



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD OREGON CITY, OR 97045

April 6, 2023

Solid Waste Commissioners
Clackamas County

Members of the Commission:

EXECUTIVE SUMMARY:

This meeting of the Solid Waste Commission is dedicated for staff to provide updates and Commission members to raise issues to be discussed at this or future meetings. Staff will provide information on the DEQ Needs Assessment process, the multifamily bulky waste project, and updates on recently approved programs. Staff is interested in discussing service responses to recent inclement weather events and the relating policy.

DEQ Needs Assessment

The Oregon Department of Environmental Quality's (DEQ) Materials Management Program is conducting a needs assessment survey of local governments and their service providers as part of implementation of the [Plastic Pollution and Recycling Modernization Act](#). The law modernizes Oregon's recycling system, leveraging funding from producers of packaging, printing and writing paper and food serviceware to create new opportunities for Oregon's local governments and their service providers, such as expanding recycling services starting July 1, 2025. All local governments, regardless of size, will be eligible to receive funding for recycling service expansion.

The law requires DEQ to conduct a periodic needs assessment of local governments statewide to determine local interest in expanding recycling services. The first needs assessment is currently underway. The assessment intends to gauge the interest in expanding recycling collection during the first program plan period, which will run from July 2025 through 2027. DEQ will continue to perform periodic needs assessments in the future to determine local governments' interest in expanding recycling services.

Staff has met with City representatives to coordinate efforts on the assessments prior to the April 14th needs assessment survey submission deadline. The DEQ will review the assessments prior to submitting them to the Producer Responsibility Organizations (PRO) on July 1st of this year. The PRO must turn in their plans for funding the local government's needs to the DEQ by March of 2024.

Staff will provide background on the County's draft assessment and seek input from the Commission on the assessment. Please see the attached background on the Needs Assessment survey and

staff's draft response. The County is collaborating with the Cities (and franchisees) to ensure the assessments are coordinated.

Multifamily Bulky Waste Project

In April 2022, Clackamas County learned that Metro would fund one-time regional cleanup efforts using \$10 million in state funding authorized through HB 5202 (2022). Metro earmarked \$1.8 million of these funds for local government cleanup activities through Intergovernmental Agreements (IGAs). Metro staff advised local governments that they were targeting a \$300,000 limit per IGA.

Department of Transportation and Development (DTD) staff, in consultation with Sustainability and Solid Waste, coordinated with several departments, including Code Enforcement, County Counsel, Clackamas County Sheriff, and Health Housing and Human Services (H3S) and developed proposals that would provide:

- Funding to lawfully tow, store, and dispose of approximately 32 abandoned recreational vehicles within the urban growth boundary (\$200K),
- Bulky waste pickups at affordable multifamily housing communities (\$90K), and
- Supplemental garbage pickup at up to five houseless encampment areas in partnership or consultation with agencies conducting street outreach (\$10K).

On June 15th, Metro informed the County that we would be awarded \$300,000 for the proposed projects.

Staff and the collectors have embarked on a multifamily bulky waste project with affordable multifamily housing communities within the Metro boundary beginning last September and resuming in February. Our goal is to gather data about multifamily bulky waste collection in order to inform future "regularly occurring bulky waste collection services, with particular emphasis on multifamily communities and lower-income households," as stated in the 2030 Regional Waste Plan (Action 10.5). More specifically, the multifamily regional service standard states, "Ensure provision of regularly-occurring bulky waste collection service by July 1, 2025." This project not only provides a service that isn't always available to those living in apartments, but is directed to those living in affordable multifamily housing communities, and the data gathered during the project will help inform the design and implementation of an effective future program.

Staff will provide a brief presentation on the project allowing time for questions from, and discussion amongst, the Commission.

Inclement Weather Policy

The recent snow events have raised questions about the County's policy and length of service delays for the public during these events. The County's policy on weather delays are on page 7 of the attached Administrative Rules. The [County Code](#) 10.03.260 A.4. (pg 74) speaks to the issue of safety and the promulgation of rules. Staff will provide a brief introduction to the subject and look forward to a rich discussion amongst the Commission.

Sincerely,

Rick Winterhalter
Sustainability Analyst, Sr.

Attachments: 9/28/22 Minutes, DEQ Needs Assessment Survey, County Needs Assessment DRAFT Response, Administrative Rules



Survey Background and Introduction

The Recycling Modernization Act (RMA) is updating Oregon's recycling system by providing opportunities to create new recycling programs and by building on existing community programs. RMA leverages resources from producers to create a system where everyone in the state can have the same opportunities to recycle. The law requires producers of packaging, printing and writing paper, and food service ware to share responsibility for the effective handling of their products after use. Producers will pay fees for the covered products they sell or distribute into the state. These fees will be paid to a non-profit group called a Producer Responsibility Organization (PRO).

The PRO will be responsible for administering a producer responsibility program on behalf of producers of covered products under the RMA. Fees collected by the PRO will be used to cover the financial obligations producers have for improving Oregon's recycling system, including funding new and expanding recycling services across the state. Local governments will be eligible for funding to expand recycling opportunities in their communities and to help reduce contamination in the recycling system.

To assess local interest in expanding recycling services, DEQ is required to conduct a Needs Assessment of local governments to identify services necessary to improve recycling in communities across the state. This is the first Needs Assessment survey. DEQ will continue to perform periodic needs assessments in the future to determine local government interest in expanding recycling services.

The purpose of this survey is to gauge interest from all local governments statewide (urban and rural, small, and large) regarding expansion of recycling collection services during the first program plan period, which will run from July 2025 through 2027. This survey is an opportunity to express interest in and the need for recycling service expansion; local governments are not, at this stage, committing to services selected through this survey.

Recycling service expansion may include but is not limited to:

- Providing new on-route collection service to types of customers not currently served (single-family, multifamily, commercial)
- Expanding existing on-route collection service to accommodate the addition of new uniform statewide collection list materials that are accepted for recycling collection (such as a larger roll cart, more frequent collection, etc.)
- Expanding or creating new recycling depots for covered recyclable products (including containers, equipment, new staff, etc.)



Oregon DEQ Local Government Needs Assessment 2023

- If necessary and none other is available, establishing a recycling reload facility for reloading recyclables. A reload facility is a facility other than a recycling depot where recyclable materials are received, consolidated, and reloaded into larger containers or vehicles for transportation to a commingled recycling processing facility or responsible end market.

Any expansion of service must be accompanied by a meaningful outreach effort, that includes but is not limited to promotional literature.

Local governments MUST complete this survey and register the types of service expansion they would like to implement to be eligible for funding support from the PRO in the first program plan period from July 2025 through 2027. If local governments do not complete this survey, they will not be eligible for PRO funding for this period.

Local governments are encouraged to work with their service provider(s) to fill out the survey and likely will need to consult service provider(s) to gather the information necessary to complete the survey. It is recommended that local governments discuss the survey responses with their service provider(s) to determine the current level of service and what might be needed to expand service. While local governments are encouraged to work with service provider(s), each local government must submit its own survey to be eligible for funding. A survey submitted by a local government's service provider does not qualify for funding eligibility.

