

Oregon Multi-Tenant Statutes, Rules and Guiding Documents

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Materials Management

700 NE Multnomah St.
Suite 600
Portland, OR 97232
Phone: 503-229-5696
800-452-4011
Fax: 503-229-5850
Contact: Brian Stafki
www.oregon.gov/DEQ

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State of Oregon
Department of
Environmental
Quality

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This report prepared by:

Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232
1-800-452-4011
www.oregon.gov/deq

Contact:
Brian Stafki
503-229-5984

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Executive summary

In response to changes in Oregon’s recycling laws, the opportunity to recycle is being extended to all residential and commercial tenants of multi-tenant properties. The change will require cities and counties to ensure properties with tenants that share garbage collection service also receive recycling collection by July 2022. This requirement is for cities with 4,000 or more residents, cities within the Metro Service District and counties which manage programs within those cities’ urban growth boundaries.

In order to support implementation of this statutory change, Oregon Department of Environmental Quality staff examined state statutes, rules and guiding documents that will influence and affect multi-tenant recycling.

This report offers a synthesis of the state frameworks for the benefit of stakeholders who will determine how to support implementation by July, 2022.

The state of Oregon creates statutes and supporting rules to advance materials management in Oregon. The main guiding document is the “Materials Management in Oregon — 2050 Vision and Framework for Action” (Vision). The Vision provides a new approach that includes waste prevention and solid waste management. One of the desired outcomes of the Vision is that producers and consumers of materials discard them in a way that directs these materials to the next and highest best use.

The Oregon Legislature creates statutes (laws) that guide state policy as well. Since 1983, DEQ directed that every person in Oregon should have the opportunity to recycle, either through collection systems, drop-off opportunities or both. To support state policy, DEQ and the Environmental Quality Commission prioritize materials management methods, provide local governments the authority to establish collection programs, conduct research or demonstration projects and more.

Where necessary, in conjunction with the EQC and following an established administrative procedure, DEQ can propose reasonable administrative rules that support statutes and policy.

With the passage of the 2015 SB 263, the definition of “customer” changed to include both the direct customer — property management in the case of multi-tenant properties — and the residential and commercial tenants of multi-tenant properties. Prior to this legislation, tenants did not have direct control over their collection service and did not necessarily have access to recycling collection service.

The opportunity to recycle is defined in statute and rule. As part of the opportunity, local governments must choose several of 13 program elements. These elements include a multifamily recycling program — for properties with five or more dwellings. Cities that have elected to offer multifamily recycling have already put in place a structure where residential tenants of multi-tenant properties should be receiving the opportunity to recycle. There are also several commercial recycling program elements to include voluntary recycling collection service and wasted food collection. Soon, all cities will have to conduct multifamily recycling programs. Additionally, cities will need to have at least a partial commercial recycling program. Another program element referred to as “expanded education and promotion” increases the requirements under the other program elements.

Statutes and rules also cover removing recycling from containers by non-customers, items that do not belong in the recycling and disposing of recycling as garbage.

Oregon has recovery goals for 2022 through 2024 and 2025 that call for an increase in recovery of discarded materials — at least a 52 percent recovery rate in 2022 and 55 percent in 2025. Oregonians recovered 43 percent of materials generated in 2016 — a decrease from the previous year. Increased recycling in multi-tenant properties will likely be needed to achieve these rates.

Oregon is also developing alternative recovery goals that reduce the overall impact of materials on the environment rather than overall tons of materials recovered.

Results of recycling programs and recovery are required to be reported by cities and counties each year. Additionally, all collection service providers are required to report recovery including from commercial and multifamily customers.

In Oregon, local governments set up and administer local collection programs through a franchise or license system of garbage and recycling collection service providers and other entities. County boundaries usually define these program areas or “wastesheds.” Cities and counties may delegate many aspects of providing the opportunity to recycle to collection service providers or other designees. Local governments then also enforce violations to that system. Cities take care of areas within the city limits and counties take care of all areas outside those limits including urban growth boundaries (UGB). Requirements within city limits are also extended into the UGBs.

