provided by drop box, compactor or compacted container.

- 3) The hauler shall pick up the following materials set out for collection, as long as the materials are prepared according to County guidelines and educational materials.
 - a) Mixed Recycling
 - 1) Metals: Aerosol cans, aluminum and steel tinned containers, ferrous and nonferrous scrap.
 - 2) Paper: Magazines, newspapers, office paper (including white and colored ledger and computer), scrap paper (including envelopes, fax paper, blueprints, brochures and other miscellaneous papers), paper board, box board, and telephone directories.
 - 3) Corrugated cardboard and Kraft paper: Boxes placed outside the receptacle should be flattened and cardboard pieces should be no larger than 36 inches by 36 inches.
 - 4) Plastic bottles and tubs larger than six ounces, plastic buckets five gallons or less and rigid plastic nursery pots four inches or larger.
 - b) Glass: bottle/jars, colored and clear mixed. Glass shall be kept on the side, separate from other recyclables, in a rigid container.
 - c) Yard Debris: leaves, weeds, grass clippings, branches, and prunings no greater than 4 inches in diameter or 36 inches in length. No animal waste, dirt, sod, stumps, metal, rocks, ashes, food waste, lumber, or garbage shall be included.
- 4) The requirement to provide mixed recycling does not limit the ability of the hauler to collect any other material deemed recyclable by the hauler or to provide additional receptacles at no charge for high volumes of specific commodities such as paper or cardboard.
- 5) The hauler shall provide a single container for solid waste unless one of the following applies:
 - a) The service volume exceeds the largest container size for which a rate has been established.

- b) The customer, after being informed of options and costs, requests containers of lesser volume and pays for the additional container at the additional container rate. The hauler must document the request in its service records.
 - c) The hauler has a lack of equipment, by choice or shortfall, wherein the hauler must provide an equitable level of service with equipment on hand, but may charge only the single container rate for the level of service requested.
 - d) It is unsafe (due to weight, distance to collection vehicle or other circumstances) to collect the solid waste in a single container.
- 6) A business customer may not opt out of recycling service except as provided for in Section 18. E. Business Recycling Requirements herein.

b. Container Location

- 1) The hauler shall not be required to place a container in an enclosure unless there is clear and unobstructed vehicle access to the enclosure, any gate or door on the enclosure is openable during the time of service, the gate or door is able to be secured in the open position, and the usable enclosure opening is at least ten (10) feet wide.
- 2) The hauler shall not:
 - a) place a container in an area that has less than twenty-five (25) feet of vertical clearance,
 - b) place a container so as to obstruct traffic or designated pedestrian walkways,
 - c) place a container with wheels on an incline unless the wheels are lockable and able to be positioned in a direction opposite the incline,
 - d) place a container on, over, or behind a curb or any other obstruction that prevents ease of movement without consent of the customer, or
 - e) place a container so as to obstruct or block drainage, fire hydrants, or emergency access/egress to a structure.
- 3) The hauler shall not be required to service any container that has been significantly moved from the original location agreed upon at the time of initial service.

c. Overweight and Overloaded Containers

- 1) Any container, whose contents can be shown to weigh more than the established maximum allowable weight per cubic yard, shall be considered overweight and shall be charged as a compacted load.
- 2) When providing service, the hauler shall inform the customer of potential overweight or overloaded conditions.
- 3) Prior to assessing an overweight charge the hauler shall notify the customer of the overweight condition. The customer shall then be given a reasonable opportunity to remedy the overweight condition.
- 4) The maximum weight of a container's contents shall be 300 pounds per loose cubic yard.
- 5) No hauler shall be required to pick up an overweight container.
- 6) An overweight container shall be charged at the compacted load rate, as indicated in the current rate schedule.
 - a) To determine the container overweight charge, divide the normal monthly charge by 4.33; divide the result by the number of weekly pickups, then multiply that number by the current compacted rate.
 - b) Additional charges such as unscheduled service fees and call-back fees may be charged.
- 7) No hauler shall be required to pick up an overloaded or otherwise unsafe container. A container shall be considered overloaded or unsafe if the container is so filled as to allow material to fall out, has large items extending from the container, or is so improperly loaded as to potentially cause damage to equipment or harm people.

d. Education and Promotion

The hauler shall:

- 1) Provide each new customer a waste and recycling assessment to determine appropriate service levels and to identify opportunities to reduce waste. The hauler shall serve as the initial customer contact for the County's technical assistance program.
- 2) Refer each new customer and any customer that requests technical assistance to the County for inclusion in the County's technical assistance program.

- P. (Reserved) Restrictions
- Q. (Reserved) Commercial Composting
- R. (Reserved) Drop Box/Compactor Service
- S. (Reserved) Occasional Containers
- T. (Reserved) Construction & Demolition
- U. Denial, Termination of Service

- a. The hauler may terminate or deny service to any customer for failing to pay for service received or to pay in a timely manner.
- b. The hauler may not terminate a billed customer's service for other reasons, including but not limited to, non-payment of a prior tenant or owner's billed service or non-payment of another billed customer's service.
- c. Prior to terminating service, the hauler shall give the customer seven (7) days written notice of pending denial or termination and provide the customer with an opportunity to remedy. In no case shall the hauler terminate service without first notifying the County in writing at least seven (7) business days prior to termination of service of the hauler's intent to terminate a customer's service.

15. *(Reserved) Enforcement*

16. *(Reserved) Internal Administration*

17. *(Reserved) Other Department Functions*

18. Business Recycling Requirements

- A. Businesses will separate the following from solid waste for reuse or recycling:
 - a. all recyclable paper;
 - b. cardboard;
 - c. metal cans;
 - d. glass bottles and jars;
 - e. plastic bottles, tubs, buckets and jars.
- B. Businesses will ensure that recycling receptacles are provided for internal and/or external maintenance or work areas where recyclable materials are collected and/or stored.
- C. Businesses will post accurate signs that:

- a. Describe the location where recyclable materials are collected and/or stored.
 - b. Identify the materials that businesses must separate for reuse or recycling.
 - c. Provide recycling instructions.
- D. Any person or entity that owns, manages or operates premises with business tenants and provides garbage collection service to those business tenants, shall provide recycling collection systems adequate to enable those business tenants to comply with the requirements of subsections A, B and C of this section.
- E. A business may seek an exemption from the business recycling requirements from the County. The business must establish that it cannot comply with the business recycling requirements for reasons that include, without limitation, space constraints and extenuating circumstances. A site visit by County staff is required prior to the County issuing an exemption. Any business that is granted an exemption of the business recycling requirements must acknowledge the departure from basic service, and such acknowledgment shall be documented by the hauler.

19. *(Reserved) Appendices*