

ARTICLE 138  
Recycled Product Procurement Policy

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CROSS REFERENCES  
Waste minimization and recycling - see S.U. & P.S. Art. 952

138.01 PURPOSE.

The purpose of this article is to establish a policy for the City to purchase certain recyclable products for the purpose of reducing the need for incineration, maximizing energy and resource conservation and reducing expenses for the City.  
(Ord. 16-1991 §1. Passed 5-7-91.)

138.02 DEFINITIONS.

(a) "Purchasing Agent" means the person designated by the Mayor as purchasing agent with the duty of purchasing for the City.

(b) "Recycled products" means goods, supplies, equipment, materials and printing containing postconsumer materials.

(c) "Postconsumer materials" means any product generated by a business or consumer which has served its intended end use and which has been separated or diverted from solid waste for the purposes of collection, recycling and disposition. The term includes industrial by-products that would otherwise go to disposal or processing facilities. The term does not include internally generated scrap that is commonly returned to industrial or manufacturing processes. (Ord. 16-1991 §1. Passed. 5-7-91.)

138.03 SPECIFICATIONS.

(a) Within twelve months subsequent to the effective date of this article, the Purchasing Agent shall conduct a review of existing product and service specifications to determine whether existing specifications either require or exclude the use of recycled products, reusable products or products designed to be recycled, for use by all department agencies, officers, boards and commissions.

(b) In the event that such specifications do exclude the use of recycled products or require the use of virgin materials, then such exclusions or requirements shall be eliminated unless the pertinent department or entity can demonstrate to the satisfaction of the Purchasing Agent that these recycled products would not achieve a necessary performance standard.

(c) Specifications for products should incorporate a provision that requires the reporting of the type and degree of use of recycled material. Administrative guidelines shall be issued that indicate the extent to which preferences to recycled products shall be allowed.  
(Ord. 16-1991 §1. Passed 5-7-91.)

#### 138.04 CONTRACTS.

Preference in the award of purchases may be given solely on the basis of the use of recycled materials where permitted by law. (Ord. 16-1991 §1. Passed 5-7-91.)

#### 138.05 EQUIPMENT COMPATIBILITY.

(a) Recycled paper, of the appropriate grade (such as xerographic grade for xerographic equipment), where feasible, shall be purchased and used in all currently owned copiers, printers and offset equipment that will accept it.

(b) The Purchasing Agent shall purchase only copiers, printers and offset equipment capable of utilizing recycled paper of the appropriate grade (such as xerographic grade for xerographic equipment). (Ord. 16-1991 §1. Passed 5-7-91.)

#### 138.06 LABELING PRODUCTS.

When recycled products are used, reasonable efforts shall be undertaken to label the products to indicate that they contained recycled materials. City departments and agencies shall use for their mast-head stationery and envelopes recycled paper that includes postconsumer recycled content and indicate on the paper and envelope that they contained recycled materials. Existing supplies shall be exhausted prior to purchase of new materials. Other recycled products used by the City shall also indicate that they contained recycled material.  
(Ord. 16-1991 §1. Passed 5-7-91.)

#### 138.07 COOPERATION WITH SURROUNDING GOVERNMENTS; CITY AGENCIES AND DEPARTMENTS.

(a) The City shall cooperate to the greatest extent feasible with neighboring City and County governments in an effort to develop a comprehensive, consistent and effective procurement effort intended to stimulate the market for recycled products, reusable products and products designed to be recycled.

(b) All related City departments and agencies shall work cooperatively to further the purposes of this article. The City's economic development process shall incorporate the goal of stimulating the market for recycled materials. (Ord. 16-1991 §1. Passed 5-7-91.)