Oregon generally defines what should be considered a recyclable material. The statutory definition says that a material is recyclable if it does not cost more to collect and dispose of as garbage. The state also lists a number of materials referred to as “principal recyclable materials” that wastesheds should be recovering as part of their programs. The number of PRMs vary by wasteshed. PRMs are not required to be collected on-route and can be collected at depots. What may be recyclable in one part of the state, may not be in another, due to processing facilities being too far away and therefore materials are too expensive to transport.

Local governments work with collection service providers to establish rates for collection programs. Cities and counties can include all the net costs for providing the opportunity to recycle including but not limited to collection, handling, processing, transporting and delivering materials to markets. These rates are then passed on to customers.

The Residential Landlord and Tenant Act is another law that influences residential multi-tenant recycling programs. Currently, if a jurisdiction elects to have a multifamily program, it requires property managers to offer their tenants recycling collection service as well as periodic information on how to use the collection service. There are some multifamily residences that are exempt from the act including rehabilitation institutions and fraternal or social housing. The act also defines the terms of conditions, fees and service charges, roles and responsibilities of landlords and tenants and failure to comply with these terms and conditions.

Understanding Oregon’s guiding documents, statutes and rules is helpful in determining the requirements of the state and local governments, collection service providers, multi-tenant property managers and tenants in ensuring the opportunity to recycle is offered to tenants. It is also helpful in understanding if the system is used properly by all. Stakeholders and DEQ will use this information to develop implementation options and to understand any gaps in statutes and rules that might need to be addressed.

1. Introduction

This report is prepared for the benefit of stakeholders in order to determine solutions that could be helpful to cities and counties that need to implement multi-tenant recycling by 2022. Stakeholders could include but not limited to garbage and recycling collection companies and associations, developers and builders, local and regional governments, materials management programs, multi-tenant property owners, property managers, planners, recycling processors, tenant and tenant associations, and others.

The Recycling Opportunity Act was passed in 1983, with the intent that everybody in Oregon should be provided with an opportunity to recycle. In cities of 4,000 or more populations and within the Metro area, that opportunity meant regular on-route collection of recyclable materials from all collection service customers, or an equivalently-effective program. However, as the law was interpreted and implemented, many residential and commercial tenants ended up being denied an opportunity to recycle because it was the landlord, rather than the tenants, who were considered to be the collection service customers. If the landlord decided not to use a recycling service, then the tenant did not have an opportunity to recycle. In 2015, the legislature corrected this with the passage of Senate Bill 265. One provision of this law is that by July 1, 2022, tenants will also be considered to be collection service customers, and so must directly be provided with the opportunity to recycle by their landlords and collection service providers.

By July 1, 2022, local governments will need to ensure that the opportunity to recycle is extended to residential and commercial tenants of multi-tenant properties. Local jurisdictions affected include cities with 4,000 or more residents, cities within the Metro Service District and counties which manage programs within those cities' urban growth boundaries.

In order to help guide implementation of the updated recycling law, the Oregon Department of Environmental Quality conducted research to understand the state statutes and administrative rules relevant to the implementation of multi-tenant recycling opportunities. The findings below are presented by topic.

2. Methods

Oregon DEQ staff examined statutes, rules and other policy documents posted online that appeared to be relevant to aspects of multi-tenant recycling opportunities including:

- Materials Management in Oregon — 2050 Vision and Framework
- Oregon Administrative Rules Chapter 340, Division 90 — Recycling and waste reduction
- Oregon Revised Statute (ORS) Chapter 459 — Solid Waste Management
- ORS Chapter 459A — Reuse and Recycling
- ORS Chapter 90 — Residential Landlord and Tenants

Findings were organized by topic. When necessary, advice was sought about interpretation of statutes and rules by the Oregon Department of Justice.

