



## CHICAGO RESIDENTIAL AND COMMERCIAL RECYCLING ORDINANCE

*Updated*

*September, 2016*

### I. Current Ordinance Overview

In 1993, the Chicago City Council passed an ordinance (MCC 11-5-021, 11-5-022 and 11-5-023) requiring multi-unit residential, office establishments and commercial establishments to provide to tenants with a recycling program and/or offer patrons recycling options within their establishments. Property owners are required to provide the City of Chicago with a recycling plan and post the recycling plan at the property.

**Current Collection Method:** The current ordinance states source separated recycling is the method of recycling *preferred* by the city for residential, office establishments and commercial establishments. The ordinance does not preclude a building from including post-collection separation in its effective recycling program. A building may use post-collection separation as the sole method of recycling if the building can demonstrate an undue economic, safety or space hardship.

**Current Penalties:** Properties that do not comply are subject to fines ranging from \$25 to \$100 per day.

**Enforcement:** Chicago Department of Streets and Sanitation is authorized to enforce this ordinance.

### II. Updated Chicago Residential and Commercial Recycling Ordinance Overview

The new ordinance consolidates (MCC 11-5-021, 11-5-022 and 11-5-023). The tenants of the updated ordinance are generally the same, starting January 1<sup>st</sup>, 2017 the ordinance will:

- 1) Mandates source separated recycling the most commonly used collection method.
- 2) Requires a 30 day notice from DSS to building owner/agent.
- 3) Has updated penalties.

#### Source-Separated Recycling: General Requirements

- As a general rule: Requires certain persons to enter into a contract with a private hauler. Those persons include: (1) building owners that are required under Section 7-28-220 to provide/maintain commercial refuse containers and scavenger service, or to provide/maintain under Section 7-28-225 compactors and collection service; and (2) the occupants of any occupational unit within a building, if such occupant is required under Section 7-28-220 to provide/maintain scavenger service.
- If inspected, locations have 30 days to come in compliance before a ticket can be issued.
- Penalty for non-compliance. Graduated penalty: \$500-\$1,000 (first offense); \$1,000 to 2,500 (second offense within 12-month period); \$2,500-\$5,000 (third and each subsequent violation occurring within 12-months of the most recent violation)

- Authorizes single stream recycling of recyclable material. Defined as a type of source-separated recycling in which all recyclable material, regardless of type, can be placed in the same recycling container.
- Requires refuse collection customers to do the following:
  - Engage in source-separated recycling;
  - Equip the interior and exterior common areas of the premises with sufficient recycling containers.
  - Describes the markings and conditions under which the above-required recycling containers must be maintained (i.e. clearly identified as recycling containers; pictorial or written list of materials that can be placed therein; emptied on regular basis; maintained free of odor;
  - Post signage in building notifying occupants that source-separated recycling is required
  - Develop and implement an ongoing education program, including flyers containing specified information, to educate tenants, residents and occupants of the building about the refused collection customers source separated recycling program
  - Provide written notice to residents, tenants and occupants of changes to the source separated recycling program