

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING A)	ORDINANCE NO. 19-1441
NEW METRO CODE CHAPTER 5.08 THAT)	
GOVERNS ADMINISTRATIVE RULEMAKING)	Introduced by Acting Chief Operating Officer
AUTHORITY FOR METRO CODE TITLE V)	Andrew Scott in concurrence with Council
)	President Lynn Peterson

WHEREAS, the Metro solid waste code is set forth in Title V of the Metro Code; and

WHEREAS, Chapters 5.01, 5.02, 5.05, 5.06, 5.09, and 5.10 in Title V each have their own sections that govern administrative rulemaking procedures for those specific code chapters; and

WHEREAS, consolidating those multiple administrative rulemaking sections into a new “Administrative Rulemaking” chapter that governs the entire Metro Code Title V would ensure that the procedures are uniform throughout Metro Code Title V; and

WHEREAS, in the current administrative rulemaking procedures the timing of the oral hearing in relation to the general public comment period is confusing, thus requiring a revision to clarify the timing; and

WHEREAS, staff solicited input from the public on establishing new Metro Code Chapter 5.08 by providing a 30-day public comment period during August and September 2019 and hosting a public informational meeting on September 9, 2019; and

WHEREAS, the Metro Council finds that establishing a new Metro Code Chapter 5.08 to govern administrative rulemaking procedures for the entire solid waste code will provide greater clarity for the public and create consistent, transparent and objective procedures for adopting administrative rules that further implement the requirements of Metro Code Title V; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Title V, Solid Waste, is amended to add a new Metro Code Chapter 5.08, (“Administrative Rulemaking Authority for Title V”), as set forth in the attached Exhibit A.
2. Metro Code Section 5.01.280 is repealed.
3. Metro Code Section 5.02.170 is repealed.
4. Metro Code Section 5.05.260 is repealed.
5. Metro Code Section 5.06.100 is repealed.
6. Metro Code Section 5.09.170 is repealed.
7. Metro Code Section 5.10.080 is repealed.

ADOPTED by the Metro Council this 21st day of November 2019.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Sara Farrokhzadian, Recording Secretary

Carrie MacLaren, Metro Attorney