

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 21-111 AND 21-201 OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN TO AMEND THE FREQUENCY OF RECYCLING COLLECTION, THE TYPE OF RECYCLING CONTAINERS UTILIZED, AND THE MATERIALS TO BE RECYCLED; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 1. That Section 21-111 of Chapter 21 of the Code of the City of Norman shall be amended to read as follows:

* * *

(d) For one (1) 95-gallon ~~18-gallon~~-container supplied by the City or their designated recycling contractor, for recyclable materials, per residential unit:

- (1) A “Residential Unit” is a residential dwelling, mobile home or condominium within the urban area of the City of Norman, occupied by a person or group of persons comprising not more than four (4) families. A condominium dwelling, whether of single or multi-level construction, consisting of not more than four (4) units, shall be treated as a Residential Unit, except that each single-family dwelling within any such Residential Unit shall be billed separately as a residential Unit in the amount of three dollars (\$3.00) per month.
- (2) Curbside recycling shall be provided ~~weekly~~ for all urban residential customers at an additional cost of three dollars (\$3.00) per month.
- (3) Residential and mobile home users under section (1) above, who are low income as defined by Section 8 of the Housing Act of 1937, amended by the Housing and Community Development Act of 1974, as annually adjusted, two dollars and forty cents (\$2.40) per month.
- (4) A Residential Unit under section (1) above, desiring more than one (1) 95-gallon ~~eighteen-gallon~~-recyclable materials container supplied by the City or their designated recycling contractor, will be charged an additional monthly administrative fee for each additional cart. The administrative fee will be on file in the City Clerk’s office.

- § 2. That Section 21-201 of Chapter 21 of the Code of the City of Norman shall be amended to read as follows:

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Recyclable materials:

- (a) *Recyclable materials* ~~means materials, as designated herein, that would otherwise become solid waste than can be source separated, collected, processed, and returned to the economic stream in the form of raw materials or products. Recyclable materials shall include: aluminum cans, newsprint (including glossy colored inserts), magazines, HDPE #2 milk containers and PETE #1 soda bottles, steel cans, tin cans, HDPE #2 colored plastics, glass, and junk mail, but shall specifically exclude old corrugated cardboard (OCC)~~ means items of refuse designated by the City or the City's designated recycling contractor to be part of an authorized recycling program and which are intended for transportation, processing, and re-manufacturing or reuse, including aluminum, steel and tin cans; newspaper and newspaper inserts; magazines and catalogs; all junk mail and envelopes; cardboard; office and school paper (all colors); phone books; cereal and cracker type boxes, brown paper sacks and bags; glass bottles and jars; plastics labeled Nos. 1 through Nos. 7; plastic milk jugs; paper milk cartons; and plastic bags.
- (b) All owners, occupants, or other persons in charge of any residential premises within the urban area of the City of Norman shall place all materials to be recycled in recycling containers supplied by City or the City's designated recycling contractor, ~~with the exception of bagged paper which is to be placed into paper bags or sacks.~~ Additional containers are available for an additional cost to the Residential Unit.
- (c) All supplied containers used for holding recyclable materials shall be maintained in good condition by the user.
- (d) Recyclable material, which shall be placed in the recycling container, will be collected one (1) time every other ~~per~~ week. The recycling container, ~~as well as bagged paper placed into paper bags or sacks, and placed to the side of the recycling container,~~ shall be placed no more than two (2) feet from the curbside, or alleyside, unless a curb does not exist, then no more than two (2) feet from the line where the street surface begins. Recyclable materials may also be placed in the drive approach no more than two (2) feet from the line where the street surface begins. In all cases, the recycling container shall be placed as to provide clearance of at least two (2) feet on either side of the cart. Recycling containers should not be combined with any solid waste or yard waste. The location of the recycling container must be clearly visible and outside any yard fencing. A waiver of this requirement may be obtained from the Director of Utilities upon proof of physical disability which prevents all persons at the residence from taking recyclable materials to the curb.

(e) Recycling containers and/or paper bags or sacks must be placed within two feet (2') of the curb no earlier than 12:00 p.m. the day prior to collection and the recycling container(s) must be removed from the curbside, and placed at the house side, no later than 12:00 p.m. the day following collection. This requirement shall not apply to residents with alley service nor rural estate customers. Failure to comply with this provision shall result in a ten dollar (\$10.00) administrative fee, to be assessed as set forth in Section 21-107(i).

(f) Proof that a recyclable material container was not removed as required by subsection (e) shall constitute a rebuttable presumption that the utility account holder was the person who failed to comply with subsection (e).

§ 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day
of _____, 2013.

NOT ADOPTED this _____ day
of _____, 2013.

Cindy Rosenthal, Mayor

Cindy Rosenthal, Mayor

ATTEST:

Brenda Hall, City Clerk