



Charter, Code and Policies

City of Portland

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ENN-2.01 - Commercial Solid Waste, Recycling and Composting

edit content

COMMERCIAL SOLID WASTE, RECYCLING AND COMPOSTING

Administrative Rules Adopted by the Bureau of Planning and Sustainability Pursuant to Rule-Making Authority

ARB-ENN-2.01

The text of the entire manual (<http://www.portlandoregon.gov/auditor/article/264410>) is available online in PDF format (858 kb). What follows are the Table of Contents, Scope of Rules and Adoption and Revision of Administrative Rules sections from the manual.

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PART 1.0, SCOPE OF RULES

Administrative rules contained within this document are intended to articulate the standards and expectations for commercial solid waste, recyclables and compostables collection as authorized in the City Code, Chapter 17.102.

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 commercial solid waste, compostables and recycling 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 or 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) and all neighborhood business associations that are on ONI's mailing list. At least 60 days in advance of the anticipated adoption date, BPS shall notify those associations by regular mail or electronic mail of its intent to review the rules, and invite those associations to comment. BPS shall by regular mail 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., b., c. and d. 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, Neighborhood Business Associations, persons on the BPS list of parties interested in commercial administrative rules, and permittees, giving the language of the rule change, describing the purpose of the rule, and inviting comments to be sent to BPS.

Commercial Solid Waste, Recycling and Composting - Full Text of Manual (<http://www.portlandoregon.gov/auditor/article/264410>) (PDF Document, 858 kb)

HISTORY

Effective January 17, 2005.

Revised rules filed for inclusion in PPD August 26, 2005.

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

Filed for inclusion in PPD November 28, 2006 and effective December 11, 2006.

Amended administrative rules adopted by Office of Sustainable Development Director November 14, 2008 and effective November 14, 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 June 17, 2013.

Amended by Director of Bureau of Planning and Sustainability and effective August 1, 2014.

Amended by Director of Bureau of Planning and Sustainability and effective June 1, 2015.

Amended by Director of Bureau of Planning and Sustainability and effective January 1, 2018.
