

**CITY COMMISSION
CITY OF MOUNT PLEASANT
ORDINANCE NO. 1014**

**AN EMERGENCY ORDINANCE TO AMEND SECTION 50.15 OF THE CODE OF
ORDINANCES FOR THE CITY OF MOUNT PLEASANT ADDRESSING PARTICIPATION IN
RECYCLING COLLECTION SERVICE TO EXTEND ITS EXPIRATION.**

It is Hereby Ordained by the People of the City of Mount Pleasant:

Section 1. Amendment. Title V, Chapter 50, Section 50.15 of the Mount Pleasant City Code is amended to read as follows:

§ 50.15 PARTICIPATION IN RECYCLING COLLECTION SERVICE.

(A) Participation by additional dwellings. Multi-family dwellings, rooming houses, and condominium developments shall utilize recycling collection services in compliance with the provisions of this section.

(B) Multi-family dwellings, rooming houses, and condominium developments located within any of the three designated recycling zones ("DRZs").

(1) The geographic boundaries of the three DRZs are defined as follows:

(a) DRZ 1. The area north of Bellows Street, east of the railroad tracks which run parallel to Pleasant Street, south of High Street, and west of Mission Street.

(b) DRZ 2. The area north of High Street, east of the railroad tracks which run parallel to Walnut Street, south of Michigan Street, and west of Arnold Street.

(c) DRZ 3. The area north of Broadway Street, east of Island Park, south of Pickard Avenue, and west of Brown Street.

(2) Residential recycling collection for multi-family dwellings, rooming houses, and condominium developments located within DRZs shall use city recycling collection services as provided for in § 50.11. The city recycling collection contractor shall not collect recyclable materials on private streets unless a waiver of liability is provided by the affected multi-family dwelling, rooming house, or condominium development. The liability waiver must release the city and the city recycling collection contractor from any claims for damages to the private street, utilities, and pavements due to the operation of the recycling collection vehicle. The city recycling collection contractor has the right to not operate on private streets if the streets are not constructed or maintained to allow safe operation of the recycling collection vehicle.

(3) Designated storage containers for such recyclables shall be provided to the dwellings by the city at no cost to the owner or occupant of the dwelling. However, owners and/or occupants shall be responsible for replacing any lost, damaged, stolen, or otherwise unavailable storage containers at the owner or occupant's sole expense. One storage bin per six licensed residents shall be issued by the city to each dwelling.

(4) The property owner shall be responsible for the monthly charge for city recycling collection services and such monthly charge shall be billed to the property owner on the property owner's sewer and water bills. Rates for participation in the city recycling service shall be set by resolution of the City Commission.

(5) The scheduled recycling collection day for each dwelling will be scheduled by the city for those using city recycling services. This may or may not coincide with the city residential refuse collection date.

(C) Multi-family dwellings, rooming houses, and condominium developments located outside the DRZs. Residential recycling collection for multi-family dwellings, rooming houses, and condominium developments located outside the DRZs shall be provided by one of the following methods. The property owner of each multi-family dwelling, rooming house, or condominium association of a condominium development, shall be responsible for securing an approved method of recycling collection and shall notify the city Division of Public Works of the method selected on an annual basis. Changes to the method of collection are limited to once per calendar year. All dwelling units within the

multi-family dwelling, rooming house, or condominium development must use the same method for recycling collection.

(1) Collection by the city recycling collection contractor. The multi-family dwelling, rooming house, or condominium development may contract with the city for recycling collection.

(a) The city recycling collection contractor shall not collect recyclable materials on private streets unless a waiver of liability is provided by the affected multi-family dwelling, rooming house, or condominium development. The liability waiver must release the city and the city recycling collection contractor from any claims for damages to the private street, utilities, and pavements due to the operation of the recycling collection vehicle. The city recycling collection contractor has the right to not operate on private streets if the streets are not constructed or maintained to allow safe operation of the recycling collection vehicle.

(b) If the multi-family dwelling, rooming house, or condominium development contracts with the city for recycling collection, the multi-family dwelling, rooming house, or condominium development, and its residents, shall comply with and division (B)(2) through (B)(5) above; or

(2) Collection by private recycling contractor. The multi-family dwelling, rooming house, or condominium development may contract with a licensed, private contractor to collect recyclable materials generated by the multi-family dwelling, rooming house, or condominium development. If the multi-family dwelling, rooming house, or condominium development contracts with a private recycling contractor for recycling collection, the private contractor shall comply with § 50.11(D)(2) through (D)(5).

(D) This section shall not apply to multi-family dwellings, rooming houses, and condominium developments, with more than four attached dwelling units within a single residential building, and where travel off a public right-of-way is required for recycling collection, regardless of whether such dwelling is located within a DRZ. Such dwellings shall contract with a licensed, private contractor to collect recyclable materials generated by the multi-family dwelling, rooming house, or condominium development and such private contractors shall comply with § 50.11(D)(2) through (D)(5).

Section 2. Emergency Ordinance. This is an emergency ordinance adopted to allow the City to continue providing recycling service for 60 days, until the full re-adoption or amendment of Section 50.15 of the Code of Ordinances.

Section 3. Publication and Effective Date. The City Clerk shall cause to be published a notice of adoption of this ordinance within 10 days of its adoption. The ordinance shall take effect immediately. Being an emergency ordinance, this section shall be automatically repealed on the sixty-first (61st) day after its enactment, unless re-enacted pursuant to Article V, Section 4 of the City Charter.

Kathleen Ling, Mayor

Jeremy Howard, City Clerk

Introduced: July 11, 2016
Adopted: August 8, 2016
Effective: August 8, 2016