

# BOARD OF ALDERMEN

ITEM NO.: D(1)

## AGENDA ITEM ABSTRACT

MEETING DATE: SEPTEMBER 24, 2002

**TITLE: Public Hearing: Orange County Ordinance Regulating Recyclable Materials**

<b>DEPARTMENT:</b> PLANNING	<b>PUBLIC HEARING:</b> YES __X__ No __ __
<b>ATTACHMENTS:</b> A. Resolution B. Orange County Ordinance C. Permit Application	<b>FOR INFORMATION CONTACT:</b> <b>PHILIP PRETE, 918-7326</b> <b>PATRICIA MCGUIRE, 918-7327</b>

### **PURPOSE:**

At their regularly scheduled meeting of September 3, 2002, staff presented to the Board of Aldermen a summary of an ordinance passed by Orange County to regulate certain recyclable materials. In order for the County to enforce the ordinance within Carrboro, the County would need authorization from the Town Board. The Board set a public hearing on September 24, 2002 to receive public comment on implementation of the ordinance. Administration recommends that the Board adopt a Resolution that would authorize Orange County to enforce the County ordinance in Carrboro.

### **INFORMATION:**

The Orange County Construction and Demolition (C&D) landfill on Eubanks Road is projected to reach capacity by December 2002. A Construction and Demolition (C&D) Recycling Task Force, established by the Orange County Board of County Commissioners was charged with reviewing C&D waste and recycling issues, and in August 2000 issued a final report that recommended, among other things, "Mandate recycling or reuse of C & D waste in Orange County through the use of an ordinance." County staff developed a mandatory recycling ordinance with input from Commissioners, builders, haulers, and municipalities. The ordinance (*Attachment B*) includes the following provisions:

- 1) Creates a list of "regulated recyclable materials, " that includes unpainted, untreated wood waste, scrap metal, pallets, and clean, corrugated cardboard. The ordinance also makes provisions for other materials to be added to the list of regulated recyclables in the future.
- 2) Requires that Recyclable Materials Permits be obtained in conjunction with building or zoning compliance permits. (The permit application is presented as *Attachment C*.)

- 3) Mandates separation of scrap metal, clean wood waste, cardboard, and pallets as a condition of development and/or building permits.
- 4) Requires annual licensing of recyclable materials haulers operating in Orange County. Recycling in compliance of the ordinance is a condition of receiving a hauler's license in Orange County
- 5) Prohibits burning of solid waste.
- 6) Allows up to a 60-day delay of demolition projects to provide time for an assessment of the recyclability of materials in the structure to be conducted.

While Orange County staff has noted that, at the present time, enforcement efforts will only be directed at the recyclable materials that are commercially generated, in its literal terms, the ordinance would apply to residentially generated materials as well. Additionally, the ordinance is written to allow later inclusion of additional materials beyond those specified in the ordinance.

To date, there has been some outreach to, and communication with Town citizens, business owners, and visitors regarding the recyclable materials ordinance by County Staff. Town Staff sent notices of this hearing by direct mail to businesses that have recently applied for development or building permits in Carrboro, and published a public notice in the Chapel Hill Herald.

**ADMINISTRATION RECOMMENDATION:**

The Administration recommends that the Board of Aldermen pass a resolution (Attachment A) to authorize Orange County to enforce the County ordinance regulating recyclable materials, and licensing the collection of regulated recyclable materials within the Town of Carrboro, and to change the Town fee schedule to include fees for recycled materials permits.