

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF PROVIDING) ORDINANCE NO. 81-115
FOR A TEMPORARY PARTIAL WAIVER OF)
CHARGES AT THE ST. JOHNS LANDFILL)
FOR VEGETATIVE YARD DEBRIS)

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1.

Metro Code Section 4.06.005 [Definitions] is hereby amended to read:

As used in this ordinance, unless the context requires otherwise:

(a) "Person" means any individual, partnership, association, corporation, trust, firm, estate, joint venture or any other private entity or any public agency.

(b) "Solid Waste" means all putrescible and nonputrescible wastes, including without limitation, garbage, rubbish, refuse, ashes, paper and cardboard; vehicles or parts thereof; sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction waste; home and industrial appliances; and all other waste material permitted by ordinance to be disposed of at the St. Johns Landfill.

(c) "St. Johns Landfill" is that existing landfill owned by the City of Portland, Oregon, operated by Metro and located at 9363 N. Columbia Blvd., Portland, Oregon 97203.

(d) "Vegetative yard debris" means twigs, branches, grass clippings, leaves and tree limbs in a form appropriate for mechanical processing for reuse or sale. Vegetative yard debris

does not include yard or construction debris that is not appropriate for mechanical processing for reuse or sale. The operator or person in charge of accepting this waste shall make the final determination of what is vegetative yard debris based on the capacity of available machinery to process it. The Executive Officer may establish guidelines for determining what is vegetative yard debris within the meaning of this chapter.

Section 2.

Metro Code Section 4.06.030 [Waiver of Rates; St. Johns Landfill] is hereby amended to read:

(a) A waiver of charges may be made by the operator of the landfill for inert material, including but not limited to earth, sand, stone, crushed concrete and broken asphaltic concrete, if, at the discretion of the operator of the landfill, such inert material is needed for cover, road base or other internal use.

(b) The Executive Officer may, from time to time, direct that separated vegetative yard debris be accepted at no charge or at a rate not to exceed the following charges:

VEHICLE CATEGORY	TOTAL RATE
PRIVATE	
Cars, Station Wagons	\$1.00 ¹
Vans, Pick-ups, Trailers	2.00 ²
COMMERCIAL	
Compacted	1.00/CY
Uncompacted	.50/CY

The Executive Officer may direct that such vegetative yard debris be accepted under such conditions as may be convenient to facilitate its processing for reuse or sale. Before directing that vegetative yard debris be accepted at no charge or at a reduced charge under

¹Based on a minimum load of 2 cubic yards.

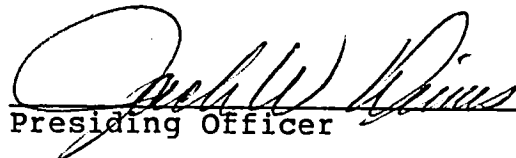
²For the first two and a half cubic yards, each additional cubic yard is \$1.00.

the terms of this subsection, the Executive Officer shall determine that a sufficient demand exists for processed vegetative yard debris to ensure that the vegetative yard debris accepted under the provisions of this subsection can be reused or sold and will not have to be disposed of with other solid waste in the landfill.

Section 3.

This ordinance is adopted as a temporary measure to encourage alternative disposal of woody waste. This ordinance shall cease to apply and shall be of no further effect after September 30, 1982.

ADOPTED by the Council of the Metropolitan Service District
this 22nd day of October, 1981.



Presiding Officer

ATTEST:



Clerk of the Council

GR/gl
4121B/214

Richard Hertzberg stated that since some individual haulers as well as two recycling services offer curbside collection of source separated materials, the staff recommends making funds available, basically for promotional and educational efforts, to all those offering the service rather than choosing only one recipient of funding.

General discussion.