Note: Regardless of whether or not a local government participates in the needs assessment, they are still obligated to meet the requirements of RMA.

After this initial Needs Assessment survey is completed, the PRO will contact each local government that responded and work with them and their service provider(s) to determine the exact service funding and the schedule by which they will be implemented. At that time, participating local governments will commit to moving forward with the implementation of their service expansion plans. Local governments can designate their service provider(s) to coordinate with the PRO later in the process.

The first program plan period is July 1, 2025 to December 31, 2027, which is when local governments can expect to receive funding from the PRO to begin implementing expanded recycling services. There will be additional program plan periods and later rounds of the needs assessment survey. Local governments will also have opportunities in later rounds of Needs Assessments to indicate a need for recycling service expansion.



Oregon DEQ Local Government Needs Assessment 2023

For more information, or if you have questions, please visit RecyclingAct.Oregon.gov or contact your Regional Specialist (contact information below).

Counties	Name and Address	How to Contact
Eastern Region		
Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Milton-Freewater, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco and Wheeler	Laurie Gordon 475 NE Bellevue, Suite 110 Bend, OR 97701	Office: 541-633-2029 Cell: 541-408-7842 Laurie.Gordon@deq.oregon.gov
Northwest Region		
Opportunity to Recycle - Clatsop Other Issues - Clackamas, Multnomah and Washington	Lexi Meek 700 NE Multnomah St., Suite 600 Portland, OR 97201-4987	Office: 503-229-5790 Cell: 503-319-5681 Lexi.Meek@deq.oregon.gov
Opportunity to Recycle - Columbia, Tillamook Other Issues - Clackamas, Multnomah and Washington	Gretchen Sandau 700 NE Multnomah St., Suite 600 Portland, OR 97201-4987	Cell: 503-915-6786 Gretchen.Sandau@deq.oregon.gov
Western Region		
Coos, Curry, Douglas, Jackson, Josephine and Lane	Cathy Brown 165 East Seventh St., Suite 100 Eugene, OR 97401	Office: 541-687-7325 Cell: 503-753-6153 Cathy.Brown@deq.oregon.gov
Benton, Lincoln, Linn, Marion, Polk and Yamhill	Cat Rhoades 4026 Fairview Industrial Drive SE Salem, OR 97302	Office: 503-378-5089 Cell: 503-446-7410 Cathie.Rhoades@deq.oregon.gov



Survey Instructions

The survey asks questions on the types of recycling service expansion requested, as well as current recycling services in your community. Implementation details such as the number of carts or equipment specifications are not required for this Needs Assessment.

Local governments are encouraged to work with their service provider(s) to obtain answers for the survey, but each county and city must complete and submit its own survey to be eligible for funding. Local governments may also want to consult other stakeholders such as non-profits or environmental groups. It is recommended that local governments, service providers and other stakeholders review the Needs Assessment questions together before completing the online survey.

If you are a County completing this survey on behalf of multiple unincorporated areas or county areas, please use the following steps.

1. Begin by identifying the recycling expansion services needed in each area. For example, areas A and B only want to open a new depot. Areas C, D, and E only want to expand curbside recycling. Area F wants to open a new depot and expand curbside recycling.
2. Complete the surveys using either Option 1 or Option 2 below.

Option 1: Individual Surveys

1. Complete a separate survey for each area (i.e., one survey for area A, one for B, one for C, etc.). Identify the area for which you are completing each survey when prompted.

or

Option 2: Grouped Surveys

1. A single survey can be completed on behalf of areas within the county that are requesting the same recycling expansion services. In the example above, since areas A and B are requesting the **same** service, complete **one survey** on behalf of both areas A and B. Please be sure to list the areas (A and B) for which you are completing this survey when prompted.



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2. Since areas C, D, and E are also requesting the **same** service (but a different service than areas A and B), complete **one survey** on behalf of areas C, D, and E. Please be sure to list the areas (D, C, and E) for which you are completing this survey when prompted.
3. Since area F is requesting a different service, complete **one survey** on behalf of area F. Please be sure to list the areas (F) for which you are completing this survey when prompted.

Your progress will be saved as you answer each question. You can return to the survey to complete it as needed.

This survey is scheduled to close on April 14, 2023 at 11:59pm.

If you have questions or need help completing this survey, please contact RethinkRecycling@deg.oregon.gov or your Regional Specialist.



1. Respondent Information

Name:

Title:

Local Government Name:

Wasteshed / County Name:

E-Mail:

Phone Number:

List service provider(s) that offer recycling services, if known:

2. Type of Area Served by the Request (select all that apply)

- City
- City urban growth area managed by the county
- County
- Other or Unincorporated Area (please list or describe)



3. Population of area(s) served by the request:

**4. What are the existing recycling services in your community?
(Select all that apply)**

- Single-family on-route recycling collection
- Multifamily on-route recycling collection
- Commercial on-route recycling collection
- Recycling depot(s)
- Recycling reload facility
- None
- Other or unknown (Please describe or explain)



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5. Is your jurisdiction interested in expanding recycling services in 2025 - 2027?

- Yes
- No
- Unsure

6. If no, please explain your decision:

Please confer with your service provider(s) and your watershed representative before selecting “No”.

Selecting “No” will make you ineligible for funding in this round of the Needs Assessment and expansion funding will not be available until the next round which will begin in 2027.

If you select “Unsure,” please contact your regional specialist to discuss the survey and your responses.

If you selected “Yes,” please proceed to the following questions.



If you selected “Yes” to Question #5, which service expansion is your jurisdiction requesting? (Select all that apply):

7. New on-route recycling collection (Example: Startup expenses such as new trucks or containers. Note: ongoing operational costs will not be covered/reimbursable by the PRO.)

- Adding single-family route(s)
- Adding multifamily route(s)
- Adding commercial route(s)

8. Expanding on-route recycling collection to accommodate new materials (Examples: expanding service to add new customers, increasing service collection, using more or larger containers in order to collect the uniform statewide collection list of materials. Note: ongoing operational costs, including staffing, will not be covered/reimbursable by the PRO.)

- Collection truck(s)
- Collection containers, roll carts or both
- On-board contamination monitoring equipment and software (for upgrading collection programs that do not already have equipment in place)
- Staff safety equipment (e.g., goggles, safety vests, work boots, etc.)
- Other (please describe)



9. New recycling depots

- Collection containers
- Signage
- On-site monitoring equipment (e.g., cameras to monitor for contamination or illegal dumping)
- Equipment to move and load recyclables for shipment
- Equipment to compact and bale recyclables for shipment
- Hiring and training staff
- Staff safety equipment (e.g.: may include., goggles, safety vests, work boots, etc.)
- Ongoing operational costs, including staffing
- Land
- Storage
- Other (e.g., paving, fencing, other improvements). Please describe.

