

Miami-Dade County

Multi-Family and Commercial Recycling Memorandum Of Understanding

I. PREAMBLE

This Memorandum of Understanding (MOU) memorializes an agreement reached between Miami-Dade County Department of Solid Waste Management, and the municipality of the City of Coral Gables, hereafter referred to collectively as "the parties". The operational commitments delineated in this MOU become effective _____.

II. DEFINITIONS

Commercial establishment: Any structure used or constructed for use for business operations. For purposes of this MOU, hotels and motels are commercial establishments. The term "commercial establishment" shall not include any residential unit or multi-family residential establishment.

Department: The Miami-Dade County Department of Solid Waste Management.

Modified recycling program: An operation, approved by the Department, which provides for the recycling of recyclable material by a method varying from the requirements of Section 15-2.2 or Section 15-2.3 of the Miami-Dade County Code (Code) as provided in section 15-2.4 of the Code. (All attached as Exhibit "A").

Multi-family residential establishment: Any structure other than a residential unit which is used, or constructed for use, as a multiple-dwelling facility. Multi-family residential establishments shall include without limitation, rooming house, tourist court, trailer park, bungalow court, apartment building with rental or cooperative apartments, or multiple story condominiums with common means of ingress and egress.

* A property of 4-units or more in the unincorporated area of Miami-Dade County is considered to be a multi-family residential establishment.

Recyclable material: Any material which is capable of being recycled and which, if not recycled, would be processed and disposed of as solid waste. The term "recyclable material" shall include green glass, brown glass and clear glass; aluminum and steel cans and scrap metal; plastic containers, mixed paper, newspaper, corrugated cardboard, office paper, and phonebooks. Any recyclable material mixed with solid waste shall be considered to be solid waste.

Recycling container: Receptacle used for recyclable material.

Recycling program: An operation which provides for the separate gathering, storage, collection and marketing of recyclable material.

Recycling services: Business activities related to the buying, selling, trading, marketing, transferring, separating, collecting or processing of recyclable material. Such service shall include the proper handling and disposal of any portion of collected recyclable material deemed unusable or unmarketable.

III. BACKGROUND AND SCOPE

Sec. 15-2.5. of the Code states that the provisions of Sections 15-2.2, 15-2.3 and 15-2.4, designated on the attachment (Exhibit "A"), shall apply to the incorporated and unincorporated areas, and shall be enforced by Miami-Dade County unless the County and the city agree, in writing, that the city shall enforce this ordinance within the municipality or that the city is operating a recycling program that meets the minimum standards. Any municipality may establish and enforce its own ordinance provided such ordinance is equivalent to or more stringent than the provisions of this ordinance.

This MOU provides several purposes, first, it fulfills the requirement of Section 15-2.5 of the Code, secondly, it improves communication between the parties, and thirdly, it establishes jurisdictional responsibility that will improve utilization of enforcement resources.

IV. TERM

This MOU is valid between the parties unless the City of Coral Gables agrees in writing with the consent of Miami-Dade County to enforce the Code as described in Exhibit "A", or the City establishes and enforces its own ordinance so long as it is equivalent to or more stringent to the provisions of the Code as described in Exhibit "A", or the Code as described in Exhibit "A" is repealed or substantially revised. Any other changes to the term of this agreement must be done with the mutual consent of the parties.

V. AMENDMENTS TO THE CODE

This MOU is based on the current Code of Miami-Dade County. Any future alteration, modification, or amendments to the Code shall be communicated in writing. Any municipality may establish and enforce its own ordinance provided such ordinance is equivalent to or more stringent than the provisions of this ordinance.

VII. ENFORCEMENT AGREEMENT AND EXECUTION OF MOU
(Select one of the following options.)

- a.** The Municipality hereby agrees that the Department shall enforce the ordinance within its boundaries.

Municipality Designee (Initials):_____

Miami-Dade County Department of Solid Waste Management Designee
(Initials): _____

- b.** The Municipality shall enforce this ordinance within its boundaries.

Municipality Designee (Initials): N/A

Miami-Dade County Department of Solid Waste Management Designee
(Initials): N/A

- c.** The Municipality is operating a recycling program that meets the minimum standards.

Municipality Designee (Initials): N/A

Miami-Dade County Department of Solid Waste Management Designee
(Initials): N/A

Wherefore the Parties have hereunto set their hands this _____day of
_____, 20__

Municipality: City of Coral Gables

Print: Maria Alberro Menendez, Assistant City Manager
Designee

Signature:_____ Date:_____
Designee

Miami-Dade County Department of Solid Waste Management

Print:_____
Designee

Signature:_____ Date:_____
Designee