

City of Alexandria, Virginia

MEMORANDUM

DATE: MAY 8, 2002

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*

SUBJECT: ORDINANCE REQUIRING WASTE HAULER REPORTS

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**ISSUE:** Consideration of an ordinance requiring all private waste haulers servicing Alexandria businesses and residential properties to report to the City solid waste and recycling tonnages collected each year.

**RECOMMENDATION:** That City Council pass the attached ordinance (Attachment 1) on first reading, and schedule it for public hearing, second reading and final passage on May 18.

**BACKGROUND:** According to the Commonwealth of Virginia Waste Management Act (Virginia Code Section 10.1-1411), local jurisdictions are required to achieve an annual recycling rate of 25 percent. Prior to 2002, reporting of local recycling rates to the Department of Environmental Quality (DEQ) was voluntary. Starting for waste collected in calendar year 2002, reporting by localities of recycling rates to DEQ has become mandatory.

In order to calculate City recycling rates prior to 2002, the City sent an annual voluntary survey to waste haulers. The reported data was used as part of the calculation of the City's annual recycling rate. The recycling rate was then provided to DEQ, and was also used by City staff to judge if the state-mandated recycling rate of 25 percent was met. For calendar year 2000, the City reported a 27.6% recycling rate to DEQ, and for 2001 a 31.5% recycling rate was reported by the City.

In the past, the City's voluntary survey has received approximately a 75 percent response rate from private waste haulers, with City staff estimating the refuse collected and recycled from the non-reporting haulers. Starting with the mandatory reporting requirement, DEQ will not allow an estimating methodology to be used. As a result, it is proposed, through adoption of the proposed ordinance, that the reporting by private waste haulers to the City be made mandatory. This will substantially increase the response rate and make the City's reporting to DEQ more accurate. It is not expected that as a consequence of the mandatory reporting that the City's recycling rate would drop below 25%. However, were that to occur, the City would likely need to expand or undertake new recycling programs. The first mandatory reporting by private haulers for refuse collected and recycled in 2002 would be March 15, 2003, in order to meet the DEQ

established reporting deadline of April 30, 2003. For calendar year 2002, the ordinance permits waste haulers to make a good faith estimate for the first six months of the year (January through June), if actual data is not available.

Under the proposed ordinance, failure to file a report when required, or knowingly filing an incomplete or false report, is a class three civil violation, punishable by a \$500 civil penalty.

**FISCAL IMPACT:** The cost of conducting this survey is included in the Department of Transportation & Environmental Services' budget.

**ATTACHMENTS:**

Attachment 1: Ordinance requiring private hauler reports

Attachment 2: Annual waste hauler survey

**STAFF:**

Richard J. Baier, P.E., Director, T&ES

Doug McCobb, Acting Deputy Director/Operations, T&ES

Alton R. Weaver, Solid Waste Division Chief, T&ES

Jennifer DeLong, Recycling Specialist, T&ES

Introduction and first reading:	05/14/02
Public hearing:	05/18/02
Second reading and enactment:	05/18/02

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend Article E (PRIVATE COLLECTORS) of Chapter 1 (SOLID WASTE CONTROL) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 5-1-60 (REQUIRED REPORT).

Summary

The proposed ordinance requires private waste haulers who collect solid waste and recyclable materials in the City to file an annual report with the Director of Transportation and Environmental Services, stating the tonnages of various types of waste collected. This information is required to enable the City to comply with the recycling requirements of state law.

Sponsor

Department of Transportation and Environmental Services

Staff

Richard Baier, Director of Transportation and Environmental Services  
Jennifer DeLong, Recycling Specialist  
Ignacio B. Pessoa, City Attorney

Authority

§ 15.2-939, Code of Virginia (1950), as amended

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend Article E (PRIVATE COLLECTORS) of Chapter 1 (SOLID WASTE CONTROL) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 5-1-60 (REQUIRED REPORT).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article E of Chapter 1 of Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding thereto a new Section 5-1-50 to read as follows:

[The following is all new language.]

Sec. 5-1-50            Required report.

(a) Each person to whom a permit has been issued to collect, transport or dispose of solid waste, ashes, yard debris or recyclable material pursuant to this article shall annually submit to the director a report of the tonnage of such materials collected by such person within the City of Alexandria. Such report shall be submitted on a form provided by the director, and shall provide information as to the classes or categories of materials specified thereon by the director. Such report shall be filed with the director on or before March 15th of each year, for materials collected during the preceding calendar year.

(b) Any person who fails timely to file a report required by subsection (a) of this section, or who knowingly files an incomplete or erroneous report, shall be liable for a class three civil violation, as prescribed in section 1-1-11 of this code.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage; provided, however, that the date when first reports are due pursuant to the ordinance shall be March 15, 2003; and provided further that, for calendar year 2002 only, and in the absence of actual data, a person required to file a report may utilize a good faith estimate of tonnage collected for the months of January through June.

