

REFERENCE TITLE: recycling; multifamily dwellings

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2416

Introduced by
Representatives Garcia M, Bradley, Campbell CH, Lopez, Lujan, Schapira,
Sinema, Senator Hale: Representatives Barnes, Crandall, McGuire,
Prezelski, Rios P, Senator Rios

AN ACT

AMENDING SECTION 9-500.07, ARIZONA REVISED STATUTES; RELATING TO RECYCLING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 9-500.07, Arizona Revised Statutes, is amended to
3 read:
4 9-500.07. Recycling and waste reduction; multifamily dwellings;
5 curbside programs; civil penalties
6 A. A city or town shall provide its residents with an opportunity to
7 engage in recycling and waste reduction.
8 B. A CITY OR TOWN WITH A POPULATION OF SEVENTY-FIVE THOUSAND PERSONS
9 OR MORE SHALL DO ALL OF THE FOLLOWING:
10 1. FOR CITIES OR TOWNS THAT DO NOT OPERATE A CURBSIDE RECYCLING
11 PROGRAM FOR SINGLE FAMILY RESIDENCES ON THE EFFECTIVE DATE OF THIS AMENDMENT
12 TO THIS SECTION, OPERATE A CURBSIDE RECYCLING PROGRAM FOR SINGLE FAMILY
13 RESIDENCES IN THE CITY OR TOWN BY 2010 AND REQUIRE OR IMPLEMENT A CURBSIDE
14 RECYCLING PROGRAM FOR MULTIFAMILY DWELLINGS BY 2012.
15 2. FOR CITIES OR TOWNS THAT OPERATE A CURBSIDE RECYCLING PROGRAM FOR
16 SINGLE FAMILY RESIDENCES ON THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS
17 SECTION, REQUIRE OR IMPLEMENT A CURBSIDE RECYCLING PROGRAM FOR MULTIFAMILY
18 DWELLINGS BY 2009.
19 3. ADOPT, IMPLEMENT AND ENFORCE ORDINANCES AS FOLLOWS:
20 (a) THE CITY OR TOWN MAY OFFER FINANCIAL OR OTHER APPROPRIATE
21 INCENTIVES, INCLUDING WAIVER OF CODE PENALTIES, TO ENCOURAGE MULTIFAMILY
22 DWELLINGS TO RETROFIT EXISTING ON-SITE WASTE COLLECTION FACILITIES OR AREAS
23 TO PROVIDE FOR CURBSIDE RECYCLING. A CITY OR TOWN SHALL NOT ADOPT OR ALLOW A
24 WAIVER THAT PERMITS THE MULTIFAMILY DWELLING TO AVOID PROVIDING RECYCLING
25 CONTAINERS.
26 (b) THE CITY OR TOWN SHALL REQUIRE PROPERTY OWNERS TO PROVIDE WRITTEN
27 COPIES OF INFORMATION ON RECYCLING TO EACH TENANT IN A MULTIFAMILY DWELLING.
28 THE CITY OR TOWN SHALL DEVELOP THESE PRINTED MATERIALS ON RECYCLING FOR USE
29 IN MULTIFAMILY DWELLINGS AND SHALL PROVIDE THESE MATERIALS TO PROPERTY OWNERS
30 IN BOTH ENGLISH AND SPANISH.
31 (c) THE CITY OR TOWN MAY IMPOSE CIVIL PENALTIES AGAINST PROPERTY
32 OWNERS WHO FAIL TO COMPLY WITH ORDINANCES OR OTHER REQUIREMENTS ADOPTED
33 PURSUANT TO THIS SECTION. ANY CIVIL PENALTY SHALL BE CALCULATED BASED ON THE
34 NUMBER OF RESIDENTIAL UNITS IN THE MULTIFAMILY DWELLING, WITH A MAXIMUM
35 PENALTY OF ONE THOUSAND DOLLARS FOR TWENTY-FIVE UNITS OR LESS, TWO THOUSAND
36 DOLLARS FOR TWENTY-SIX THROUGH FIFTY UNITS, THREE THOUSAND DOLLARS FOR
37 FIFTY-ONE THROUGH ONE HUNDRED UNITS AND FIVE THOUSAND DOLLARS FOR ONE HUNDRED
38 ONE UNITS OR MORE.