



Agenda Item Summary

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Agenda Item Title

An Ordinance Amending Chapter 20 ("Public Health"), Article 13 ("Commercial Solid Waste Hauling and Recycling"), Section 20-13-3 ("Procedures to Determine if a Commercial Franchise Can Be Considered by the Village") to Amend the Effective Date by which Private Hauling Contractors Must Begin Reporting Recycling Data to the Village

Overview

On November 7, 2016, the Village of Oak Park enacted Ordinance 16-130 to require all waste haulers who are providing commercial (non-residential) refuse and/or recycling collection services in the Village to report the number of businesses under contract for recycling services. If the number of businesses that have recycling services is less than 50% after a three-year study window, the Village may choose to pursue a commercial franchise with one exclusive hauler. A three-year commercial hauler reporting period was initiated in 2017, but it was not completed.

Staff recommends the Village amend Section 20-13-3 of the Village Code, which was codified pursuant to Ordinance 16-130, to institute a new study window for the years 2023-2026 beginning July 1, 2023, and ending June 30, 2026.

Recommendation

Adopt the Ordinance.

Background

November 7, 2016, the Village of Oak Park enacted Ordinance Number 16-130 titled "An Ordinance Amending Chapter 20 ("Public Health") By Adding A New Article 13 ("Commercial Solid Waste Hauling and Recycling)" which requires haulers who are providing commercial refuse and/or recycling collection services in the Village to report the number of businesses under contract for recycling services. Under a State law passed in 2014 (Public Act 98-1079), the Village was granted the authority to require haulers to provide information on recycling participation rates every six months over a three-year period. If the haulers do not demonstrate that at least 50% of the businesses have recycling services at the end of the three-year period, the Village may choose to pursue a commercial franchise with one exclusive hauler.

Ordinance Number 16-130 and state law also require that haulers provide their customers a written offer to provide recycling services if they do not currently recycle. This written offer must be provided to customers at least once every two years. Compliance with this ordinance is required by all licensed waste haulers in Oak

Park. The Village's goal in adopting this ordinance is to increase the level of commercial recycling participation in our community and divert as much solid waste as possible from the landfill.

At the beginning of each reporting year, haulers will receive the following items: a letter outlining what is required; a copy of the Ordinance; and the reporting forms for the year. These reports will be posted on the Village website. At the end of the reporting period, the Village will assess the percentage of businesses that have recycling services and decide whether to pursue a commercial franchise.

Fiscal Impact

Amending the effective date set forth in Section 20-13-3 of the Village Code does not have any direct fiscal impacts.

DEI Impact

The Ordinance has the potential to have positive environmental impacts on both the Oak Park community and the Midwest region. Monitoring commercial recycling rates will allow the Village to analyze the level of commercial solid waste diversion and act to improve it. According to the 2021 IEPA Landfill Capacity Report, at the average in-place disposal rate over the past five years, Illinois landfills have a cumulative life expectancy of approximately 20 years. Increasing recycling reduces the amount of waste sent to these landfills and can prolong their useful lifetimes. Recycling conserves natural resources and reduces greenhouse gases by decreasing the need to mine and process new raw materials.

Alternatives

The Village Board can delay to gain more information.

Previous Board Action

The Board adopted Ordinance Number 16-130 at the November 7, 2016, Board Meeting. No further Board action has been taken.

Citizen Advisory Commission Action

N/A

Anticipated Future Actions/Commitments

Environmental Services staff would be responsible for all communication with licensed haulers and for collecting/compiling the reports during the amended study window.

Intergovernmental Cooperation Opportunities

N/A