

CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION  
AMENDMENT TO CHAPTER 15-6 ADMINISTRATIVE RULES

COUNCIL DATE: 10/17/2019

**SUBJECT:** Approve amendments to administrative rules related to City Code Chapter 15-6 (Solid Waste Service) relating to requirements for recycling capacity for multifamily residential properties.

**MBE/WBE:** N/A

**LEAD DEPARTMENT:** Austin Resource Recovery (ARR)

**FISCAL NOTE:** No impact to existing staff resources.

**PURCHASING/LEGAL:** N/A

**PRIOR COUNCIL ACTION:** On June 12, 2014, Council approved ordinance and administrative rule amendments for Chapter 15-6 related to organics diversion and the definition of responsible parties.

**FOR MORE INFORMATION CONTACT:** Gena McKinley, Division Manager, 512-974-2192; Tammie Williamson, Assistant Director, 512-974-1997; Ken Snipes, Director, 512-974-XXXX.

**BOARD AND COMMISSION ACTION:** On September 4, 2019 the Zero Waste Advisory Commission voted (X-X-X).

**ADDITIONAL BACKUP INFORMATION (RCA BODY)**

**BACKGROUND**

Austin City Council adopted the Universal Recycling Ordinance (URO), in 2010, as part of the department master plan and City's zero waste goal to divert 90% of solid waste from landfills and incinerators by the year 2040. The Universal Recycling Ordinance requires that commercial and multifamily properties provide access to methods of recycling and organics diversion for Austin's employees and tenants. A 2015 "Community Diversion Study" found that 85% of discarded material generated in Austin comes from the commercial and multifamily sector.

Current ARR administrative rules\* set a lower recycling capacity\*\* requirement for multifamily properties than commercial properties or ARR serviced residential homes. Multifamily properties are required to provide a minimum service capacity of 6.4 gallons per dwelling unit per week, commercial properties are required to provide a minimum of a one-to-one ratio recycling capacity compared to trash, and ARR provides most residential customers 48 gallons of recycling per week.

\*Recycling capacity is calculated by determining the size and quantity of recycling containers at a property multiplied by the frequency of container pickup by a hauler.

\*\*City of Austin Code of Ordinances, (15-6-3) requires Austin Resource Recovery's department rules to be approved, modified, or disapproved by City Council.

**PROCESS**

The Zero Waste Advisory Commission's (ZWAC) Universal Recycling Ordinance Committee met on April 23, 2019, June 4, 2019, and August 7, 2019 to discuss potential amendments to ARR administrative rules to increase the recycling capacity required at multifamily properties. Austin Resource Recovery staff hosted an additional stakeholder meeting on July 24, 2019.

At each of these meetings, stakeholders considered the proposed rule change related to increasing recycling capacity at multifamily properties. Stakeholders included multifamily property managers, multifamily tenants, private haulers and processors, recycling valet services, and non-profit organizations. ZWAC URO committee members, stakeholders, and staff discussed recycling practices at multifamily properties, site placement constraints for containers, recycling container material contamination, cost of service impacts, impacts of increasing recycling capacity, and access to recycling for multifamily tenants. Based on stakeholder feedback, ARR staff developed recommended language to amended ARR administrative rules and presented that language at the August 7, 2019 URO Committee meeting for consideration.

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**REVISIONS**

Revisions to Austin Resource Recovery Administrative Rules, Chapter Eight (8) include:

- a) Changing the minimum capacity requirements for Multifamily Properties from 6.4 gallons per unit per week to a “minimum of 24 gallons per unit per week or an equal 1:1 ratio of landfill trash to recycling capacity.”
- b) Adding language to the minimum capacity requirements for Multifamily Properties to include that Responsible Parties shall ensure onsite recycling services “are sufficient to accommodate the regular accumulation of recyclables and avoid overflowing containers.”

**ZERO WASTE ADVISORY COMMISSION (ZWAC) RECOMMENDATION**

On August 7, 2019, the ZWAC URO Committee voted to support staff recommended language (3-0-0).

On August 14, 2019, ZWAC voted to support staff recommended language (6-0-0).

On September 4, 2019, ZWAC voted (X-X-X).

**STAFF RECOMMENDATION**

Staff recommends adoption of the amendments to Austin Resource Recovery Administrative Rules, Chapter Eight (8).

DRAFT