



**A BILL FOR AN ORDINANCE**

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RELATING TO CITY GOVERNMENT RECYCLING.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to address recycling by city government. More specifically, this ordinance requires the city agencies to engage in recycling.

SECTION 2. Section 9-1.7 ("Acceptable and nonacceptable refuse at disposal facilities"), Revised Ordinances of Honolulu 1990, is amended by amending subsection (a) to read as follows:

"(a) Except as directed by the director or the director's authorized representative and as provided otherwise under the mandatory recycling program for city government[,] established under Section 9-1.11, the division shall accept or cause to be accepted the following solid waste within the disposal system: paper, cardboard, yard trimmings, bottles, cans, plastic, garbage, lumber and tree branches less than five feet long and less than nine inches in diameter.

Except during a suspension by the director of the requirements of Section 14-5A.2(a) and/or (b), and as authorized by the director during the suspension, the division shall not accept into the disposal system any commercial cooking oil waste or commercial FOG waste."

SECTION 3. Section 9-1.11, Revised Ordinances of Honolulu 1990, is amended to read as follows:

**"Sec. 9-1.11 Mandatory recycling program for city government.**

(a) There shall be [established by January 1, 1990] a mandatory recycling program for city agencies [to be undertaken first on a voluntary basis and then, if necessary, on a mandatory basis]. Under the program, the following types of recyclable [refuse] materials generated by city agencies and their employees and discarded at places of work [may] shall be recycled or reused[,] and not disposed of as waste: newspaper, cardboard, office paper, aluminum cans, glass containers, plastic containers and any other type of recyclable material identified by the division. The division shall establish procedures for:



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- (1) Either the:
  - (A) Separation of the recyclable [refuse] materials from other refuse at the source of generation and collection of the recyclable [refuse] materials under procedures separate from the collection of other refuse; or
  - (B) Collection of mixed recyclable materials and other refuse from the source of generation and, after collection, separation of the recyclable [refuse] materials from other refuse; and
- (2) The sale, recycling or reuse, but not disposal as waste, of the recyclable [refuse.] materials. If the recyclable [refuse is] materials are sold, the revenues derived from the sale of the recyclable [refuse] materials shall be [a realization] realizations of the general fund.
- (b) The mandatory recycling program shall be in conformance with all applicable laws, rules and collective bargaining agreements. City agencies [may comply with the provisions and procedures of the program, if it is voluntary, and] shall comply with [them if] the mandatory recycling program [is mandatory].
- (c) The division may contract with a private person to collect, separate, store, sell or transport the recyclable [refuse] materials as part of the implementation of the program. If determined desirable by the division, the person contracted shall not have to be a licensed collector.
- (d) The division shall supervise and enforce the mandatory recycling program[, and after evaluation of a one-year trial of the voluntary program, the division may implement a mandatory program if the division deems it necessary.] of this section.
- (e) Articles 5 and 6 of this chapter shall not apply to any violation of the mandatory recycling program.

At least once every two years from July 1, 2004, the division shall evaluate this subsection and recommend to the council whether:

- (1) Articles 5 and 6 should remain inapplicable to the mandatory recycling program; or



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(2) Articles 5 and 6 should be made applicable in order to eliminate or reduce violations of the program.

The division shall submit its recommendation to the council by July 1 of every even-numbered year.

(f) The division may contract with a not-for-profit organization which would provide a valuable community service in exchange for the potential market value of the recyclable [refuse] materials collected from the city[.] under the mandatory recycling program of this section. The not-for-profit organization shall collect the recyclable [refuse] materials without monetary recompense to the city. If such a contract is determined desirable by the division[:] and permissible under the state procurement code by the director of budget and fiscal services:

- (1) Preference shall be given to such a contractual agreement over sale by bid;
- (2) Proposals shall be solicited by public notice and reviewed for selection by a committee designated by the division and approved by the [department of finance;] director of budget and fiscal services; and
- (3) Selection shall be based on an evaluation of the community service to be rendered by the not-for-profit organization and the organization's ability and qualifications to service the needs of the [city's] mandatory recycling program."

SECTION 4. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material, or the underscoring.



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SECTION 5. This ordinance shall take effect on July 1, 2004.

INTRODUCED BY:

*[Handwritten signatures: Kenneth T. Lee, Daniel Delo, Ann Kobayashi, Perry M. Smith]*

DATE OF INTRODUCTION:

**FEB 12 2004**

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*[Signature]*  
Deputy Corporation Counsel

APPROVED this 29th day of April, 2004.

*[Signature]*  
BENJAMIN B. LEE, ACTING MAYOR  
City and County of Honolulu

(OCS/021104/ct)

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE 04 - 10

BILL 11 (2004)

Introduced: 2/12/04 By: ROD TAM

Committee: PWED

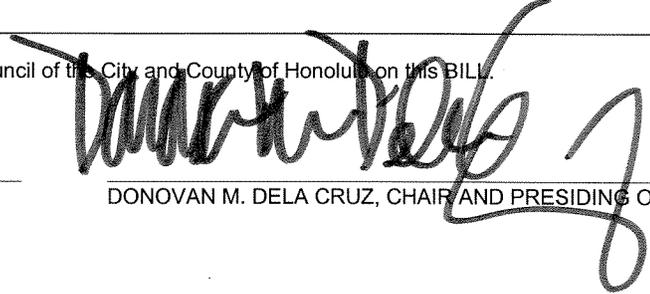
Title: A BILL FOR AN ORDINANCE RELATING TO CITY GOVERNMENT RECYCLING.

Links: 11 (2004)  
CR-75  
Related Communications

Council	2/18/04	Passed first reading and referred to Committee on Public Works and Economic Development. Cachola ..... Y Dela Cruz .... Y Djou ..... Y Gabbard ..... Y Garcia ... Y Kobayashi .... Y Marshall ..... Y Okino ..... Y Tam ..... Y
PWED	2/25/04	CR-75 – Public Works and Economic Development Committee reported out bill for passage on second reading and scheduling of a public hearing.
Publish	3/13/04	Public hearing notice published in the Honolulu Star-Bulletin.
Council/ Public Hearing	3/24/04	Passed second reading, CR-75 adopted, public hearing closed and referred to Committee on Public Works and Economic Development. Cachola ..... Y Dela Cruz .... Y Djou ..... Y Gabbard ..... Y Garcia ... Y Kobayashi .... Y Marshall ..... Y Okino ..... E Tam ..... Y
Publish	4/5/04	Second reading notice published in the Honolulu Star-Bulletin
PWED	3/31/04	CR-132 – Public Works and Economic Development Committee reported out bill for passage on third reading.
Council	4/14/04	Passed third reading and CR-132 adopted. Cachola ..... Y Dela Cruz .... Y Djou ..... Y Gabbard ..... Y Garcia ... Y Kobayashi .... Y Marshall ..... Y Okino ..... Y Tam ..... Y

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
DENISE C. DE COSTA, CITY CLERK

  
DONOVAN M. DELA CRUZ, CHAIR AND PRESIDING OFFICER