

**Ordinance amending Chapter 21 of the Corpus Christi Code by adding compliance provisions pertaining to recyclables, use of recycling carts, and establishing a special collection fee for servicing contaminated carts.**

**SECTION 1.** Chapter 21, Sections 21-1, 21-11, and 21-40(a), of the Corpus Christi Code of Ordinances are amended by incorporating various necessary edits, adding compliance provisions applicable to recyclables and the use of recycling carts for the purpose of reducing contamination that is occurring in collected recyclables, and establishing a special collection fee for servicing contaminated recycling carts, with the amended sections' new text shown underlined and deleted text shown stricken, to read as follows:

**“Sec. 21-1. Definitions.**

\* \* \*

“*Department.* The solid waste ~~operations~~ services department of the city.

“*Recycling bin or cart.* A container issued by solid waste ~~operations~~ services and utilized for the placement and collection of recyclable materials.

**“Sec. 21-11. Recycling program.**

“(a) The recycling program of the solid waste ~~operations~~ services department collects recyclables from residences and commercial accounts that receive collection services from the department.

“(b) Recyclables shall be set out for collection before 7:30 a.m. on the designated collection day.

“(c) Recyclables shall be placed in a recycling ~~bin or cart~~ available from the solid waste ~~operations~~ services department ~~or other conventional refuse receptacle provided by the department~~ that is clearly identified with the recycling symbol ~~provided by the department~~. ~~Containers~~ Carts with recyclables to be collected shall be separated from other solid waste set out for collection and from any fixed object that impedes collection by the department by at least five (5) feet.

“(d) Recyclables set out for collection are city property. Removal of recyclables from a ~~container~~ recycle cart set out for collection by other than an occupant of the premises or a department employee is a violation of this ordinance. Theft of recyclables may be prosecuted under the Texas Penal Code.

“(e) Recycling ~~bins and~~ carts may not be placed ~~on the street pavement, in the gutter,~~ in a drainage ditch, or on a sidewalk, except the director may

allow recycling bins and carts to be placed in roadside drainage ditches when there is no practical alternative. However, the person who places any recycling bin or cart in a roadside drainage ditch may be liable for any flooding damage caused by the refuse receptacles carts.

“(f) Recycling bins and carts set out for collection must be removed from the collection location not later than midnight on the designated collection day.

“(g) Acceptable recyclable materials shall be designated by the city and include:

- (1) Newspaper.
- (2) Mixed paper.
- (3) Magazines.
- (4) Cardboard (clean only).
- (5) Aluminum and tin cans.
- (6) Plastic bottles with tops removed.
- (7) Plastics marked Type 1 through 6.

“(h) Department staff, police, code enforcement, and other city personnel may inspect recycling carts and recyclable content. Recycling carts will not be serviced and recyclables will not be collected if the recycling cart is contaminated with non-recyclable solid waste including, but not limited to, the following:

- (1) Garbage.
- (2) Plastic bags.
- (3) Styrofoam.
- (4) Appliances/electronics.
- (5) Clothing/shoes.
- (6) Hoses/electrical cords.
- (7) Toys.
- (8) Diapers.
- (9) Yard waste (grass clippings, leaves, etc.)
- (10) Hazardous waste.
- (11) Glass/ceramics.
- (12) Lightbulbs.
- (13) PVC pipe.
- (14) Aluminum foil.

“(i) If a recycling cart is not serviced due to a contamination occurrence under subsection (h), the department shall notify the customer in writing when and for what reason the recycling cart was not serviced. Following a second occurrence, the same written notification of no service to the customer is required. Upon a first and a second notification, the customer shall have the option of either removing

the contaminated material from the cart and placing the cart out for collection on the next recycling collection day or scheduling a special waste collection by the department and incurring a special waste collection fee. Upon a third occurrence, in addition to written notification, a special waste collection fee for servicing the contaminated recycling cart will be applied to the customer's bill. A fourth occurrence will result in removal of the recycling cart for a period of six months and written notification to the customer of such removal; in this event, the customer is ineligible to participate in the recycling program for a minimum of six months. Following the six-month period, a customer may request to have a recycling cart re-delivered.

“(j) For the purposes of subsection (i), the time period during which such contamination occurrences are measured is 24 months from the date of first occurrence to removal. Following re-delivery of a customer's recycling cart under subsection (i), the 24-month measurement period begins anew.

“(k) Customers may elect at any time not to participate in the city recycling program; these locations/units do not receive a recycling cart.

\* \* \*

**“Sec. 21-40. Charges—For collection services within the City of Corpus Christi.**

“(a) The following charges apply to the collection of solid waste from solid waste-~~operations~~ services department customers located within the limits of the City of Corpus Christi. In addition to the charges listed below, each customer is liable for any applicable federal/state surcharges or fees specified in section 21-20 and state and city taxes. The charges for collection services are:

| Type        | Description   | Minimum Charge Per Month or Fraction Thereof Collection |
|-------------|---|---|
| (1)         | * * *   | * * *   |
| <u>(20)</u> | <u>Special waste collection fee—<br/>recycling cart</u> | <u>\$25.00</u>  |

(b) \* \* \*

\* \* \* \* \*

**SECTION 2.** Chapter 21 is further amended by replacing the word “operations” with the word “services” wherever it may appear preceded by the phrase “solid waste” to recognize a change in the department’s name to the “solid waste services” department.

**SECTION 3.** If, for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance is held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every portion or provision of this ordinance be given full force and effect for its purpose.

**SECTION 4.** This ordinance takes effect on October 15, 2021.

The foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

|                            |                     |
|----------------------------|---------------------|
| Paulette M. Guajardo _____ | John Martinez _____ |
| Roland Barrera _____       | Ben Molina _____    |
| Gil Hernandez _____        | Mike Pusley _____   |
| Michael Hunter _____       | Greg Smith _____    |
| Billy Lerma _____          |                     |

The foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, by the following vote:

|                            |                     |
|----------------------------|---------------------|
| Paulette M. Guajardo _____ | John Martinez _____ |
| Roland Barrera _____       | Ben Molina _____    |
| Gil Hernandez _____        | Mike Pusley _____   |
| Michael Hunter _____       | Greg Smith _____    |
| Billy Lerma _____          |                     |

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

**CITY OF CORPUS CHRISTI**

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Paulette M. Guajardo  
Mayor