

# SANTA FE COUNTY

ORDINANCE NO. 2016-7

## AN ORDINANCE AMENDING ORDINANCE NO. 2016-04 TO EXTEND THE DEADLINE FOR COMMERCIAL SOLID WASTE HAULERS TO PROVIDE BUNDLED REFUSE AND RECYCLING COLLECTION SERVICES

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
SANTA FE COUNTY:**

### **Section 1. FINDINGS.**

**1.1** Section 6(A) of Santa Fe County ("County") Ordinance No. 2016-04 requires Solid Waste Haulers ("SW Haulers") who provide curbside residential refuse collection services to customers within the Collection District established by the Ordinance to also provide curbside collection of Recyclables to their customers.

**1.2** The deadline for providing the new service required under Section 6(A) of Ordinance No. 2016-04 is 120 days after the Ordinance's effective date, which is November 1, 2016.

**1.3** Some SW Haulers may be unable to comply with the deadline imposed under Section 6(A) of Ordinance 2016-04 through no fault of their own.

**1.4** In order to avoid possible disruption or delay in the collection and proper disposal of refuse within the Collection District, Section 6(A) of Ordinance 2016-04 should be amended to authorize the County Public Works Director to grant extensions on a case-by-case basis for good cause shown.

**1.5** Pursuant to NMSA 1978, 4-37-9(C), it is necessary for the public peace, health and safety that this Ordinance take effect immediately upon being duly filed in the records of the County Clerk.

**Section 2. AMENDMENT.** Ordinance No. 2016-04 is hereby amended by replacing the first sentence of Section 6(A) of that Ordinance in its entirety with the following:

"A. On or before November 1, 2016, all SW Haulers who provide curbside residential refuse collection services to customers within the Collection District shall also, as part of such service, collect Recyclables in containers separate from the refuse containers; *provided, however*, that the Santa Fe County Public Works Director may grant extensions to SW Haulers of up to two (2) months on a case-by-case basis for good cause shown."

**Section 3. ORDINANCE REMAINS IN EFFECT, AS AMENDED.** Except as expressly amended hereby, Ordinance No. 2016-04 remains unchanged and in full force and effect.

**Section 4. EFFECTIVE DATE.** Pursuant to NMSA 1978, Section 4-37-9(C), this Ordinance shall become effective immediately upon being duly filed in the records of the County Clerk; *provided, however,* that if a court of competent jurisdiction should declare Section 4-37-9(C) inapplicable, then this Ordinance shall become effective thirty (30) days after it is recorded in the office of the County Clerk.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THIS 28<sup>th</sup> DAY OF October, 2016.**

**BOARD OF COUNTY COMMISSIONERS**

By: Miguel M. Chavez  
Miguel M. Chavez, Chair

**ATTEST:**

Geraldine Salazar Date: 10-28-2016  
Geraldine Salazar, Santa Fe County Clerk



**APPROVED AS TO FORM:**

Gregory S. Shaffer Date: 10/28/16  
Gregory S. Shaffer, Santa Fe County Attorney



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss  
BCC ORDINANCE  
PAGES: 2  
I Hereby Certify That This Instrument Was Filed for Record On The 28TH Day Of October, 2016 at 02:17:08 PM and Was Duly Recorded as Instrument # 1808307 of The Records Of Santa Fe County  
Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy Laura Hernandez County Clerk, Santa Fe, NM