

1 Introduced by Council Member Ferraro:
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4 **ORDINANCE 2021-460**

5 AN ORDINANCE REGARDING PART 1 (CERTIFICATE OF
6 PUBLIC CONVENIENCE AND NECESSITY), CHAPTER
7 380, (SOLID WASTE MANAGEMENT), *ORDINANCE CODE*;
8 AMENDING SECTION 380.102 (DEFINITIONS),
9 *ORDINANCE CODE*, TO INCLUDE DEFINITIONS FOR
10 CONSTRUCTION AND DEMOLITION WASTE REDUCTION
11 FACILITY AND NON-PRESORTED CONSTRUCTION AND
12 DEMOLITION DEBRIS; AMENDING SECTION 380.104
13 (INITIAL APPLICATION FOR CERTIFICATE; FEE;
14 PROOF OF FINANCIAL ABILITY) TO INCLUDE
15 CONSTRUCTION AND DEMOLITION WASTE REDUCTION
16 FACILITY AS A TYPE OF FACILITY; AMENDING
17 SECTION 380.108 (OPERATION OF SOLID WASTE
18 DISPOSAL OR MANAGEMENT FACILITY), *ORDINANCE*
19 *CODE*, TO ADD MINIMUM RECYCLING REQUIREMENTS
20 FOR CONSTRUCTION AND DEMOLITION DEBRIS WASTE
21 REDUCTION FACILITIES BEGINNING IN 2022;
22 PROVIDING AN EFFECTIVE DATE.
23

24 **BE IT ORDAINED** by the Council of the City of Jacksonville:

25 **Section 1. Amending Part 1 (Certificate of Public**
26 **Convenience and Necessity), Chapter 380 (Solid Waste Management),**
27 **Ordinance Code.** Part 1 (Certificate of Public Convenience and
28 Necessity), Chapter 380 (Solid Waste Management), *Ordinance Code*,
29 is hereby amended to read as follows:

30 **CHAPTER 380. SOLID WASTE MANAGEMENT.**

31 **PART 1. - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

1 * * *

2 **Sec. 380.102. - Definitions.**

3 As used in this Part:

4 * * *

5 *Construction and demolition debris* means discarded materials
6 generally considered to be not water-soluble and nonhazardous
7 in nature, including, but not limited to, steel, glass,
8 brick, concrete, asphalt material, pipe, gypsum wallboard,
9 and lumber, from the construction or destruction of a
10 structure as part of a construction or demolition project or
11 from the renovation of a structure, including such debris
12 from construction of structures at a site remote from the
13 construction or demolition project site. The term includes
14 including rocks, soils, tree remains, trees, and other
15 vegetative matter that normally results from land clearing or
16 land development operations for a construction project; clean
17 cardboard, paper, plastic, wood, and metal scraps from a
18 construction project; except as provided in Section
19 403.707(9)(j), F.S., unpainted, non-treated wood scraps from
20 sources other than construction or demolition projects; scrap
21 from manufacturing facilities that is the type of material
22 generally used in construction projects and that would meet
23 the definition of construction and demolition debris if it
24 were generated as part of a construction or demolition
25 project, including debris from the construction of
26 manufactured homes and scrap shingles, wallboard, siding,
27 concrete, and similar materials from industrial or commercial
28 facilities and *de minimis* amounts of other non-hazardous
29 wastes that are generated at construction or demolition
30 projects, provided such amounts are consistent with best
31 management practices of the construction and demolition

1 industries. Mixing of construction and demolition debris
2 with other types of solid waste will cause it to be
3 classified as other than construction and demolition debris.

4 *Construction and demolition debris recycling facility* means a
5 facility that is authorized to receive and recycle
6 construction and demolition debris.

7 Construction and demolition waste reduction facility means a
8 facility that is authorized to receive non-presorted
9 construction and demolition debris for materials recovery.

10 *Director* means the Director of the Public Works Department.

11 * * *

12 *Materials recovery* means any process by which one or more of
13 the various components in solid waste is separated and
14 concentrated for reuse.

15 Non-presorted construction and demolition debris means
16 construction and demolition debris that arrives at a
17 construction and demolition debris facility in a mixed form
18 without prior separation into categories based upon the type,
19 quality and characteristic of debris discarded.

20 *Off specification waste* means wastes that require a manifest
21 and that are received for deposit either without a manifest
22 or not as specified on the accompanying manifest.

23 * * *

24 **Sec. 380.104. -Initial Application for certificate; fee;**
25 **proof of financial ability.**

26 For each site for which a certificate is sought, a separate
27 application for a certificate shall be filed in quadruplicate with
28 the Director. The application shall be on a form designated by the
29 Director and at a minimum shall contain the following:

30 * * *

31 (j) The applicant shall include in each application an

1 identification of the type of facility being proposed (solid
2 waste disposal facility, landfill, clean debris recycling
3 facility, construction and demolition debris recycling
4 facility, construction and demolition waste reduction
5 facility, transfer station, incinerator facility, biomedical
6 waste treatment facility, regulated garbage treatment
7 facility, yard trash recycling facility, or other category
8 solid waste management facility).

9 * * *

10 **Sec. 380.108. - Operation of solid waste disposal or**
11 **management facility.**

12 The following regulations apply to the operation of a solid
13 waste disposal or management facility:

14 * * *

- 15 (p) For a solid waste management facility identified as a
16 construction and demolition debris recycling facility, clean
17 debris recycling facility, ~~or~~ yard trash recycling facility,
18 or construction and demolition waste reduction facility, as
19 specifically indicated on their initial, renewal or CON
20 modification application and/or was previously approved by
21 Council as such a facility based on their facility
22 description provided in their application, a minimum
23 recycling percentage shall be required on a semi-annual basis
24 for these facilities. The minimum recycling requirement shall
25 apply to all new, renewal and modification applications
26 received after June 1, 2019, and the minimum recycling
27 requirements shall be as follows for each of the subsequent
28 years after:

29
30 Construction and Demolition Debris Recycling Facilities

31 2019

80% Minimum Recycling

1	2020	82% Minimum Recycling
2	2021	84% Minimum Recycling
3	2022	85% Minimum Recycling
4	2023	86% Minimum Recycling
5	2024 and subsequent years	87% Minimum Recycling

6
7 Yard Trash/ Clean Debris Recycling Facilities

8	2019	90% Minimum Recycling
9	2020	92% Minimum Recycling
10	2021	94% Minimum Recycling
11	2022	95% Minimum Recycling
12	2023	97% Minimum Recycling
13	2024 and subsequent years	98% Minimum Recycling

14
15 Construction and Demolition Waste Reduction Facilities

16 2022 and subsequent years 20% Minimum Recycling

17 * * *

18 **Section 2. Effective Date.** This ordinance shall become
19 effective upon signature by the Mayor or upon becoming effective
20 without the Mayor's signature.

21
22 Form Approved:

23
24 /s/ Paige H. Johnston

25 Office of General Counsel

26 Legislation Prepared By: Paige H. Johnston

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