

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA BY ADOPTING A NEW CHAPTER 1-29, “**SOLID WASTE ADVISORY COMMISSION**” IN TITLE 1 “GENERAL GOVERNMENT” AND FOR OTHER LAWFUL PURPOSES

WHEREAS, the Solid Waste Citizen Advisory Committee was originally created at the time of unification in 1991 as an ad hoc committee for the purpose of evaluating Athens-Clarke County’s solid waste management needs;

WHEREAS, the Commission of Athens-Clarke County, Georgia, now wishes to formalize this ad hoc body as the new Solid Waste Advisory Commission pursuant to their authority under Section 2-105(d) of the Charter of Athens-Clarke County, Georgia, in order to address and develop solutions for significant community challenges, including, but not limited to, solid waste strategic planning, future material management infrastructure, collection services, education, and environmental/climate impacts.

NOW THEREFORE, the Mayor and Commission of Athens-Clarke County, Georgia, hereby ordains and orders that the Code of Ordinances of Athens-Clarke County shall be amended as follows:

SECTION 1

Title 1, General Government, of the Code of Ordinances of Athens-Clarke County shall be amended by adding a new Chapter 1-29, titled "Solid Waste Advisory Commission," which chapter shall read as follows:

Chapter 1-29.- SOLID WASTE ADVISORY COMMISSION

Sec. 1-29-1. Establishment of the Solid Waste Advisory Commission.

(a) *Establishment, membership, terms.* There shall be a Solid Waste Advisory Commission, which shall consist of ~~eleven~~^{eight} members appointed for ~~two~~^{four}-year terms of office.

(1) The Mayor shall appoint one Commissioner to serve as a member of the Solid Waste Advisory Commission, who shall also serve as the Chair.

(2) The appointment of the remaining ~~ten~~^{seven} citizen members shall follow the procedure laid out in the Boards, Authorities, and Commission Handbook. All citizen members shall be appointed by majority vote of the Mayor and Commission of Athens-Clarke County. Such members shall be residents of Athens-Clarke County. For the initial term of service, the Mayor and Commission shall designate ~~five~~^{four} (54) citizen members to serve initial ~~one~~^{four}-year terms and ~~five~~^{three} (53) citizen members to serve initial two-year terms. After the initial appointment of members, all members shall be appointed to serve ~~two~~^{four}-year terms. In appointing citizen members to the Solid Waste Advisory Commission, the Mayor and Commission shall seek, where possible and reasonable, to include a residents ~~of each~~^{from different} commission districts in

order to encourage representation of as many geographic regions as possible within Athens-Clarke County.

(3) There may be up to ~~five~~^{four} ex officio members of the Solid Waste Advisory Commission, appointed by the manager of Athens-Clarke County, with up to one representative from each of the following:

(a) The Athens-Clarke County Solid Waste Department

(b) The University of Georgia

(c) Keep Athens-Clarke County Beautiful

(d) ~~One~~^{Two} members selected from the original Solid Waste Advisory Committee for continuity, history, and recognition for their extensive commitment to the original committee.

(4) Members whose terms have expired shall continue as members until their successors have been appointed by the Mayor and Commission.

(b) *Rules and regulations.* The Solid Waste Advisory Commission is hereby authorized to adopt bylaws for its own administration and to recommend policies, rules, and regulations to support the vision and mission of the Athens-Clarke County Solid Waste Department.

(c) *Responsibility generally.* The Solid Waste Advisory Commission shall be responsible for advising the Mayor and Commission and the Athens-Clarke County Solid Waste Department regarding matters assigned to them by the Mayor.

(d) *Advisory nature of commission.* The Solid Waste Advisory Commission shall be advisory in nature.

(e) *Assistance from other departments authorized.* The Athens-Clarke County Solid Waste Department and other appropriate Unified Government departments are hereby authorized to offer assistance from time to time to the Solid Waste Advisory Commission, including that a Solid Waste Department staff member shall be responsible for attending Commission meetings and preparing the minutes of the Commission.

SECTION 2

This ordinance shall take effect immediately after passage.

SECTION 3

If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or

unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 4

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5

The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

**THE UNIFIED GOVERNMENT OF ATHENS-
CLARKE COUNTY, GEORGIA**

Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

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Chapter 1-29.- SOLID WASTE ADVISORY COMMISSION

Sec. 1-29-1. Establishment of the Solid Waste Advisory Commission.

(a) *Establishment, membership, terms.* There shall be a Solid Waste Advisory Commission, which shall consist of eleven members appointed for two-year terms of office.

(1) The Mayor shall appoint one Commissioner to serve as a member of the Solid Waste Advisory Commission, who shall also serve as the Chair.

(2) The appointment of the remaining ten citizen members shall follow the procedure laid out in the Boards, Authorities, and Commission Handbook. All citizen members shall be appointed by majority vote of the Mayor and Commission of Athens-Clarke County. Such members shall be residents of Athens-Clarke County. For the initial term of service, the Mayor and Commission shall designate five (5) citizen members to serve initial one-year terms and five (5) citizen members to serve initial two-year terms. After the initial appointment of members, all members shall be appointed to serve two-year terms. In appointing citizen members to the Solid Waste Advisory Commission, the Mayor and Commission shall seek, where possible and reasonable, to include a resident of each commission district in order to encourage representation of as many geographic regions as possible within Athens-Clarke County.