10. Expanding existing recycling depots

- Collection containers
- Signage
- On-site monitoring equipment (e.g., cameras to monitor for contamination or illegal dumping)
- Equipment to move and load recyclables for shipment
- Equipment to compact and bale recyclables for shipment
- Hiring and training staff
- Staff safety equipment (e.g., may include goggles, safety vests, work boots, etc.)
- Ongoing operational costs, including staffing
- Land
- Storage
- Other (e.g., paving, fencing, other improvements) Please describe.



11. **New recycling reload facility, if needed.** A reload facility is a facility other than a recycling depot where recyclable materials are received, consolidated, and reloaded into larger containers or vehicles for transportation to a commingled recycling processing facility or responsible end market.

- Yes
- No
- Unknown (please explain)

12. **Expanding existing recycling reload facility**

- Equipment to move and load recyclables for shipment
- Equipment to compact and bale recyclables for shipment
- Hiring of new staff, if needed, or expansion of staff hours
- On-site monitoring equipment (e.g., cameras to monitor for contamination or illegal dumping)
- Staff safety equipment (e.g., may include goggles, safety vests, work boots, etc.)
- Ongoing operational costs, including staffing
- Land
- Storage
- Other (e.g., paving, fencing, other improvements). Please describe.



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13. Estimated number of new on-route recycling collection customers to be served. Only provide this information if known.

Single-family (households)

Multifamily (units)

Commercial

Survey Questions

Questions in red require responses.

1. Respondent Information

	Clackamas County - Mt. Hood Area	Clackamas County - Urban Areas	Clackamas County - Rural Areas (inside Metro UGB)	Clackamas County - Rural Areas (outside Metro UGB & Mt.Hood Area)
Name	Rick Winterhalter	Rick Winterhalter	Rick Winterhalter	Rick Winterhalter
Title	Sustainability Analyst, Sr.	Sustainability Analyst, Sr.	Sustainability Analyst, Sr.	Sustainability Analyst, Sr.
LG Name	Clackamas County - Mt. Hood Area	Clackamas County - Urban Areas	Clackamas County - Urban Areas (inside Metro boundary)	Clackamas County - Rural Areas (outside Metro boundary)
Wasteshed Name	Metro - Clackamas County	Metro - Clackamas County	Metro - Clackamas County	Metro - Clackamas County
Email	rickw@clackamas.us	rickw@clackamas.us	rickw@clackamas.us	rickw@clackamas.us
Phone number	(503) 742-4466	(503) 742-4466	(503) 742-4466	(503) 742-4466

Recycling Service providers	Bliss Sanitary	KWS/WCI, B&B Leasing, Clackamas Garbage, Republic Services, Sunset, WM	KWS/WCI, B&B Leasing, Republic Services	KWS/WCI, B&B Leasing, Bliss Sanitary, Republic Services, WM
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2. Type of area served by the request (select all that apply)

City				
City urban growth area managed by county		X	X	X
County	X	X	X	X
Other/unincorporated area (list/describe)	Mt. Hood area including, but not limited to: Brightwood, Cherryville, Faubion, Gov't Camp, Marmot, Mt. Hood Village, Rhododendron, Ripplebrook, Welches, Wemme, Wildwood, Zigzag,	Urban areas outside incorporated city boundaries, inclusive of a city's UGB, within the Metro boundary, including, but not limited to: Clackamas, Marylhurst, Oak Grove, Oatfield, Jennings Lodge	Rural areas outside incorporated city boundaries, inclusive of a city's UGB, within the Metro boundary, including, but not limited to: Damascus, Boring, Stafford, Wankers Corner	Rural areas outside incorporated city boundaries, inclusive of a city's UGB, outside the Metro boundary, including, but not limited to: Barton, Beavercreek, Boring, Bull Run, Carver, Colton, Eagle Creek, Kelso, Macksburg, Mulino, New Era, Pete's Mountain, Redland, Yoder

3. Population of area(s) served by the request (these are city only population counts)

Survey Questions

4. What are the existing recycling services in your community (select all that apply)

	Clackamas County - Mt. Hood Area	Clackamas County - Urban Areas	Clackamas County - Rural Areas (inside Metro UGB)	Rural Areas (outside Metro UGB & Mt.Hood Area)
SF on-route recycling collection	X	X	X	X
MF on-route recycling collection	X	X	X	X
Commercial on-route recycling collection	X	X	X	X
Recycling depot(s)	X			
Recycling reload facility	X			
None				

Other or unknown (please describe or explain)

retail drop-off locations for an assortment of items; exact locations/materials unknown *retail drop-off locations for an assortment of items; exact locations/materials unknown* *retail drop-off locations for an assortment of items; exact locations/materials unknown* *retail drop-off locations for an assortment of items; exact locations/materials unknown*

5. Is your jurisdiction interested in expanding recycling services in 2025-2027

Yes	X	X	X	X
No				
Unsure				

6. If no, please explain your decision (SEE TEXT BOX TO RIGHT)

7. New on-route recycling collection (Example: Startup expenses such as new trucks or containers). Note: ongonig operational costs will not be covered/reimbursable by the PRO.)

	<i>Additional duplicate route for new materials</i>	<i>Additional duplicate route for new materials</i>	<i>Additional duplicate route for new materials</i>	<i>Additional duplicate route for new materials</i>
Adding SF route(s)	X	X	X	X
Adding multifamily route(s)	X	X	X	X
Adding commercial route(s)	X	X	X	X

8. Expanding on-route recycling collection to accommodate new materials (Examples: expanding service to add new customers, increasing service collection, using more or larger containers in order to collect the uniform statewide collection list of materials. Note: ongoing operational costs, including staffing, will not be covered/reimbursable by the PRO.)

Collection truck(s)	X	X	X	X
Collection containers, roll carts or both	X	X	X	X
On-board contamination monitoring equipment and software (for upgrading collection programs that do not already have equipment in place)	X	X	X	X
Staff safety equipment (e.g. goggles, safety vests, work boots, etc.)	X	X	X	X
Other (please describe)				

Survey Questions	Clackamas County - Mt. Hood Area	Clackamas County - Urban Areas	Clackamas County - Rural Areas (inside Metro UGB)	Rural Areas (outside Metro UGB & Mt.Hood Area)
9. New recycling depots				
Collection containers	x	x	x	x
Signage	x	x	x	x
On-site monitoring equipment (e.g. cameras to monitor for contamination or illegal dumping)	x	x	x	x
Equipment to move and load recyclables for shipment	x	x	x	x
Equipment to compact and bale recyclables for shipment	x	x	x	x
Hiring and training staff	x	x	x	x
Staff safety equipment (e.g. goggles, safety vests, work boots, etc.)	x	x	x	x
Ongoing operation costs, including staffing	x	x	x	x
Land	x	x	x	x
Storage	x	x	x	x
Other (e.g. paving, fencing, other improvements Please describe.)	Whatever is necessary to meet land use requirements	Whatever is necessary to meet land use requirements	Whatever is necessary to meet land use requirements	Whatever is necessary to meet land use requirements
10. Expanding existing recycling depots				
Collection containers				
Signage				
On-site monitoring equipment (e.g. cameras to monitor for contamination or illegal dumping)				
Equipment to move and load recyclables for shipment				
Equipment to compact and bale recyclables for shipment				
Hiring and training staff				
Staff safety equipment (e.g. goggles, safety vests, work boots, etc.)				
Ongoing operation costs, including staffing				
Land				
Storage				
Other (e.g. paving, fencing, other improvements Please describe.)				
11. New recycling reload facility, if needed. A reload facility is a facility other than a recycling depot where recyclable materials are received, consolidated, and reloaded into larger containers or vehicles for transportation to a commingled recycling processing facility or responsible end market				
Yes	x			x
No				
Unknown (please explain)				

