

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO, TITLE 10, CHAPTER 8, ENTITLED "COLLECTING AND LOADING RECYCLABLE MATERIALS IN DEVELOPMENT PROJECTS".

WHEREAS, Public Resources Code Section 42910 (a) establishes that the California Integrated Waste Management Board shall adopt a model ordinance for adoption by any local agency relating to adequate areas for collecting and loading recyclable materials in development projects; and

WHEREAS, Public Resources Code Section 42911 (a) requires that by September 1, 1993, each local agency shall adopt an ordinance relating to adequate areas for collecting and loading recyclable materials in development projects; and

WHEREAS, Public Resources Code Section 42911 (b) states that if by September 1, 1993, a local agency has not adopted an ordinance for collecting and loading recyclable materials in development projects, the model ordinance adopted by the California Integrated Waste Management Board shall take effect on that date; and

WHEREAS, Public Resources Code Section 42911 (b) further states that the model ordinance shall be enforced by the local agency and have the same force and effect as if adopted by the local agency as an ordinance; and

WHEREAS, the Town Council of the Town of San Anselmo does ordain as follows:

SECTION I--PURPOSE

Cities and counties must divert 50 percent of all solid waste by January 1, 2000, through source reduction, recycling, and composting activities.

Diverting 50 percent of all solid waste requires the participation of the residential, commercial, industrial, and public sectors.

The lack of adequate areas for collecting and loading recyclable materials that are compatible with surrounding land uses is a significant impediment to diverting solid waste and constitutes an urgent need for state and local agencies to address access to solid waste for source reduction, recycling, and composting activities. this ordinance has been developed to meet that need.

SECTION II--DEFINITIONS

The following definitions shall apply to the language contained in this ordinance:

a. DEVELOPMENT PROJECT--Means any of the following:

(i) A project for which a building permit is required for a commercial, industrial, or institutional building, marina, or residential building having two or more living units, where solid waste is collected and loaded ~~in any residential project where solid waste is collected and loaded in a location serving two or more living units.~~

and?

(ii) Any new public facility where solid waste is collected and loaded and any improvements for areas of a public facility used for collecting and loading solid waste.

b. RECYCLING AREA (AREAS FOR RECYCLING)--Space allocated for collecting and loading of recyclable materials.

c. PROJECT FOR WHICH A BUILDING PERMIT IS REQUIRED--A project for which a building permit is required is, at a minimum:

(i) all new projects, and

(ii) any single alteration of an existing project that increases the square footage of that project by 50 percent or more, or increases the square footage by 2, 500 square feet, whichever is less.

SECTION III--GENERAL REQUIREMENTS

Any new development project for which an application for a building permit is submitted on or after September 1, 1993, shall include adequate, accessible, and convenient areas for collecting and loading recyclable materials.

Any improvement for areas of a public facility used for collecting and loading solid waste shall include adequate, accessible, and convenient areas for collecting and loading recyclable materials.

Any project for which an application for a building permit is submitted on or after September 1, 1993 for modifications that meet one or both of the conditions below shall include adequate, accessible and convenient areas for collecting and loading recyclable materials:

- (a) modification to the project adds 30 percent or more to the existing floor area, or
- (b) the price of modification exceed 10 percent of the then current assessed value of the subject parcel.
- (c) retrofitting recycling areas into all existing private buildings numbering two or more living units and commercial, industrial, or institutional buildings is strongly encouraged to promote full participation of the Town; the time frame for completion of this program will be December 31, 1997.
- (d) the requirement to provide adequate, accessible, and convenient areas for collecting and loading recyclable materials would also apply should the hauler's recycling methodology change to another method, e.g., co-mingled solid waste (includes recyclable materials).

SECTION IV--DESIGN STANDARDS

Areas for recycling shall be adequate in capacity, number, and distribution to serve the development where the project occurs.

Dimensions of the recycling area shall accommodate containers consistent with current methods of collection in the area in which the project is to be located.

An adequate number of bins or containers to allow for the collection and loading of recyclable materials generated by the development should be located with the recycling areas of development projects.

The design and construction of recycling areas shall be compatible with surrounding land uses.

Recycling areas may be secured to prevent the theft of recyclable materials by unauthorized persons, while allowing authorized persons access for disposal of materials.

Recycling areas or the bins or containers placed therein must provide protection against adverse environmental conditions which might render the collected materials unmarketable.

Driveways or travel aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance required by the collection methods and vehicles utilized by the hauler in the area in which the development project exists.

A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein will be posted adjacent to all points of access to the recycling areas.

Residential developers and property owners are encouraged to include recycling areas or systems with the residence; such as roll-out drawers below the sink for recycling receptacles; fireproof, cleanable,

secure chutes for the living space to the space for collecting and loading recyclable materials, etc. Recommended internal storage space for individual living units of residential development projects is three (3) cubic feet.

SECTION V--LOCATION

Recycling areas shall not be located in any area required by the Municipal Code to be constructed or maintained as unencumbered, according to fire and other applicable building and/or public safety laws.

Any recycling area(s) shall be located so they are at least as convenient as the location(s) where solid waste is collected and loaded. Whenever feasible, areas for collecting and loading recyclable materials should be adjacent to the trash collection areas.

Each recycling area within a multi-family residential development will be no greater than 250 feet from each living unit.


SECTION VI--DECLARATION OF SEVERABILITY

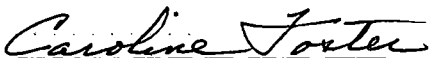
All provisions of this Ordinance are severable and, if for any reason any sentence, paragraph, or section of this Ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of the Ordinance.

AYES: Breen, Kanis, Yarish, Zaharoff, Chignell

NOES: (None)

ABSENT: (None)


Paul Chignell, Mayor

ATTEST: 
Caroline Foster, Town Clerk