3. Findings

3.1 Definitions

The following definitions are used in statute and rule to describe terms relevant to multi-tenant recycling (Oregon Legislature 2015, s. 459.005) (Oregon Legislature 2015, s. 459A.005):

- Collection service — service provided to collect garbage, recycling or both
- Collection service customer — customers of garbage or recycling collection service or both and (beginning July 1, 2022) residential and commercial tenants of landlords or property managers that are customers of a collection service

- Commercial — stores, offices including manufacturing and industry offices, restaurants, warehouses, schools, colleges, universities, hospitals and other non-manufacturing entities — does not include home-based businesses
- Dwelling unit — a residence for one or more persons or a rented space for a manufactured home, recreational vehicle or floating home (Oregon Legislature 2015, s. 90.100)
- Franchise — franchise, certificate or license issued by local governments to authorize collection services
- Generator — whoever last used a material and sets it out for disposal or recycling
- Local government — city, county or Metro
- Multifamily dwelling — a complex of dwellings that have five or more units
- Principal recyclable material — a list of materials which must be collected by wastesheds required to provide the opportunity to recycle — varies by wasteshed (Oregon DEQ 2016, s. 340-090-0010)
- Recyclable material — a material or group of materials that can be collected and sold or paid for at a price less than or equal to the similar process and disposal of the material or group as garbage
- Source separate — the person who last used the material separates the material from garbage for recycling
- Wasteshed — an area of the state — usually defined by county jurisdictions — Clackamas, Multnomah and Washington counties are combined in aggregate as the Metro wasteshed — that share a waste disposal system and a common recycling program

3.2 Policy

The state of Oregon creates statutes and supporting rules to advance materials management in Oregon. Legislative policy guides the state to establish comprehensive statewide programs that reduce the impacts of consumption of resources on the environment, for the benefit of public health, safety and welfare, and other reasons (Oregon Legislature 2015, s. 459.015). As part of this policy, the opportunity to recycle should be provided to every person in Oregon. One of the more important policy documents is the Integrated Solid Waste Management Plan.

3.2.1 Oregon Integrated Solid Waste Management Plan

Oregon adopted the most current plan for solid waste management in 2012, called, “Materials Management in Oregon — 2050 Vision and Framework for Action” (Vision). This plan goes beyond solid waste management and includes other transformational elements beyond traditional solid waste management into materials management. The new approach includes waste prevention and solid waste management. The plan was adopted by the EQC in accordance with state law (Oregon Legislature 2015, s. 459.020)

3.2.1.1 Vision for 2050

In 2050, all Oregonians are producing and using materials responsibly, while conserving resources, protecting the environment and living well (Oregon DEQ 2012). A new focus for DEQ is to take into account the full impacts of materials throughout their life cycle — from raw material extraction to recycling and disposal — and try to reduce them. Additionally, Oregonians continue to conserve resources by reducing our consumption. The consumption choices Oregonians make will also have reduced toxics and environmental impacts with a new focus on upstream production. The Vision will support all people to consume resources sustainably while enjoying a prosperous, clean economy and fulfilling lives, now and in the future. Residents and businesses still follow the hierarchy of conserve, reuse, repair and recover before disposal.

3.2.1.2 Framework for action

The Vision is possible with a combination of a solid foundation with goals and outcomes, useful policies and regulations, effective collaboration and partnerships and supporting education and information.

3.2.1.3 The most useful life possible for discards

Most materials recovered

One of the desired outcomes of the Vision is that producers and consumers of materials discard them in a way that directs these materials to their next highest and best use. A large majority of products, materials, wasted food and

yard debris should be captured for reuse, recycling or reprocessing with few materials being disposed of in landfills or being incinerated. Research will help identify which materials should be managed in which way to achieve the highest and best use.

Sharing responsibility

In the future, policies will support management at the end of life where the producers share responsibility with governments and the public for recovering materials. The price someone pays for a product includes recovery and disposal.

3.2.1.4 Living well and consuming less

The Vision identifies several areas that will affect the way all Oregonians, including tenants, live. The Vision calls for communities of individuals living high-quality lives with rich social and community relations that support low levels of acquiring new material goods. Community membership is very important in this area. Activities that are highlighted include collaboration, sharing, repair and reuse. These activities become the new norm.

3.2.1.5 Education and information

The Vision also calls for DEQ to engage those who provide education to embed sustainable consumption concepts into existing and new education programs. DEQ will develop consistent, statewide messaging on the benefits of reuse, repair, composting, recycling and disposal.