Survey Questions

12. Expanding existing recycling reload facility

- Equipment to move and load recyclables for shipment
- Equipment to compact and bale recyclables for shipment
- Hiring of new staff, if needed, or expansion of staff hours

- On-site monitoring equipment (e.g. cameras to monitor for contamination or illegal dumping)
- Staff safety equipment (e.g. goggles, safety vests, work boots, etc.)
- Ongoing operation costs, including staffing
- Land
- Storage

Other (e.g. paving, fencing, other improvements Please describe.

13. Estimated number of new on-route recycling collection customers to be served. Only provide this information if known.

- SF (households)
- MF (units)
- Commercial

**Clackamas County -
Mt. Hood Area**

**Clackamas County -
Urban Areas**

**Clackamas County -
Rural Areas (inside
Metro UGB)**

**Rural Areas (outside
Metro UGB &
Mt.Hood Area)**

x
x
x
x
x
x
x
x
Whatever is necessary to meet any additional land use requirements

CLACKAMAS COUNTY

SOLID WASTE AND RECYCLING COLLECTION SERVICES

ADMINISTRATIVE REGULATIONS

FOR FRANCHISEE & CUSTOMER

Adopted: October 10, 1994
Amended: April 19, 1995
November 13, 2000
October 28, 2005
July 3, 2007
November 5, 2009
February 2, 2023

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PURPOSE. The purpose of this document is to articulate the standards, policies and regulations for collection of solid waste as authorized by the Clackamas County Code. These rules replace Regulation No. 1, dated November 14, 1989.

- I. DEFINITIONS.** All definitions in the County Code, Title 10, Chapters 10.03 and 10.04, are hereby made part of this regulation. Additional words and phrases, listed below, shall have the following meaning in this regulation.

Additional Recycling Collection Service. The optional on-call collection of a County designated list of materials for reuse or recycling. The customer must request and pay a fee for this service.

Association. The franchisee trade association known as Clackamas County Refuse & Recycling Association.

Board. Board of County Commissioners for Clackamas County.

Code. Clackamas County Code Title 10, Chapters 10.03 and 10.04.

Collection Drive. The occasional collection of a County designated material offered exclusively to customers enrolled in the Additional Recycling Collection Service.

Collection Service. The collection, transportation, storage or disposal of solid waste or wastes for compensation, solid waste management and utilization as defined in this Code, and reuse or recycling of recyclable materials.

Collection Service Franchisee. A person to whom a collection service franchise is granted by the Board.

Compactor. Any self-contained, power-driven, mechanical equipment designed for the containment and compaction of solid waste or wastes or recyclable materials.

Container. A receptacle, one cubic yard or larger in size, used to store solid waste or wastes or recyclable material, but not a drop box or compactor.

Curbside/Roadside. A location within three (3) feet of a County Road, Public Access Road, State Road or Federal Road. This does not allow the solid waste or recycling receptacle to be placed on the inside of a fence or enclosure even if the receptacle is within three (3) feet of said road or roads. For residences on "Flag Lots", private roads, or driveways, "Curbside or Roadside" shall be the point where the private road or driveway intersects a County Road, Public Access Road, State Road or Federal Road.

Department. The State of Oregon Department of Environmental Quality, cited as DEQ.

Director. The Director of the Department of Transportation and Development of Clackamas County or his/her authorized representative.

Dispose or Disposal. Includes accumulations, storage, collection, transportation and disposal of solid waste and wastes or recyclable materials.

Drop Box. A single container designed for the storage and collection of large volumes of solid waste or wastes or recyclable materials, which is usually 10 cubic yards or larger in size, and provides for transportation of large volumes of solid waste or wastes or recyclable materials and is transported to a disposal site for transfer, land-filling, recycling, materials recovery or utilization and then emptied, and returned to either its original location or some other location.

EQC. The Environmental Quality Commission of Oregon, cited as EQC.

Franchise. A granting of the right and responsibility to provide collection service, a disposal site, or a transfer station pursuant to Section 10.03.140 of the Code.

Metropolitan Service District (Metro). The district organized under ORS Chapter 268 and exercising solid waste authority granted to such district under ORS Chapters 268, 459 and 459A.

Person. Includes individuals, members, corporations, cooperatives, associations, firms, partnerships, joint stock companies, trusts and estates, municipalities and all other legal entities whatsoever.

Receptacle. A can, cart, container, drop box, compactor, recycling bin or any other means of containment of solid waste or wastes or recyclable materials.

Recycling Depot. A center, drop box or other place for receiving source-separated recyclable materials with or without compensation. This shall not include a salvage, junk or auto wrecking yard.

Service. The collection, transportation, storage, disposal, solid waste management and utilization by a private company of solid waste or wastes or recyclable materials for compensation.

Service Area. The geographical area, in which service, other than operation of a disposal site is provided.

Solid Waste and Wastes Management. The management of the accumulation, storage, collection, transportation, treatment, processing and final disposal or utilization of solid waste and wastes or resource recovery from solid waste, and facilities necessary or convenient to those activities. The Collection Franchisee may contract with another person to provide service of any type under the Franchisee's Collection Service Franchise, but the Collection Franchisee shall remain ultimately responsible for solid waste and wastes management in the Collection Franchisee's franchised area.

Yard Debris Processing Center. A facility which processes yard debris into compost or other products, through controlled mechanical and/or biological means.

All other terms used in these Administrative Regulations shall have meanings as defined in the Clackamas County Code Chapter 10.

II. GENERAL CONDITIONS

Statement of Nondiscrimination. Franchisees shall not discriminate against or deny services to any person, property owner or tenant because of race, color, handicap, creed, sex, national origin, religion, familial status or marital status except as provided in Section 10.03.260 A (2) and (4) of the Clackamas County Code.

Sources of County Authority. Each franchisee recognizes that the authority of the Board comes from the following:

1. ORS 459.085, authorizing the Board, with respect to areas outside of cities, to do the following by ordinance, code, regulation or order adopted pursuant thereto:
 - a) Prescribe the quality and character of and rates for solid waste collection service, and the minimum requirements to guarantee maintenance of service.
 - b) Periodically review the application of uniform rates predicated on development in a particular area.
 - c) Divide the unincorporated area into service areas, grant franchises to persons for solid waste collection service within service areas, and establish and collect fees

from persons holding franchises.