(3) There may be up to five ex officio members of the Solid Waste Advisory Commission, appointed by the manager of Athens-Clarke County, with up to one representative from each of the following:

(a) The Athens-Clarke County Solid Waste Department

(b) The University of Georgia

(c) Keep Athens-Clarke County Beautiful

(d) Two members selected from the original Solid Waste Advisory Committee for continuity, history, and recognition for their extensive commitment to the original committee.

(4) Members whose terms have expired shall continue as members until their successors have been appointed by the Mayor and Commission.

(b) *Rules and regulations.* The Solid Waste Advisory Commission is hereby authorized to adopt bylaws for its own administration and to recommend policies, rules, and regulations to support the vision and mission of the Athens-Clarke County Solid Waste Department.

(c) *Responsibility generally.* The Solid Waste Advisory Commission shall be responsible for advising the Mayor and Commission and the Athens-Clarke County Solid Waste Department regarding matters assigned to them by the Mayor.

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SO ORDERED AND ORDAINED this ___ day of _____, 2022.

**THE UNIFIED GOVERNMENT OF ATHENS-
CLARKE COUNTY, GEORGIA**

Kelly Girtz, Mayor

Attest:

Jean Spratlin, Clerk of Commission

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM**

SUBJECT: Formalize the Establishment of the Solid Waste Advisory Commission

DATE: April 11, 2022

BUDGET INFORMATION:

REVENUES:

EXPENSES:

ANNUAL: \$150 (clerical and recognition items)

CAPITAL:

OTHER:

FUNDING SOURCE: Landfill and Solid Waste Enterprise Funds

COMMISSION ACTION REQUESTED ON: May 3, 2022

PURPOSE:

To request that the Mayor and Commission:

- a. Approve the establishment of the Solid Waste Advisory Commission as presented in the Ordinance Amendment (**Attachment #1**).
- b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In 1991, Mayor Gwen O’Looney created the Solid Waste Citizen Advisory Committee (SWCAC) as an ad hoc committee that acted in advisory capacity involving the following issues: expansion of the recycling program and creation of a recycling coordinator. In the wake of its creation, SWCAC has advised with the following programs:
 - Establishment of the pilot curbside, residential recycling program;
 - Recommended the hiring of a local Recycling Coordinator to develop and manage ACCGov’s recycling collection, waste reduction and education program
 - Procured a public-private Recovered Materials Processing Facility
 - Expanded residential recycling collection services
 - Established commercial recycling services
 - Introduced “Pay-As-You-Throw” garbage fee systems for both commercial and residential customers
 - Participated in the development of ACCGov’s Sub-Title D, Municipal Solid Waste Landfill

- Volunteered countless hours of time at special events to promote recycling and waste reduction
2. On May 26, 2021, the name changed from the Solid Waste Citizen Advisory Committee to the Solid Waste Advisory Committee (SWAC) removing the term “citizen” to use more inclusive language.
 3. On November 2, 2021, the Mayor and Commission approved the Resolution to adopt the Northeast Georgia Regional Solid Waste Management Plan that included an expansion of the Solid Waste Advisory Committee in the ten year work program.
 4. On February 1, 2022, Mayor Girtz referred the following topic to the SWAC:
Make a recommendation to the M&C regarding the future of our residential collection zones and franchise arrangements, and consider modifying the status of collections that create differences in the urban services district and general services district.

FACTS & ISSUES:

1. Currently comprised of six active members, the SWAC has had as many as 20 residents on the committee in the past. The SWAC continues to meet four times a year to discuss the solid waste needs of the Athens-Clarke County community.
2. Staff is requesting a defined structure for the SWAC with the assigned topics and recommendation expectations placed on the committee. SWAC currently has no bylaws or process to add or remove members, member term limits, or rules/regulations for engagement.
3. The Ordinance Amendment (**Attachment #1**) proposes the formalization of the Solid Waste Advisory Committee to the Solid Waste Advisory Commission to address and develop solutions for significant community challenges, including, but not limited to, solid waste strategic planning, future material management infrastructure, collection services, education, and environmental/climate impacts.
4. Key provisions in the Ordinance include the following:
 - Membership
 - i. Eleven members appointed for two-year terms of office,
 - ii. Three ex officio members:
 1. one from ACCGov Solid Waste Department,
 2. The University of Georgia and
 3. Keep Athens-Clarke County Beautiful.
 - Rules, Regulations, Responsibilities include the adoption of bylaws, and advising the Mayor and Commission to matters relating to solid waste management.

5. An Ordinance to amend the *Code of Ordinances* of Athens-Clarke County is attached that adopts a new chapter, Chapter 1-29, creating the Solid Waste Advisory Commission. **(Attachment #1)**.

6. These recommendations support the following Mayor and Commission Strategic Commitments:
 - Healthy, Livable, Sustainable Athens-Clarke County

OPTIONS:

1. Mayor and Commission:
 - a. Approve the establishment of the Solid Waste Advisory Commission as presented in the Ordinance Amendment **(Attachment #1)**.
 - b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny approval of the Solid Waste Advisory Commission Ordinance.

3. Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Options 1 a & b

DEPARTMENT:

Prepared by: Suki Janssen



Suki Janssen

Date:4.11.22

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b





Manager

April 15, 2022

Date:

ATTACHMENTS:

Attachment #1 – Ordinance Amendment