3.3 Roles and responsibilities

3.3.1 Role of state to local governments

To support state policy, the state give authority to the Department of Environmental Quality (and the Environmental Quality Commission (EQC) to:

- Prioritize materials management methods
- Provide local governments with authority to establish collection programs
- Conduct research or demonstration projects where necessary
- Assist with solid waste planning on a local level
- Provide guidance on rates and performance standards
- Promote partnerships with local haulers and material recovery facilities
- And more (Oregon Legislature 2015, s. 459.015)

The EQC will work with stakeholders as part of a public process to adopt rules to implement state policy (Oregon Legislature 2015, s. 459.045).

The primary responsibility for planning and implementing solid waste management is on local governments (Oregon Legislature 2015, s. 459.017) (Oregon Legislature 2015, s. 459.065) (Oregon Legislature 2015, s. 459.085) (Oregon Legislature 2015, s. 459.095). Cities and counties establish franchises, rates and regulations for collection services as well as provide opportunities to recycle (Oregon Legislature 2015, s. 459A.085). Cities and counties act on behalf of the state to implement state recycling policy.

3.3.2 Role of local governments

Local governments are charged by the Legislature to provide the opportunity to recycle to all people. This includes but is not limited to providing at least monthly collection of recycling from collection customers in cities with 4,000 or more residents and associated areas including the urban growth boundary and cities and unincorporated areas in the Metro Service District (Oregon Legislature 2015, s. 459A.005). Each county is responsible for the area between city limits and the urban growth boundary (Oregon Legislature 2015, s. 459A.007). Local jurisdictions can also provide an alternative program. Establishing this service must be followed by a public education and promotion program that notifies everyone of the opportunity to recycle and encourages participation (Oregon DEQ 2016, s. 340-090-0030). Additionally, each local jurisdiction must also implement

various program elements, depending on the size and location of the local jurisdiction (Oregon Legislature 2015, s. 459A.007).

3.3.2.1 Franchise and license system

Local governments set up and administer collection programs through either a franchise or license system. Franchises are often administrative agreements that allow exclusive operation within a certain area or with specific generators. Licenses are similar, though they are often non-exclusive. They may delegate the aspects of providing the opportunity to recycle to collection service providers or another designee (Oregon Legislature 2015, s. 459A.085). The city or county may direct franchisees on service provided including:

- What is collected and how
- Rates for services provided and how to pay for it
- Minimum service requirements

Within rates, local governments can ensure they cover collection costs and costs associated with providing the opportunity to recycle or other local objectives including increased recovery — this includes costs needed by franchisees, licenses and local governments.

3.3.2.2 Enforcement

Local governments can enforce against violations to their franchise or license system. They can also create civil penalties against offensive littering (Oregon Legislature n.d., s. 164.805).

3.4 Administrative rules

In conjunction with the Environmental Quality Commission, the Departments of Environmental Quality adopts reasonable and necessary administrative rules (OARs) to support materials management statutes (Oregon Legislature 2015, s. 459.045). OARs are adopted on collection as well as other topics. All OARs follow a formal process laid out in Oregon law (ORS 183) and are adopted after a public hearing. Rules supporting recycling are laid out in OAR 340, Division 90.

3.5 Opportunity to Recycle

3.5.1 Changes to Opportunity to Recycle Act

With the passage of the 2015 Senate Bill 263 the definition of “customer” has changed to include both the direct customer for collection service as well as tenants of multi-tenant properties who receive service through the land owners or property managers (Oregon Legislature 2015, s. 459A.005). This definition change will take place July 1, 2022. Beginning in July 2022, cities and counties will need to ensure the “opportunity to recycle” is extended to all tenants whose landlords and property managers have collection service within cities of 4,000 or more residents and cities in the Metro Service District, plus associated properties in urban growth boundaries. Tenants will need to receive the same notification, opportunities and education that other customers are provided as part of the law.

As part of this change, DEQ will report to the Oregon Legislature in 2019 efforts undertaken to encourage and support multi-tenant recycling (Oregon Legislature 2015, 459A.015). The report will also include studies, pilot projects or education efforts to reduce contamination of recycling. Lastly, the costs of implementing multi-tenant recycling will be presented.