- d) Prescribe a procedure for issuance, renewal or denial of a franchise to a person providing or proposing to provide solid waste collection service.
 - e) Establish an agency to be responsible for investigation or inspection of solid waste collection service proposed or provided under a franchise or proposed franchise, such agency to have authority to order modifications, additions or extensions to the physical equipment, facilities, plan or service as shall be reasonable and necessary in the public interest.
 - f) Regulate solid waste management.
 - g) Provide for:
 - (1) The licensing of disposal sites as an alternative to franchising of service.
 - (2) The regulation, licensing or franchising of salvage businesses or the operation of salvage sites where such action is found necessary to implement any part of a solid waste management plan applicable in the county; however, such a code shall grant the same authority and prescribe the same procedures as provided for other franchises or licenses under this section.
2. The general legislative power granted the Board by ORS 203.035.

Limitations of County Authority. Each franchisee recognizes that ORS 459.095 restricts the authority of local units of government by providing that no code, ordinance, order, regulation or contract affecting solid or liquid waste disposal, resource recovery or solid waste management shall conflict with regulations adopted by the EQC pursuant to ORS 459.045, a solid waste management plan or program adopted by Metro and approved by the DEQ, or any codes, ordinances or regulations adopted pursuant to any such plan or program.

Future Changes of Laws, Codes, Ordinances or Regulations; and Review of Franchise

System. Each franchise shall be renewed subject to the following provisions:

- 1. The power of the Board to amend the Code from time to time as the public interest may require.
- 2. The power of the Board to adopt or amend regulations pertaining to the Code and to any other codes, ordinances, regulations or laws that may be adopted that affect the responsibilities, duties and rights of the franchisee.
- 3. Any action that may result from recommendations of the Commission under Section 10.03.110 of the Code.
- 4. Periodic reviews at the discretion of the Commission.
- 5. The findings of the Board under Section 10.03.280 and penalties under Section 10.03.410 of the Code.

Responsibilities of Franchise Holders

1. *Code Compliance.* Each franchisee shall comply with Section 10.03.260 A of the Code and any other provision of the Code as it may later be amended.
2. *Compliance with Specific Requirements.* Each franchisee shall comply with these regulations and any regulations promulgated in the future under Section 10.03.130 of the Code and any other provision of the Code as it may later be amended.
3. *Policies.* Each franchisee is required to submit their policies, in writing, as defined in this document, to the County for review and approval.
4. *Utilization of Solid Waste.* Each franchisee shall cooperate with the Board and with any agency of the County in connection with any program established for the utilization of solid waste by the use of a recycling depot, yard debris processing center or by any other method or program to encourage economically feasible energy recovery or savings of energy, material recovery, reduction, recycling, reuse, resource recovery, composting or any salvage of materials generally from solid waste.
5. *Rights of Other Collection Franchisees.* Each franchisee shall respect the franchise rights of every other collection franchisee franchised by the County.
6. *Future Annexations, Consolidations or Mergers of Cities.* Each franchise holder shall fully cooperate in carrying out the provisions of ORS 459.085(3) as now enacted or hereafter amended.
7. *Mutual Cooperation.* Each franchisee shall cooperate in dealing with problems under the Code and franchise system in the most efficient manner. This mutual cooperation may be voluntarily adopted by the franchisees through their association, or may be directed by the Board in connection with any phase of administration, enforcement, and performance under the franchise system. Franchisees may be required to participate in a joint venture or corporation, either separate from or through their association. This condition is to be liberally interpreted toward the most efficient administration of the Code and franchise system.
8. *Enforcement of Code.* Each franchisee shall assist the County in preventing illegal acts in violation of the Code, the franchise system, and any solid waste management plan or solid waste reduction plan adopted by or applicable in the County. The County will consider amendments to the Code, regulations, or new codes as necessary to improve enforcement of the solid waste and waste reduction program(s).
9. *Information and Complaint Resolution.* Each franchisee shall respond by the next standard business day (i.e., Monday through Friday, excluding legal holidays) to customer inquiries. Both office and on-route staff shall be knowledgeable and courteous in responding to customer requests and customer complaints. Franchisee shall provide staff or telephone answering service to handle customer calls between 9:00 a.m. and 4:30 p.m., Monday through Friday, except legal holidays.

Other Requirements of Franchisees. In addition to the requirements set forth in the Code, each franchisee shall:

1. Use only approved disposal sites.

2. Provide directly or through subcontract all types of services as may be required by the County.
3. Actively seek new and additional customers within the franchised area.
4. Periodically notify customers of the types of service available.
5. Attempt to resolve all disputes between the franchisee and its customers in a prompt and amicable manner.
6. Charge customers according to the uniform fee structure as adopted by the County.
7. Make timely payment of franchise fees as required by the Code and file all reports required by the County in a timely manner.
8. Use forms supplied by the County to apply to the County for a fee adjustment or for any other matter for which the County has a prescribed form.
9. Annually submit production, sale and purchase records, including income and expense statements, labor hours, truck hours, customer and receptacle counts and tonnage reports. These records may also include, at the County's option, financial statements and tax returns for 12-month periods, from January 1 to December 31 of the previous year, for purposes of solid waste management fee review (except in case of an emergency when a solid waste management fee review may be processed more frequently than annually).
10. Comply with vehicle equipment standards adopted by the State of Oregon. The company name and phone number of the franchisee shall appear at a prominent place on all containers, drop boxes, recycling containers and vehicles, and they shall be maintained in a safe and sanitary manner. For those containers and drop boxes requiring frequent cleaning, the franchisee shall clean them and charge the cost of cleaning pursuant to the County Waste Management Fee structure.
11. Annually report to the County on educational and promotional activities performed within the County for the purpose of preparing the annual DEQ and Metro recycling reports.
12. Fully cooperate in the infectious waste collection program pursuant to ORS 459.386(2) to 459.405.
13. Fully cooperate with the County in developing a collection service plan for collecting source separated construction and demolition debris for recycling or reuse.

III. FRANCHISEE GENERAL RESPONSIBILITIES

Collection Service Availability. Each franchisee shall make available, to every person in its service area, each of the solid waste collection services required by the County.

Collection. Each franchisee shall pick up solid waste, recyclables and yard debris set out for collection, provided the material is required to be collected in the franchisee's area, and provided the material is properly prepared, separated and placed.

Information about Services. Each franchisee shall provide all new customers (and existing customers, upon request) with written information about all services the County requires to be provided by the franchisee and the solid waste management fee for those services.

Holiday and Inclement Weather Conditions. Annually, each franchisee shall provide notification to all customers about holiday schedules and collection policies for inclement weather conditions.

