

ORDINANCE NO. 09-1

**AN ORDINANCE OF THE CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
AMENDING ORDINANCE 96-1 RELATING TO THE PERMITTING OF
COMMERCIAL RECYCLERS**

WHEREAS, Ordinance 96-1 currently allows permitted commercial recyclers to designate food waste collection on their annual permit applications; and

WHEREAS, the Central Contra Costa Solid Waste Authority (CCCSWA) plans to formalize and expand its commercial food waste collection program; and

WHEREAS, CCCSWA wishes to clarify that permitted commercial recyclers may not collect commercial food waste that is part of CCCSWA's formal commercial food waste collection program, but that they may collect food waste from those areas or buildings that are not part of the formal program;

NOW, THEREFORE, be it ordained by the Board of Directors of CCCSWA as follows:

Section 1. Section V of Ordinance 96-1 is hereby amended to read as follows, with deletions indicated in strikethrough and additions indicated in underline:

Permitted Commercial Recyclers may collect Source Separated Recyclable Materials, ~~Organic Recyclable Materials~~, Construction and Demolition Recyclable materials and Electronic Waste Recyclable Materials and any other Commercially Generated Recyclable Materials except Organic Recyclable Materials for recycling and transport of such materials to a Recycling Facility provided that both the Commercial Recycler and the Recycling Facility have obtained any and all necessary permits or licenses required by this Ordinance and/or by any other regulatory agency having jurisdiction.

In addition, the Executive Director or his or her designee may issue Permits to Commercial Recyclers to collect Organic Recyclable Materials from those locations not included in any other CCCSWA residential or commercial food waste recycling program.

Section 2. Severability. The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall take effect and be enforced the thirty-first day after its adoption.

Section 4. Publishing. Within 15 days after adoption of the Ordinance, a summary of the Ordinance will be published in a newspaper of general circulation printed and published in the County with the names of the Board members voting for and against the Ordinance.

PASSED AND ADOPTED by the Central Contra Costa Solid Waste Authority Board of Directors this _____ day of _____, 2009, by the following vote:

AYES: Members: _____

NOES: Members: _____

ABSENT: Members: _____

ABSTAIN: Members: _____

Susan Rainey, Chair
Central Contra Costa Solid Waste Authority,
County of Contra Costa, State of California

COUNTER-SIGNED:

APPROVED AS TO FORM:

Janna McKay, Secretary of the Board,
Central Contra Costa Solid Waste Authority,
County of Contra Costa, State of California

Kenton L. Alm, Counsel for the
Central Contra Costa Solid Waste Authority,
County of Contra Costa, State of California