

EXHIBIT NO. 1

14
2-24-07

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City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 6, 2007
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: JAMES K. HARTMANN, CITY MANAGER 
SUBJECT: CONSIDERATION OF A CLARIFYING AMEMDMENT TO THE CITY'S RECYCLING ORDINANCE

ISSUE: An amendment to the definition of multi-family dwelling set forth in the City's recycling ordinance, as codified at City Code Section 5-1-90, *et seq.*

RECOMMENDATION: That City Council pass the ordinance on first reading and set it for public haring and second reading on Saturday, February 24.

BACKGROUND: The purpose of the proposed ordinance amendment is to make the definition of multi-family dwelling in the recycling ordinance consistent with the definition of multi-family dwelling set forth in the City Code Section 5-1-31, *et seq.*

City Code Section 5-1-91(6), in relevant part currently defines a multi-family dwelling as "A building, or portion thereof, designed for occupancy by four or more families living independently." However, the general waste collection ordinance, in excepting multi-family dwelling from the City's general waste collection program, at City Code Section 5-1-31, in relevant part defines the exception as applying to "buildings and structures containing more than four dwelling units . . ." It was staff's intention that the definition of multi-family property for purposes of the recycling ordinance match the definition in the general waste collection ordinance. Accordingly, staff proposes amending City Code Section 5-1-91(6) as follows:

- (6) *Multiple-family dwelling.* A building, or portion thereof, designed for occupancy by ~~four or more~~ more than four (4) families living independently. Home-based businesses operating from an individual unit within such dwellings are subject to the requirements of this article for units within multiple-family dwellings.

This amendment will avoid any potential inconsistency between the applications of the City's general waste collection policy and recycling policy.

ATTACHMENT: Proposed Ordinance with amendment

STAFF:

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

Douglas McCobb, P.E., Deputy Director, T&ES

Alton Weaver, Division Chief/Solid Waste, T&ES

Christine McCoy, Solid Waste Planner, T&ES

Stacy Herring, Recycling Specialist, T&ES

Jean Wilson, Division Chief/Administration, T&ES

Introduction and first reading: 02/13/2007
Public hearing: 02/24/2007
Second reading and enactment: 02/24/2007

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Subsection (6)(MULTIPLE-FAMILY DWELLING) of Section 5-1-91(DEFINITIONS), Article H (RECYCLING), Chapter 1 (SOLID WASTE CONTROL), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

The proposed ordinance makes a technical amendment to the City's recycling regulations, to conform the definition of "multiple-family dwelling" to the definition applicable to solid waste regulations generally.

Sponsor

Staff

Richard Baier, Director of Transportation and Environmental Services
Christopher P. Spera, Assistant City Attorney

Authority

§ 3.04(g), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance

None

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Subsection (6)(MULTIPLE-FAMILY DWELLING) of Section 5-1-91(DEFINITIONS), Article H (RECYCLING), Chapter 1 (SOLID WASTE CONTROL), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Subsection (6) of Section 5-1-91 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

(6) *Multiple-family dwelling.* A building, or portion thereof, designed for occupancy by ~~four or more~~ more than four families living independently. Home-based businesses operating from an individual unit within such dwellings are subject to the requirements of this article for units within multiple-family dwellings.

Section 2. That this ordinance shall become effective at the date and time of final passage.

WILLIAM D. EUILLE
Mayor

Introduction: 02/13/2007
First Reading:
Publication:
Public Hearing:
Second Reading:
Final Passage:

ORDINANCE NO. 4475

AN ORDINANCE to amend and reordain Subsection (6)(MULTIPLE-FAMILY DWELLING) of Section 5-1-91(DEFINITIONS), Article H (RECYCLING), Chapter 1 (SOLID WASTE CONTROL), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

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Section 2. That this ordinance shall become effective at the date and time of final passage.

WILLIAM D. EUILLE
Mayor

Final Passage: February 24, 2007