Inclement Weather Conditions. Franchisees may postpone collections when weather conditions make driving hazardous. In situations where garbage, recycling, and yard debris collections are all postponed to subsequent week(s), franchisees will give priority to the collection of garbage.

Garbage. The franchisee will pick up postponed collections of garbage as weather and road conditions permit. If collection must be postponed to a subsequent week(s), the cumulative amount of the current subscribed service level will be collected.

Recycling. Collection will be postponed to a subsequent week(s) as weather and road conditions permit. Resumption of recycling collection may be postponed past the following week if there have been several days of inclement weather and the franchisee is using available staff and trucks to catch up on garbage collections.

Yard Debris. Collection will be postponed to a subsequent week(s) as weather and road conditions permit. Resumption of yard debris collection may be postponed past the following week if there have been several days of inclement weather and the franchisee is using available staff and trucks to catch up on garbage and recycling collections. When collection resumes the cumulative amount of the current subscribed service level will be collected.

Notification of Postponed Collection. The franchisee will notify Clackamas County by 10 a.m. by telephone or e-mail on the days that collection will be postponed. The franchisee will update their voicemail and web site at least daily, notifying customers of postponed collections.

Billing. Postponed collections are not considered missed collections, because the service is rendered in due course. Credits are not available for postponed collections due to inclement weather.

Solid Waste Management Fee Change. All fees must be approved by the County. Each franchisee shall provide advance written notice to customers of any changes to a

solid waste management fee or fees. This notice shall contain an explanation of such change. Clackamas County may request a review of the notice prior to distribution.

Service Change. A franchisee shall make no significant change(s) in service or receptacle type(s) without first submitting the proposed change(s) to the County for review and approval. Franchisee shall provide all customers with advance written notice of approved change(s).

Customer Credits. Each franchisee shall have a written policy, on file with the County, on customer credits for: vacations, missed pickups and any other event that could generate a credit.

Missed Pickups. Each franchisee shall collect pickups missed by the franchisee, upon customer request, if notified within one business day following customer's regular service. There shall be no additional charge to collect said missed solid waste. This rule does not include holidays or extreme weather conditions.

Billing Procedures. Each franchisee shall have a written policy for billing procedures and reinstatement for non-payment. No billing(s), except reinstatement billings, shall exceed two months' advance payment. All payment policies shall be printed on customers' statements. A copy of all payment and reinstatement policies shall be submitted to the County for review and approval.

Collection Activity. Whenever possible, a franchisee shall minimize the disturbance in residential neighborhoods in the operation of their equipment.

Maintaining Passage on Public Right-of-Way. To the greatest extent practical, a franchisee should avoid blocking passage of vehicles and pedestrians on public roads, streets and sidewalks, and avoid blocking mailboxes with collection equipment.

Location of Empty Receptacles. A franchisee shall not leave emptied receptacles in a location where they obstruct the sidewalk, bikeway, or impede traffic flow.

Cleanup on Route. Each franchisee shall make a reasonable effort to pick up all material blown, littered, broken or leaked during the course of collection.

Transit. All collection equipment shall be maintained to prevent blowing of solid waste or recyclables, or leaking, to the greatest extent possible, between collection point and point of disposal.

Weight Information. Upon request, franchisee shall furnish customers with information concerning limitations of their equipment relating to volume and weight.

IV. FRANCHISEE COLLECTION

Solid Waste

1. *Extra Solid Waste.* Franchisee shall have a written policy for preparing, hauling and charging for extra solid waste. This policy shall be submitted to the County for review and approval.
2. *Receptacles.* Receptacles made available by a franchisee to their customers shall be 1) designed for safe handling, 2) non-absorbent, 3) watertight, 4) vector-resistant, 5) durable, 6) easily cleaned, and 7) (except for drop boxes) provided with lids or covers that can be readily removed or opened.
3. *In-Ground Can(s).* A franchisee is not required to remove a garbage can from an in-ground or "sunken" location.
4. *Can Limitations.* A franchisee is not required to collect a can over 34 gallons nor one without a lid or side handles.

Recycling & Yard Debris

1. *Volume of Material.* With the exception of scrap metal, motor oil and yard debris, there is no set limit as to the volume of materials that can be set out for weekly collection. However, a franchisee may provide written information to their customers requesting their office be contacted in advance when large volumes of recyclables are to be set out for collection.
2. *Improper Material Preparation.* Written information shall be left with all improperly prepared recyclables, including yard debris. Said notice shall provide instructions for proper preparation.
3. *Delivery.* Each franchisee shall ensure that all properly prepared and collected recyclables and yard debris are delivered to a processor or broker of recyclable material or to an end-use market. A franchisee shall be prohibited from delivering, or causing to be delivered for disposal, any source separated and collected recyclable material or yard debris unless the recyclable material or yard debris was rejected by a processor or broker.
4. *Promotion/Education.* Each franchisee shall participate in any County-directed promotional and educational campaigns.
5. *Signage.* Each franchisee shall maintain signage on each receptacle clearly identifying the material belonging in that particular receptacle. Decals or other signage shall be replaced as needed to maintain a legible and tidy appearance.
6. *DEQ Requirements.* Each franchisee shall comply with DEQ and County requirements for notices to customers concerning recycling services.
7. *Service Area.* A franchisee shall not intentionally collect recyclable material or any yard debris from customers in another franchisee's service area within unincorporated Clackamas County except by County-approved subcontract.

8. *Recyclable Materials List.* The County shall designate the recyclable materials required to be collected and the customers to receive this service, taking into consideration the technical feasibility of said service.
9. *Residential*
 - a) *Service.* Each franchisee shall provide all residents within their service area recycling collection service as required by the County.
 - b) *Receptacles for the Collection of Recyclables.* Franchisees using bins shall provide each customer with two recycling bins at no charge. If necessary, one replacement recycling bin shall be provided at no charge. A County approved charge may be required for subsequent replacements. Franchisees using roll carts shall provide each customer with one roll cart. All bins and carts remain the property of the franchisee.
 - c) *Collection Day.* Recyclable materials shall be collected weekly on the same day as garbage collection for any given resident. Yard debris shall be collected weekly from residential customers within Metro's Urban Growth Boundary, but not necessarily on the same day as garbage.
 - d) *Point of Collection.* Residential recyclable materials and yard debris (where required) shall be collected at the curbside/roadside. If a curbside/roadside location is not available, collection shall be at such other location agreed upon between franchisee and customer.
 - e) *Additional Recycling Collection Service*
 1. The franchisee will provide Additional Recycling Collection Service to urban residential customers, upon customer request, effective January 1, 2023.
 2. The point of collection will be curbside/roadside. Non-curbside collection, if requested, will be provided as set forth on the County fee schedule.
 3. The opportunity for collection will be provided no less than every-other-week. The collection day may or may not be the same day of the week as other collection services.
 4. This service will be considered an on-call collection service. The customer must request the service at least two (2) business days before the next designated collection day.
 5. The franchisee will provide one (1) 15 to 25-gallon receptacle with a lid. The County will approve the receptacle, including its color.
 6. The franchisee will provide clear, plastic collection bags for materials placed inside the receptacle, unless otherwise noted. These bags must contain at least thirty (30) percent recycled content, if available.
 7. The franchisee will collect the following materials placed inside collection bags. All collection bags must fit inside the receptacle allowing the lid to close for collection. All materials must be prepared following County guidelines and educational materials:
 - a. Compact fluorescent lightbulbs collected in one (1) gallon customer-provided bag(s).
 - b. Plastic film, #2 HDPE and #4 LDPE only, collected in franchisee-provided bag(s).