KERRY J. DONLEY  
Mayor

Introduction:            5/14/02  
First Reading:         5/14/02  
Publication:  
Public Hearing:  
Second Reading:  
Final Passage:

**Private Waste Haulers**  
**Annual Recycling Rate Report to the City of Alexandria**  
 (January 1, 2002, to December 31, 2002)

The State of Virginia requires that the City of Alexandria report, annually, the recycling collection rate for all public and private haulers within the corporate limits of the City of Alexandria. Please tell us the amount of materials recycled from January 1, 2002 to December 31, 2002. Only include materials collected from property located within the corporate limits of the City of Alexandria. Please return the report to the City of Alexandria, Department of Transportation and Environmental Services; 133 S Quaker Lane, Alexandria, VA 22314, no later than **March 15, 2003**. If you have any questions, please call Jennifer DeLong at (703) 751-5872.

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Company: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Principal Material**

**Recycled (Amount in Tons)**

Mixed Paper	_____
Newspaper	_____
Corrugated (OCC)	_____
Plastic	_____
Metal	_____
Glass	_____
Yard Waste (composted or mulched)	_____
Wood	_____
Textiles	_____

**Total Principal Tons Recycled**

\_\_\_\_\_

**Supplemental Material**

**Recycled (Amount in Tons)**

Tires	_____
Used Oil/Antifreeze	_____
Auto Bodies	_____
Construction Waste	_____
Demolition Waste	_____
Debris Waste	_____
Batteries	_____
Sludge	_____

**Total Supplemental Tons Recycled**

\_\_\_\_\_

25-30  
5-14-02

- CITY SEAL -

Public Hearing will be held by the City Council of the City of Alexandria, Virginia, in the Council Chamber, City Hall, City of Alexandria, Virginia, on Saturday, May 18, 2002, at 9:30 a.m., or as soon thereafter as may be heard on the hereinafter described ordinances.

TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Ordinance No. 2165, as amended, to grant a one-year extension of franchise rights to Verizon Virginia, Inc., formerly known as Bell Atlantic-Virginia, Incorporated, formerly known as the Chesapeake and Potomac Telephone Company of Virginia. The proposed ordinance extends the franchise rights which permit the equipment and facilities of Verizon Virginia, Inc. to be located within the public rights-of-way in the City of Alexandria, to April 30, 2003.

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TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Section 5-8-25 (REPOSSESSION OF IMPOUNDED VEHICLES; TOWING AND STORAGE CHARGES) of Article C (DISPOSITION OF ABANDONED, UNATTENDED AND IMMOBILE MOTOR VEHICLES), Chapter 8 (PARKING AND TRAFFIC REGULATIONS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended. The proposed ordinance (a) increases the towing charge for a motor vehicle impounded by the city from \$50 to \$75, (b) increases the storage charge for a vehicle impounded by the city from \$20 to \$30 per day, and (c) increases the charge for administrative costs incurred by the city from \$40 to \$60.

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TITLE OF ORDINANCE

AN ORDINANCE to enact new Section 3-2-52.1 (ASSESSMENT OF FEE FOR COURTHOUSE SECURITY PERSONNEL), and to amend and reordain Section 3-2-53 (COLLECTION, REMITTANCE AND APPROPRIATION) of Article E (ASSESSMENT OF COURT COSTS AND FEES), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended. As authorized by state law, the proposed ordinance provides for the assessment of a fee of \$5 in certain court cases to fund the costs of courthouse security personnel.

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TITLE OF ORDINANCE

AN ORDINANCE to amend Article E (PRIVATE COLLECTORS) of Chapter 1 (SOLID WASTE CONTROL) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 5-1-60 (REQUIRED REPORT). The proposed ordinance requires private waste haulers who collect solid waste and recyclable materials in the City to file an annual report with the Director of Transportation and Environmental Services, stating the tonnages of various types of waste collected. This information is required to enable the City to comply with the recycling requirements of state law.

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TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to such master plan as Master Plan Amendment No. 2002-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. The proposed ordinance accomplishes the final adoption of Master Plan Amendment No. 2002-0001 to change the land use designation and proposed zoning at 111-119 East Reed Avenue to CRMU-M/Commercial Residential Mixed Use-Medium, in connection with the redevelopment of the National Car Rental site.

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TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Sheet No. 16.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 111-119 East Reed Avenue to CRMU-M/Commercial Residential Mixed Use-Medium Zone, subject to a proffer, in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2002-0001. The proposed ordinance accomplishes the final adoption of Rezoning No. 2002-0001, to rezone the property at 111-119 East Reed Avenue to CRMU-M/Commercial Residential Mixed Use-Medium Zone, subject to a proffer limiting use and development of the property to the Preston Condominium and Townhouse project approved by Development Special Use Permit No. 2002-0001.

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THE PUBLIC IS ADVISED THAT AMENDMENTS OR ADDITIONS MAY BE MADE TO PROPOSED ORDINANCES WITHOUT FURTHER PUBLICATION. IT IS RECOMMENDED THAT PERSONS INTERESTED IN ANY OF THESE ORDINANCES OBTAIN FREE FULL-TEXT COPIES FROM THE CITY CLERK AT CITY HALL. BEVERLY I. JETT, CMC, CITY CLERK

To be published in the:

Northern Virginia Journal on Thursday, May 16, 2002  
Alexandria Gazette Packet on Thursday, May 16, 2002