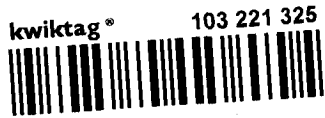


ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

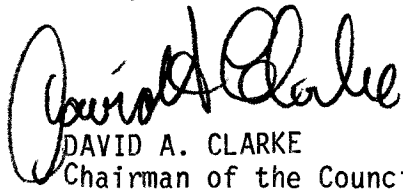
NOTICE

D.C. LAW 10-191

**"Recycling Fee and Illegal Dumping Temporary
Amendment Act of 1994".**

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. 10-701 on first and second readings, June 21, 1994 and July 19, 1994, respectively. Following the signature of the Mayor on August 4, 1994, this legislation was assigned Act No. 10-317, and published in the August 12, 1994, edition of the D.C. Register (Vol.41 page 5362) and transmitted to Congress on August 8, 1994 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 10-191 effective October 1, 1994.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

August 8,9,10,11,12,15,16,17,18,19,22,23,24,25,26

September 12,13,14,15,16,19,20,21,22,23,26,27,28,29,30

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

AUGUST 4, 1994

To amend, on a temporary basis, the District of 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 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 Temporary Amendment Act of 1994".

Sec. 2. Section 16 of 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 § 6-3415), is amended to read as follows:

Note,
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 shall be equivalent to the recycling surcharge imposed by this subsection.

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

"(c) Persons subject to the recycling surcharge or the 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; and

"(2) Retain records of solid waste collected and disposed 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 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 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 surcharge and 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 Litter and Solid Waste Reduction Commission."

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.

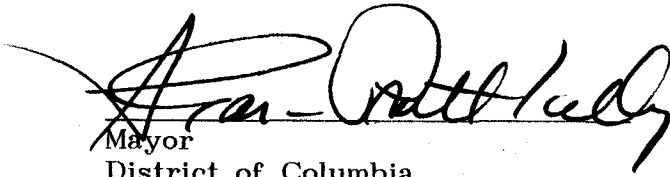
Note,
Section
6-2911
Note,
Section
6-2912

Sec. 4. (a) 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 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.

(b) This act shall expire on the 225th day of its having taken effect or upon the effective date of the Recycling Fee and Illegal Dumping Amendment Act of 1994, whichever occurs first.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: August 4, 1994



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 10-701

☐ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 6-21-94

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: Barry and Brazil

☐ ROLL CALL VOTE. — RESULT

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

July 22, 1994
Date

☐ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 7-19-94

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: Barry

☐ ROLL CALL VOTE. — RESULT

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

July 22, 1994
Date

☐ Item on Consent Calendar

☐ ACTION & DATE:

☐ VOICE VOTE:

Recorded vote on request

Absent:

☐ ROLL CALL VOTE. — RESULT

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date