- c. Textiles collected in franchisee provided bag(s).
 - d. Number #1 PET/PETE clear plastic, hinged, clamshells collected in franchisee-provided bag(s).
 - e. Other materials, as determined by the County.
8. The County may adjust the materials collected in the Additional recycling Collection Service program in response to changes in recycling processing capacity or availability of recycling markets.
9. The franchisee shall participate in special collection drives, as part of this service, up to four (4) times per year, as approved by the County. The franchisees, as a group, may choose to participate in more than four (4) collection drives. Materials collected for reuse will be determined in collaboration with local reuse organizations, the County and the franchisees.

10. Commercial

- a) Service. Each franchisee shall provide recycling service to all commercial businesses within their service area upon request for such service.
- b) Materials Included. At a minimum all recyclable materials included in the residential program are included in the commercial program, except for motor oil and household batteries.
- c) Glass Bottles and Jars. Franchisee shall keep glass bottles and jars separate from other recyclables on their vehicles.
- d) Service Frequency. Recyclable materials shall be collected on a regular schedule, at a frequency that is mutually agreed upon between the franchisee and the customer. At a minimum, on-call service shall be offered.
- e) Timely Response. Franchisee shall respond to requests for service within seven days. The response shall include delivery of needed recycling receptacles, promotional materials or a phone call to schedule delivery.
- f) Point of Collection. Collection of commercial recyclable materials shall be at a location that is mutually agreed upon between the franchisee and the customer.
- g) Receptacles. Franchisee shall provide receptacles at a central collection site. Receptacles shall be adequate for the volume of material produced. To receive a cardboard container, a minimum of one cubic yard of material per week may be required by the franchisee. For receptacles for other materials, a minimum of one 35- gallon cart of material per month is required. Receptacles shall have signage informing the customer which material belongs in the receptacle.
- h) Locks. Franchisee shall provide locks for outside receptacles upon request. The customer may be charged the cost of replacement locks.
- i) Improper Preparation. If a customer improperly prepares material, the franchisee may refuse to collect it, and shall inform the customer within one business day that the material was improperly prepared and provide instructions for proper preparation.

- j) Promotion. Franchisee shall annually notify customers of materials that can be collected for recycling and encourage them to participate.

11. Multifamily

- a) Service. Each franchisee shall provide recycling service to all multifamily complexes within their service area upon request for such service by the owner or manager of a multifamily complex.
- b) Service Frequency. Recyclable materials shall be collected at a frequency that is mutually agreed upon between the franchisee and the customer.
- c) Point of Collection. Collection of multifamily recyclable materials shall be at a location mutually agreed upon between the franchisee and the owner/manager.
- d) Receptacles. A franchisee is required to provide receptacles for recyclables. If the owner/manager of a multifamily complex chooses to provide the recycling receptacles, they shall be compatible with said franchisee's collection method and equipment.
- e) Additional Recycling Collection Service. The franchisee will provide this service to multi-family households located in the urban fee zone, upon request, no later than January 1, 2024. The provision of this service may require owner, property manager or Homeowner Association (HOA) approval.

V. CUSTOMER REQUIREMENTS

General

1. *Preparation.* Solid waste shall be placed safely and securely in a receptacle to prevent lightweight materials from blowing away prior to being collected.
2. *Special Waste.* Customers shall take appropriate actions to ensure that hazardous materials, infectious waste or hot ashes are not put into a receptacle.
3. *Location.* Receptacles for collection shall be placed in an area where there is safe and reasonable access by the franchisee.
4. *Drop Box.* To ensure that drop boxes can be securely covered for transport, they shall not be filled beyond the designated fill line for heavy material nor above the top of the box for any material.

5. *Weight.* Franchisee may refuse to collect a drop box or other receptacle, whether or not compacted, that would put their equipment over the legal weight limits of state or local laws, exceed the lifting capacity of their equipment and/or manufacturer's specifications, or that cannot be securely covered. The maximum weight required to be collected in any single receptacle is:

- a) Cans up to and including 34 gallons = 60 lbs
- b) Roll carts up to 40 gallons = 60 lbs
- c) Roll carts over 40 gallons, up to and including 60 gallons = 100 lbs
- d) Roll carts from 61 gallons, up to and including 90 gallons= 120 lbs

Each franchisee shall have a policy on how they handle overweight containers.

6. *Damage.* The franchisee may charge the customer the cost of repair or replacement of a receptacle provided by the franchisee if customer does not take reasonable care to prevent abuse, fire, vandalism, excessive wear or damage.

7. *Cleanup.* If cleanup is required for spillage that is not caused by the collector in the course of collection, the hourly rate may be used to assess an appropriate charge.

Solid Waste

1. *Liquids.* No liquids, other than residentially generated motor oil for recycling, shall be placed for collection.
2. *In-Ground.* If a customer wishes collection service of a garbage can from an in-ground or "sunken" location, they are responsible for placement of the can above ground. The can must have a lid and side handles.
3. *Customer-Provided Receptacle.* Any receptacle over 34-gallon capacity shall be approved by the franchisee based on safety, equipment compatibility and availability. All customer-provided receptacles shall have side handles, be non-absorbent, watertight, vector resistant, durable, easily cleaned and equipped with tight-fitting lids or covers that can be easily removed. No receptacle designed for mechanical collection shall be provided by the customer.
4. *Filling Receptacle.* Customers shall not overfill a receptacle so that the lid cannot be closed and/or securely covered. If a receptacle is overfilled, an additional County-approved fee may be charged.
5. *Compacting.* If the contents of a can, cart or container are compacted either mechanically or manually, the compacted solid waste management fee approved by the County shall be charged.
6. *Identification of Receptacles.* If more than one customer places their receptacles at a common location, each customer must identify their receptacles using the house number of their address. Any containers, bags or boxes used for occasional extras should be identified in the same manner. If not identified, the franchisee may refuse to collect the solid waste.

