

## ENN-2.02 - Residential Solid Waste, Recycling & Composting

### RESIDENTIAL SOLID WASTE, RECYCLING & COMPOSTING

*Administrative Rules Adopted by Bureau of Planning and Sustainability Pursuant to Rule-Making Authority*  
ARB-ENN-2.02

---

The [text of the entire manual](#) is available online in PDF format (434 kb). What follows is the Table of Contents, Scope of Rules, Adoption and Revision of Administrative Rules sections from the manual, and a link to [Part 3.8 - Residential Solid Waste & Recycling Residential Financial Reporting Standards](#) (PDF Document, 88 kb).

---

#### TABLE OF CONTENTS

- Part 1.0 Scope of Rules
- Part 2.0 Adoption and Revision of Administrative Rules
- Part 3.0 Residential Standards
  - Part 3.1 Residential Definitions
  - Part 3.2 Residential Collection Requirements
  - Part 3.3 Residential Program Reporting
  - Part 3.4 Residential Compliance and Enforcement
  - Part 3.5 Forfeitures
  - Part 3.6 Replacement of Franchisee
  - Part 3.7 Mediation

#### INDEX

---

#### PART 1.0 SCOPE OF RULES

Administrative Rules contained within this document are intended to articulate the standards and expectations for Residential Solid Waste, Recyclables and Compostables collection as authorized in the City Code, Chapter 17.102 and as defined in the Residential Franchise authorized by City Charter under City Ordinance No. 176687,18166 and subsequent amending ordinances.

#### PART 2.0 ADOPTION AND REVISION OF ADMINISTRATIVE RULES

**A. Director's Authority to Adopt Rules.** Under authority of the City Code, Chapter 17.102, the Director of the Bureau of Planning and Sustainability [hereinafter Director] is authorized to adopt rules, procedures and forms to implement provisions of that Chapter, which regulate the collection and disposal of Residential and Commercial Solid Waste, Recycling and Compostables in the City of Portland.

##### **B. Adoption and Revision of Rules.**

1. Any rule adopted or revised according to the authority of the City Code shall require a public review process. Not less than ten nor more than thirty days before such public review process, notice shall be given by publication in a newspaper of general local circulation. Such notice shall include the place, time and purpose of the public review process and the location at which copies of the full set of the proposed rules may be obtained.
2. The Bureau of Planning and Sustainability (BPS) shall give notice of the public review process to all neighborhood associations that are recognized by the City Office of Neighborhood Involvement (ONI). At least 60 days in advance of the anticipated adoption date, BPS shall notify those associations by regular mail, fax or electronic mail of its intent to review the rules, and invite those associations to comment. BPS shall by regular mail, fax or electronic mail send a notice of the initial public hearing to the same associations not less than ten days before the scheduled hearing.
3. During the public review, the Director or the Director's designee shall hear testimony or receive written comment concerning the proposed rules. The Director shall review the recommendations; taking into consideration the comments received during the public review process, and shall either adopt the proposal, modify or reject it.
4. If a substantial modification is made, additional public review shall be conducted, but no additional notice shall be required if such additional review is announced at the meeting at which the modification is made. Unless otherwise stated, all rules shall be effective upon adoption by the Director and shall be filed in the Office of the Director.
5. Notwithstanding paragraphs a. and b. and c. of this section, an interim rule may be adopted by the Director without prior notice upon a finding that failure to act promptly will result in serious prejudice to the public interest or the interest of the affected parties, including the specific reasons for such prejudice. Any rule adopted pursuant to this paragraph shall be effective for a period of not longer than one year (365 days). Within five Business Days of the adoption of such interim

rule, BPS staff shall send notice of the rule to all Neighborhood Associations, persons on the BPS list of parties interested in Residential Administrative Rules, and Franchisees, giving the language of the rule change, describing the purpose of the rule, and inviting comments to be sent to BPS.

[Residential Solid Waste, Recycling & Composting - Full Text of Manual](#) (PDF Document, 434 kb)

[Part 3.8 - Residential Solid Waste & Recycling Residential Financial Reporting Standards](#) (PDF Document, 88 kb)

---

## HISTORY

Administrative rules effective January 17, 2005.

Filed for inclusion in PPD August 26, 2005.

Amended administrative rules adopted by Solid Waste & Recycling Division Manager November 28, 2006 and effective December 11, 2006.

Amended administrative rules adopted by Office of Sustainable Development Director April 22, 2008 and effective April 22, 2008.

Amended administrative rules adopted by Director of the Bureau of Planning and Sustainability and effective January 28, 2010.

Amended by Director of Bureau of Planning and Sustainability and effective October 31, 2011.