Motion that Resolution No. 81-282 be adopted; carried. (Rhodes/Schedeen, Kafoury voting "no")

5.1 Public Hearing on Ordinance No. 81-114, An Ordinance Repealing Ordinance No. 80-91 (which established the Johnson Creek Basin Flood Control and Pollution Abatement Project Local Improvement District) (First Reading)

The public hearing was opened by Chairman Deines. There was no one present who wished to speak to the matter. The public hearing was closed.

Coun. Banzer stated that the Services Committee recommended approval of this ordinance since a program has been developed for a Metro staff person to work on the problem. She stated she hoped repealing the ordinance would enable the Council to start afresh and bring some correction to the perennial flooding problem in Johnson Creek.

Motion that Ordinance No. 81-114 be adopted. (Schedeen/Burton)

5.2 Public Hearing on Ordinance No. 81-115, For the Purpose of Providing for a Temporary Partial Waiver of Charges at the St. John's Landfill for Vegetative Yard Debris. (First Reading)

The public hearing was opened by Chairman Deines. There was no one present who wished to speak to the matter. The public hearing was closed.

Gus Rivera stated that the reason this ordinance had been brought to Council prior to Committee presentation was that DEQ required that the date for Phase II of the Yard Debris Program be moved up one month, from November 22 to October 23.

General discussion.

Motion that Ordinance No. 81-115 be adopted. (Banzer/Burton)

5.3 Public Hearing on Ordinance o. 81-116, An Ordinance Relating to Personnel, Adopting Personnel Rules and Repealing Metro Code Chapter 2.02 (Ordinance No. 79-73). (First Reading)

The public hearing was opened by Chairman Deines. There was no one present who wished to speak to the matter. The public hearing was closed.

Coun. Burton stated he appreciated all the work done by everyone on the Personnel Rules.

Coun. Rhodes concurred.

Motion that the ordinance be adopted. (Kafoury/Burton)

There was no one present who wished to speak during the public hearing.

5.6 Order in Contested Case No. 81-5, In the Matter of a Petition for an Urban Growth Boundary Locational Adjustment by WGK Development Corporation.

Motion that the order be adopted; carried unanimously. (Kafoury/Schedeen)

5.7 Public Hearing on Ordinance No. 81-119, An Ordinance Amending the Metro Urban Growth Boundary in Washington County for Contested Case No. 81-5.

Motion that the ordinance be adopted. (Schedeen/Bonner)

There was no one present who wished to speak during the public hearing.

5.8 Public Hearing on Ordinance No. 81-120, An Ordinance for the Purpose of Exempting the Recycling Support Fund Program from Competitive Bidding.

Motion that the ordinance be adopted. (Banzer/Rhodes)

There was no one present who wished to speak during the public hearing.

General discussion between the Council and Richard Hertzberg on the selection process for recipients of recycling support funds.

5.9 Ordinance No. 81-114, An Ordinance Repealing Ordinance No. 80-91 (which established the Johnson Creek Basin Flood Control and Pollution Abatement Project Local Improvement District).

A vote on the previous motion (Schedeen/Burton) indicated that adoption of the ordinance carried by the following vote:

YEAS: Banzer, Bonner, Burton, Deines, Etlinger, Rhodes and Schedeen.

NAYS: Berkman, Kafoury, Oleson and Williamson.

ABSENT: Kirkpatrick.

ABSTAINING: None.

5.10 Ordinance No. 81-115, For the Purpose of Providing for a Temporary Partial Waiver of Charges at the St. John's Landfill for Vegetative Yard Debris.

A vote on the previous motion (Banzer/Burton) indicated that adoption of the ordinance carried unanimously.

5.11 Ordinance No. 81-116, An Ordinance Relating to Personnel, Adopting Personnel Rules and Repealing Metro Code Chapter 2.02 (Ordinance No. 79-73).

A vote on the previous motion (Kafoury/Burton) indicated that adoption of the ordinance carried unanimously.

Further discussion of the recycling support funds program.

Item No. 6.1 (Penguinarium Design Contract: Approval of Bid) was removed from the agenda.