

## LOCAL GOVERNMENT CASE STUDY:

# MECKLENBURG COUNTY - BUSINESS RECYCLING ORDINANCE



Jurisdiction:

Best Management Practice:

Purpose:

Ordinance:

Contact:

Mecklenburg County

Business Recycling Ordinance

To increase the recycling of office paper and corrugated cardboard generated from commercial businesses, which account for a major component of the county's waste stream

Available online at <http://www.charmeck.nc.us/Departments/LUESA/Solid+Waste/Business+Recycling/Recycling+Ordinance.htm>

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## DESCRIPTION

In August 2000, the Mecklenburg County Board of County Commissioners adopted the Solid Waste Management 10-year plan update (it is updated every three years). This plan established its 2006 per capita waste reduction goal of 19 percent from fiscal year 1999 and a 2010 waste reduction of 23 percent from 1999.

Given that non-residential waste accounts for 78 percent of the waste stream, Mecklenburg County created an ordinance that went into effect on Jan. 1, 2002, requiring businesses to recycle office paper and corrugated cardboard. This includes the cities of Charlotte, Mint Hill, Huntersville, Davidson, Cornelius and Pineville. The ordinance affects any business that contracts for 16 cubic yards or greater of waste collection service per week, unless they meet one of the exemptions outlined in the ordinance. The ordinance applies to the business or property manager who is responsible for contracting the waste disposal services. Businesses can either contract with a vendor for pickup or take the materials to a recycling facility, including any one of the county's 19 locations. A civil penalty for noncompliance of \$50 begins following the issuance of a third notice of violation. Subsequent penalties increase by \$50 per event and may be issued every 15 days. However, the county intends to bring violators to its Environmental Court well before reaching the penalty cap of \$2,500.

## PURPOSE

Currently, Mecklenburg County accounts for one-eighth of North Carolina's waste stream. In the seven-year period between 1992 and 1999, the county approximately doubled its waste generation from 650,910 tons in 1992 to 1,214,764

tons in 1999. The main intent of the ordinance is to increase the recycling of office paper and corrugated cardboard generated from commercial businesses, which account for a major component of the county's waste stream.

## IMPLEMENTATION

Under the 2000 Solid Waste Management Plan update, the county commissioners suggested a mandatory program targeting the commercial sector of the waste stream. However the commissioners gave the county one year to explore various ways to make a difference in the amount of waste generated by businesses in Mecklenburg County. Initially, the County Solid Waste Management Division elicited voluntary efforts from businesses to recycle office paper and corrugated cardboard. After two years, when it was seen that a significant reduction in commercial waste would not be achieved through voluntary efforts, the county created a task force of key stakeholders and business leaders to participate in drafting a business recycling ordinance. The task force consisted of a representative group of people from local businesses such as restaurants, hotels, grocery stores, retail stores, computer companies, other small businesses, and property managers. The task force largely used a consensus process for decision-making and met for approximately seven months to draft the ordinance. Upon completion, the County Commissioners passed the ordinance unanimously. Subsequently, the Charlotte City Council and towns of Cornelius, Pineville, Huntersville, Mint Hill and Davidson passed resolutions authorizing Mecklenburg County to enforce the ordinance within their jurisdictions.



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An extensive education and outreach period - consisting of advertisements in the Charlotte Business Journal, television ads, radio spots, ads in the Charlotte Observer as well as seminars and presentations - was put into action before the ordinance was implemented. Two direct mailings were also distributed, with the second mailing including a detailed informational brochure that went out to every business with 10 or more employees. The county also set-up a hotline to respond to questions about the ordinance. The ordinance took effect on Jan. 1, 2002.

Ordinance education efforts continue to use the Charlotte Business Journal, radio spots, the Charlotte Observer, and some presentations. A survey was also sent to 200 property managers as part of an outreach project to establish the status of their recycling program and serve as an informal compliance check. The department is repeating this survey effort with the transportation and distribution/warehousing sector.

Overall, the first year following initiation of ordinance was focused on education and outreach with enforcement limited to responding to calls and complaints. In April 2003, the county began enforcing the ordinance proactively with unannounced visits to businesses. The county trained the existing inspection force, including zoning, building, restaurant, and food inspectors, to identify businesses that are noncompliant and to report these to the Solid Waste Management Department. However, since this responsibility

is not officially part of their job or performance evaluation, this effort has proven to be ineffective to date.

Consequently, the department decided to empower all of the solid waste office staff to conduct compliance checks where necessary. In addition, two solid waste inspectors have been assigned to allocate a minimum of eight hours per week to conduct random site visits. In total, between seven and 10 businesses are visited weekly for ordinance compliance. The department anticipates the addition of a full-time ordinance enforcement person for the FY04 budget year.

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## RESULTS

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Overall, the amount of waste generated by the county has decreased since the ordinance was put into place in January 2002. However, given the variety of factors such as the weakened economy, it is not possible to identify the commercial recycling ordinance as a main cause. In addition, given that the private companies do not provide tonnage data, the challenge for the next year is to find a way to quantify the success of the ordinance. Despite the lack of quantitative data available, it is known that out of the 6,000 to 10,000 businesses that fall under the ordinance, many have already added new recycling programs. This has resulted in a definite increase in recycling efforts among the commercial sector. The ordinance has proven to be a very useful tool to compel businesses to add recycling to their waste management strategy.



The N.C. Division of Pollution Prevention and Environmental Assistance provides free, non-regulatory technical assistance and education on methods to eliminate, reduce, or recycle wastes before they become pollutants or require disposal. Call DPPEA at (919) 715.6500 or (800) 763-0136 or e-mail [nowaste@p2pays.org](mailto:nowaste@p2pays.org), or visit DPPEA's Web site at [www.p2pays.org](http://www.p2pays.org) for assistance with issues in this case study or any of your waste reduction concerns.