

CHAPTER 5.07

RECYCLING CREDITS

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5.07.010 Purpose

The purpose of this chapter is to provide disposal cost relief at Metro solid waste disposal facilities for charitable, nonprofit entities that accomplish a significant level of waste reduction and recycling in operating programs that also have significant benefits to the region.

(Ordinance No. 90-362A, Sec. 1.)

5.07.020 Program Description

Recycling credits are established to provide disposal cost relief at Metro disposal facilities to organizations that qualify under the eligibility criteria listed in Section 5.07.030.

Recycling credits are based on an eligible organization's overall waste reduction level (summarized in this program as "recycling level"). The waste reduction level includes both reuse and recycling activities. The following formula establishes the amount of the recycling credit relative to the organization's recycling level. Recycling credits will be applied to total disposal costs at the time Metro bills the eligible organization:

If the recycling level is 70 percent or above, a 100 percent credit is granted;

If the recycling level is 65 percent or above, a 90 percent credit is granted;

If the recycling level is 60 percent or above, an 80 percent credit is granted;

If the recycling level is 55 percent or above, a 70 percent credit is granted;

If the recycling level is 50 percent or above, a 60 percent credit is granted;

If the recycling level is below 50 percent, no credit is granted.

The recycling level of the eligible organization will be based on documentation provided to Metro's solid waste Director on an annual basis. Recycling credits are not available at facilities where Metro does not serve as the billing entity.

(Ordinance No. 90-362A, Sec. 1.)

#### 5.07.030 Eligibility Criteria

An organization qualifies to receive a recycling credit if the following criteria have been documented during the annual application process:

(a) The organization must be classified as a nonprofit organization under Section 501(c)(3) of the United States Internal Revenue Code. Furthermore, the organization submits an annual report on Federal Form 990 (Return of Organization Exempt for Income Tax).

(b) The organization must be registered as a nonprofit organization with the Corporation Commission of the State of Oregon.

(c) The organization submits an annual report to the Oregon Department of Justice Charitable Trust Section and provides assistance to needy citizens of the region and opportunities for employment to those in need of assistance and rehabilitation.

(d) The organization does not contract with for-profit organizations to collect, process, or sell used goods.

(e) The organization must be engaged, as a primary form of revenue, in the processing of donated goods for resale or reuse.

(f) The organization facilitates the opportunity to reuse and recycle for the general public via curbside collection of donated goods or staffing of drop-off sites.

(g) The waste reduction activities of the organization divert a significant amount of material that might otherwise be landfilled. A significant amount is defined as a minimum of 250 tons per year of donated goods that are either reused or recycled.

(h) The organization is a credit customer in good standing at Metro disposal facilities.

(i) The organization submits annual waste reduction data to the Metro solid waste Director by February 15<sup>th</sup> of each year which documents the organization's recycling level for the preceding calendar year using a methodology approved by Metro.

(j) No portion of Metro funds authorized by this program will benefit any religious function of any religious organization.

(Ordinance No. 90-362A, Sec. 1. Amended by Ordinance No. 02-974, Sec. 1.)

#### 5.07.040 Annual Agreements for Credits

The Chief Operating Officer is hereby authorized to enter into annual agreements which may not extend beyond the end of the current fiscal year with organizations determined by the Chief Operating Officer to be eligible and who meet the waste reduction levels established herein. Consistent with the budget authorization adopted by the Council of Metro, as provided for in Section 5.07.050 herein, the Chief Operating Officer shall on an annual basis enter into agreements with eligible organizations so desiring and allocate available funds for recycling credits to such organizations that continue to meet the eligibility criteria and program requirements provided for herein. In the event that sufficient funds are not available to provide the level of recycling credit established in Section 5.07.020 provided for herein each agreement shall provide that the organization shall only be entitled to the receipt of the credit for tonnages actually delivered until such time as the total authorized amount has been credited throughout the program. Once the annual authorized amount is exhausted by the combined efforts of the eligible organizations then recycling credits shall no longer be available during the remaining

portion of that fiscal year unless a further authorization is approved.

The form of such agreements entered into by the Chief Operating Officer shall be consistent with the terms and provisions of this chapter and shall be in a form approved by the Metro Attorney.

(Ordinance No. 90-362A, Sec. 1. Amended by Ordinance No. 02-974, Sec. 1.)

#### 5.07.050 Budget Authorization

The Council shall establish by ordinance, which may be the annual budget ordinance, the amount available for applying for recycling credits pursuant to this program. The Chief Operating Officer may not enter into agreements or authorize the credits in an amount greater than that provided for by the Council. The agreements authorized under Section 5.07.040 are hereby exempted from the requirements of Chapter 2.04 but may be entered into with any eligible organization making application therefore within 30 days prior to funds being available for recycling credits as authorized by the Council.

(Ordinance No. 90-362A, Sec. 1. Amended by Ordinance No. 02-974, Sec. 1.)