

ENROLLMENT(S)

kwiktag®

062 330 149



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

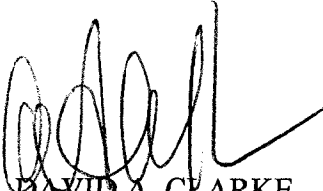
NOTICE

D.C. LAW 11- 12

"Recycling Fee and Illegal Dumping Amendment Act of 1995".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 11-15 on first and second readings, January 17, 1995 and February 7, 1995, respectively. Following the signature of the Mayor on March 6, 1995, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-23, and published in the March 17, 1995, edition of the D.C. Register (Vol. 42 page 1265) and transmitted to Congress on March 7, 1995 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 11-12, effective May 9, 1995.



DAVID A. CLARKE

Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Mar.	7,8,9,10,13,14,15,16,17,20,21,22,23,24,27, 28,29,30,31
Apr.	3,4,5,6,7
May	1,2,3,4,5,8

AN ACT
D.C. ACT 11-23

Codification
District of Columbia Code
(1996 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 6, 1995

To amend the District of Columbia Solid Waste Management and Multi-Material Recycling Act of 1988 to authorize the Mayor to impose a fee equivalent to the recycling surcharge on all persons licensed to collect solid waste within the District of Columbia and to reauthorize the Mayor to collect a recycling fee of \$2 for each new motor vehicle tire sold in the District of Columbia; and to make technical amendments to the Illegal Dumping Enforcement Act of 1994 to clarify its applicability to unauthorized indoor and outdoor facilities.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Recycling Fee and Illegal Dumping Amendment Act of 1995".

Sec. 2. The District of Columbia Solid Waste Management and Multi-Material Recycling Act of 1988, effective March 16, 1989 (D.C. Law 7-226; D.C. Code § 6-3401 *et seq.*), is amended as follows:

(a) Section 16 (D.C. code 6-3415) is amended to read as follows:

Section
6-3415

"Sec. 16. Recycling surcharge and collection fee.

"(a)(1) The Mayor shall impose a recycling surcharge on all persons who dispose of solid waste through the solid waste disposal system of the District to offset the cost of developing new and additional methods of solid waste management.

"(2) The Mayor shall provide a credit to apply to the recycling surcharge imposed by this subsection for persons who pay the fee imposed by subsection (b) of this section which credit shall be equivalent to the recycling surcharge imposed by this subsection.

"(b) The Mayor shall impose a collection fee, for the privilege of collecting solid waste as a commercial activity, on all persons licensed to collect solid waste in the District. The collection fee shall be equivalent to the recycling surcharge authorized in subsection (a) of this section.

"(c) Persons subject to the recycling surcharge or the collection fee imposed pursuant to this section shall:

"(1) Submit periodic reports to the Mayor at the times specified by regulation; the reports shall contain all information the Mayor considers reasonably necessary to determine compliance with this act, including the quantity of solid waste collected and disposed of; and

"(2) Retain records of solid waste collected and disposed of for 3 years or such other

period of time as the Mayor may prescribe.

"(d) For the purpose of ensuring compliance with this section, the Mayor may periodically inspect all records, documents, or data compilations in the possession or control of persons subject to the recycling surcharge or collection fee required by this section. Inspections shall take place during normal operating hours.

"(e) Failure to maintain records, submit periodic reports, or pay the recycling surcharge or collection fee required by this section may result in the imposition of 1 or more of the following penalties:

"(1) A \$25,000 fine;

"(2) An assessment of twice the amount of the recycling surcharge or fee due; or

"(3) Suspension or revocation of a solid waste collector's license issued pursuant to section 606(a) of chapter 3 of title 8 of the District of Columbia Health Regulations, issued June 29, 1971 (Reg. 71-21; 21 DCMR 710).

"(f) Money generated from the recycling surcharge and collection fee required by this section shall be used to fund recycling activities in the District, no more than 25% of which shall go to fund the recycling educational and promotional activities of the Environmental Planning Commission.

"(g) On January 15th of each year the Mayor shall submit to the Council the following:

"(1) An annual report on all income received from the recycling surcharge and collection fee during the previous fiscal year;

"(2) A line-item report on all disbursements for recycling activities during the previous fiscal year; and

"(3) A proposed plan for the use of all monies for recycling activities for the current fiscal year.

"(h) The proposed plan submitted by the Mayor pursuant to subsection (g)(3) of this section shall be submitted to the Council for approval, in whole or in part, by resolution. Expenditure for recycling activities shall be subject to Council approval of the proposed plan."

(b) A new Section 16a is added to read as follows:

"Sec. 16a. Tire recycling fee.

The Mayor shall collect a recycling fee of \$2 for each new motor vehicle tire sold in the District of Columbia. The proceeds from this fee shall be included with the recycling surcharge and collection fees under section 16. Persons subject to this recycling fee shall not be responsible for requirements under section 16(c)."

Sec. 3. The Illegal Dumping Enforcement Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Code § 6-2911 *et seq.*), is amended as follows:

(a) Section 2(1) (D.C. Code § 6-2911(1)) is amended by striking the phrase "into or on any land or water" and inserting the phrase "in the District of Columbia" in its place.

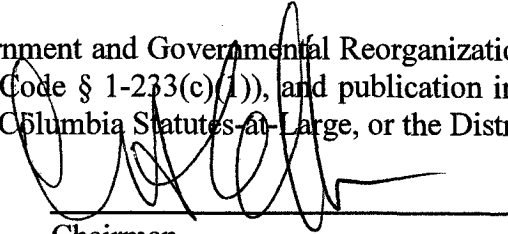
(b) Section 3(a) (D.C. Code § 6-2912(a)) is amended by striking the phrase "public place or other area" and inserting the phrase "building, place, or other area" in its place.

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia

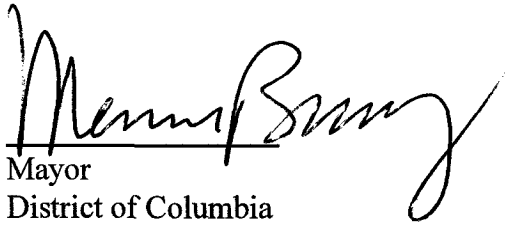
New
Section
6-3415.1

ENROLLED ORIGINAL

Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: March 6, 1995



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B11-15

ITEM ON CONSENT CALENDAR

ACTION & DATE Adopted First Reading, 1-17-95

VOICE VOTE Approved

RECORDED VOTE ON REQUEST Jarvis and Lightfoot

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote AB - Absent NV - Present not voting

[Signature] February 22, 1995

Secretary to the Council Date

ITEM ON CONSENT CALENDAR

ACTION & DATE Adopted Final Reading, 2-7-95

VOICE VOTE Approved

RECORDED VOTE ON REQUEST all present

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote AB - Absent NV - Present not voting

[Signature] February 22, 1995

Secretary to the Council Date

ITEM ON CONSENT CALENDAR

ACTION & DATE _____

VOICE VOTE _____

RECORDED VOTE ON REQUEST _____

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote AB - Absent NV - Present not voting

Secretary to the Council

Date