Recycling

1. Residential

- a) Preparation. Materials shall be prepared as described below and separated into these categories. (Under certain conditions, upon County approval, additional separation and bagging may be required of the customer.)
- (1) The following items may be placed together in one receptacle (bin or roll cart):
- (a) Magazines: Place loose in container.
 - (b) Newspapers: Place loose in container.
 - (c) Corrugated Cardboard: (including brown paper bags.) Any single piece is limited in size to 36 inches. Flatten, place pieces in container. Bin-- Pieces that don't fit in the bin should be stacked and placed under the bin. Roll cart-- Pieces that don't fit loosely in the roll cart with the lid closed should be flattened and placed beside the cart.
 - (d) Scrap Paper: Includes opened mail, envelopes, paper egg cartons, cereal and shoe boxes, phone books, catalogs and wrapping paper. Exclude food-contaminated paper or foil, waxy or plastic-coated papers. Place loose in roll cart or put in a paper bag before placing in bin.
 - (e) Aerosol Cans: Must be completely empty with lids removed. Do not crush or flatten; nozzle button should remain in place.
 - (f) Aluminum: Includes aluminum cans, containers and foil; rinsed clean of food or food residues.
 - (g) Steel (Tin) Cans: Includes cans, metal can ends, and bottle and jar lids. Shall be rinsed clean. Empty paint cans, with only a thin skin of paint remaining, may be included.
 - (h) Scrap Metal: Any single piece or bundle is limited to 30 inches in size in any direction and 40 pounds.
 - (i) Plastic Bottles and Tubs: Six ounces to five gallons in size. Includes rigid plastic nursery pots four inches and larger. Must be rinsed clean; labels are okay. Exclude lids and caps. Exclude bottles or tubs that have contained hazardous materials. The following items shall not be collected in the same receptacle containing items listed in this section: 1) plastic bags and film, 2) Styrofoam® packaging, peanuts, trays and take-out containers, 3) clear "clamshells" and bakery containers, 4) plastic trays, cups, plates, and silverware, 4) toys and large plastic items, 5) blister packaging (tough, clear, product-shaped, display plastic}, and 6) biodegradable or compostable plastics.
- (2) Glass Bottles & Jars: Place separate from all other recyclables in a paper bag, bucket or recycle bin.. Must be rinsed clean; labels are okay. Exclude lids and caps. The following items shall not be collected: drinking glasses, cookware,

plate glass, safety glass, light bulbs, ceramics and non-glass materials.

(3) **Household Batteries:** Alkaline, 6-volt to 9-volt, rechargeable alkaline, NiCad, lithium, silver oxide and button cell batteries. All batteries must be contained in a one (1) quart, zip-sealed, see-through plastic bag placed in the glass recycling receptacle on top of glass bottles/jars. All batteries, except standard alkaline, must have terminal ends taped. No vehicle or battery backup (UPS) units, or other lead acid batteries shall be included.

(4) **Motor Oil:** Shall be in marked, unbreakable, leak-proof containers not to exceed two gallons in size. Container shall have a screw top. No other fluids are to be included. The total quantity collected shall not exceed five gallons at any one time.

b) **Yard Debris**

(1) Shall be placed in a franchisee-provided receptacle.

(2) Extra yard debris may be placed in:

(a) 32-gallon or smaller garbage cans, labeled yard debris, or

(b) 32-gallon paper lawn and leaf bags provided by the customer, or

(c) Bundles not to exceed 18 inches in diameter nor 48 inches in length.

(3) A franchisee is not required to collect yard debris placed in a plastic bag.

(4) Sod, dirt, rocks, metal, ashes, food, household garbage or branches exceeding four inches in diameter or 48 inches in length shall not be collected as yard debris.

(5) Yard debris placed in a receptacle should be loosely loaded to minimize damage to the receptacle and to facilitate emptying, and should not overflow the top of the receptacle.

(6) Weight of receptacle and contents shall adhere to the weight standards in Section V.5.

c) **Other Materials.** The County reserves the right to add and modify materials and preparation requirements listed in this section.

d) **Placement.** Customers shall place recyclables at curbside/roadside in a receptacle separate and distinct from solid waste intended for disposal. Receptacles shall not be placed in an area where they obstruct the sidewalk, bikeway or impede traffic flow or block mailboxes.

e) **Collection Time.** Customers shall set materials at the curbside/roadside by 6 a.m. on the customer's designated collection day, or any time mutually agreed upon by customer and franchisee.

f) **Receptacle Ownership.** Receptacles provided by a franchisee remain the property of the franchisee and are to be left at the residence when a customer moves.

2. Commercial

- a) Placement Customer shall place materials in central recycling receptacles at a location mutually agreed upon by franchisee and customer. Franchisee is not required to enter the premises to collect the material. Customer must provide adequate space and access to service receptacles.
- b) Weight. Customer shall make sure that containers do not exceed the maximum weight designated by the manufacturer for the equipment
- c) Volume. Franchisee is not required to collect incidental volumes of materials.
- d) Preparation. Materials shall be prepared according to these instructions and separated as per franchisee instructions.
 - (1) Newspaper & Magazines: Clean, free from non-paper items.
 - (2) Corrugated Cardboard: Boxes shall be flattened and placed in labeled container or stacked per the franchisee's instructions. If, by failing to flatten boxes the customer causes the franchisee to collect more frequently than would otherwise occur if boxes were flattened, franchisee may remove the container and discontinue service. Materials shall be free of packing material (foam, metal, plastics).
 - (3) Office Scrap Paper: Includes white and colored office paper, thermal fax paper, carbonless paper, envelopes, sticky notes, brochures, opened unwanted mail, tablet backs, paper bags, file folders, phone books, catalogs, etc. Staples are okay. Remove large metal clasps. Exclude food-contaminated paper or foil, waxy or plastic-coated papers. White paper may be collected separately from office scrap paper upon agreement with the franchisee.
 - (4) Metals: Includes aluminum cans, steel (tin) cans, empty aerosol cans, and small pieces of scrap metal (less than 30 inches in size in any direction and 40 pounds). Remove non-metal parts, food and/or other residue.
 - (5) Plastic Bottles and Tubs: Six ounces to five gallons in size. Includes rigid plastic nursery pots four inches and larger. Must be rinsed clean; labels are okay. Exclude lids and caps. Exclude bottles or tubs that have contained hazardous materials. The following items shall not be collected: 1) plastic bags and film, 2) Styrofoam® packaging, peanuts, trays and take-out containers, 3) clear "clamshells" and bakery containers, 4) plastic trays, cups, plates, and silverware, 4) Toys and large plastic items, 5) blister packaging (tough, clear, product-shaped, display plastic}, and 6) biodegradable plastics.
 - (6) Glass Bottles & Jars: Shall be kept in separate recycling receptacle from all other recyclables. Must be rinsed clean; labels are okay. Exclude lids and caps. The following items shall not be collected: drinking glasses, cookware, plate glass, safety glass, light bulbs, ceramics and non-glass materials.
- e) Improper Preparation. If notified by franchisee of improperly prepared materials, customer shall prepare items correctly or dispose of them as garbage.

VI. Repealer

Any regulations previously enacted under section 10.03.130 of the Clackamas County Code, which are inconsistent with this regulation, are hereby repealed.

It is hereby ordered that these Regulations are approved and adopted effective immediately.



Dan Johnson, Director
Department of Transportation & Development
Clackamas County

Date 2-14-2023