

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Study Session Worksheet

Presentation Date: December 14, 2010 Time: ^{8:30 am}~~2:15 p.m.~~ Length: 15 minutes

Presentation Title: Business Recycling Requirements - Update

Department: Office of Strategic Planning and Sustainability

Presenters: Rick Winterhalter and Shannon Martin

POLICY QUESTION

Should the County Staff enforce the Business Recycling Requirements at this time?

ISSUE & BACKGROUND

Businesses generate almost half the region's garbage. It is estimated that businesses within the Metro tri-county area discard more than 100,000 tons of recyclable materials into landfills annually. Reducing the discarded tonnage is necessary to meet material recovery goals set by the State of Oregon and goals set by the Clackamas County Sustainability Action Plan.

Business Recycling Requirements (BRR) are code provisions designed to reduce business solid waste flows in the Metro tri-county region through recycling of cardboard, paper and containers. At their June 11, 2009 meeting, the Clackamas County Board adopted the BRR into the County Code and directed staff not to enforce the code for an eighteen-month period. The delayed enforcement was intended to provide time to measure voluntary compliance resulting from a business information outreach program. This same code has been adopted by each city and the other two counties within the Metro tri-county area with the exceptions of the cities of Sandy and Estacada.

Pursuant to BRR, the county is responsible for enforcing violations. BRR violations have been classified Tier 1, per the previous Board decision. Clackamas County enforcement responsibilities include only the unincorporated areas and not areas within cities because no Intergovernmental Agreement has been executed.

The information outreach program has had positive results. Materials explaining the requirements have been sent to 8,414 businesses in incorporated and unincorporated Clackamas County and included a mail-back post card. Twenty-two percent (1,943) of these businesses returned post cards indicating that they had received the information and will comply with the BRR. Noteworthy, seventy-seven percent of the businesses returning cards were ones that the Recycle at Work program had not previously reached. A second outreach effort will target businesses that did not respond to the first mailing.

Staff believes the first outreach has been extremely successful and anticipates a second campaign will yield further compliance in a more cost-effective way than by initiating enforcement proceedings. Typically businesses receiving direct assistance have welcomed the resources provided. The most resistance has come from large multi-jurisdictional businesses with headquarters out of state.

QUESTION(S) PRESENTED FOR CONSIDERATION

1. Should County staff continue with the second phase contacts and offer assistance to bring all businesses into compliance with BRR in order to meet regional and statewide goals?
2. Should enforcement proceedings be used only for those businesses refusing to participate after staff has personally made contact and offered free resources?

OPTIONS AVAILABLE

1. Initiate a second outreach to businesses that have not responded to the first notification prior to any enforcement action.
2. Initiate enforcement against all non-complying businesses.

RECOMMENDATIONS


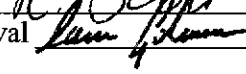
Initiate a second outreach to businesses that have not responded to the first notification.

SCHEDULE FOR STUDY SESSION

Division Director/Head Approval

Department Director/Head Approval

County Administrator Approval

For information on this issue or copies of attachments, please contact [Rick Winterhalter @ 503-742-4466](mailto:Rick.Winterhalter@503-742-4466)