3.5.2 Opportunity to recycle program elements

There are 13 program elements to choose from as part of the opportunity to recycle (Oregon Legislature 2015, s. 459A.007). The number of program elements cities can choose increases with size and proximity to Portland — where more robust recycling markets are located. This number can range from three to eight. Multifamily collection is one of the options. There are three optional program elements for businesses. There is one program element — commonly known as expanded education and promotion — that affects other program elements.

The optional multifamily program element requires the local government to do the following:

- Establish and implement a recycling collection program for each multifamily complex with five or more units
- Collect at least four principal recyclable materials or the number collected for single-family collection programs, whichever is less
- Issue a declaration that the government has chosen the multifamily recycling program through ordinance, resolution, franchise agreement or some other administrative procedure that triggers the Landlord Tenant Act — ORS 90.318 (Oregon Legislature 2015, s. 459A.007)
- Make sure that property managers and tenants know that the opportunity to recycle must be extended to tenants
- Periodically provide information to residents about what to recycle and where and how to prepare materials (Oregon DEQ 2016, s. 340-090-0040) — effectively reaching new and existing tenants

The first optional commercial program requires local governments to do the following:

- Collect principal recyclable materials from commercial generators with 10 or more employees and have 1,000 or more square feet in a single location
- Plan and implement the program in order to recover at least 55 percent of materials generated by 2025
- Tailor messages for businesses and inform them about what, how, where and why to recycle
- Additional requirements if the local government elects to implement expanded education and promotion (Oregon DEQ 2016, s. 340-090-0040)

The second optional commercial program element requires local governments to collect wasted food and other compostable waste from businesses and institutions (Oregon DEQ 2016, s. 340-090-0040).

The last optional commercial program element requires local governments to focus on commercial generators that generate four or more cubic yards of garbage each week for each location. Recycling must be mandatory. Various other requirements are included as well (Oregon DEQ 2016, s. 340-090-0040).

Expanded education and promotion program requires local governments to do the following:

- Educate all new and existing collection service customers each year
- Educate customers about what is collected, how to prepare materials, why recycling is necessary and beneficial, and how to reduce contamination
- Encourage participation in recycling
- Customize messages to meet the needs of various types of businesses
- Provide suggestions that reduce barriers to recycling
- Provide education in a variety of formats at least four times each year including what materials are collected
- Use community and media events to promote recycling and reduce contamination
- Take steps to assess and reduce contamination in recycling (Oregon Legislation 2015, s. 459A.008)

3.6 Recovery goals

State policy should make it a priority to assist each watershed in meeting its recovery goals in order to meet statewide recovery goals (Oregon Legislature 2015, s. 459.015). The state has set graduated recovery goals for future years including (Oregon Legislature 2015, s. 459A.010):

- 2020 through 2024 — at least 52 percent of solid waste generated
 - plus 25 percent of wasted food and plastic waste, respectively
- 2025 and following years — at least 55 percent of solid waste generated plus a 15 percent reduction in the overall waste generation below what was generated in 2012
- 2050 and following years — a 40 percent reduction in the overall waste generation below what was generated in 2012

The state also sets specific rates for individual watersheds. The rates for 2025 will range between 15 — Lake County — and 64 percent recovery — Metro and Marion County — see Appendix A.

3.6.1 Alternate recovery goals

In moving toward reducing the overall impacts of materials on the environment, wastesheds may also elect to use outcome-based recovery goals such as focusing on materials that reduce the impact of greenhouse gases (Oregon Legislature 2015, s. 459A.010).

3.6.2 Food

Food is a priority material identified both in the Vision and in statute. The Vision directs the state to develop strategies that increase recovery of wasted food including mandates where appropriate (Oregon DEQ 2012). Oregon law also sets a recovery rate for wasted food of 25 percent of what is generated by 2020 (Oregon Legislature 2015, s. 459A.010).

3.7 Recycling collection service

Local governments establish collection programs within their jurisdiction. Cities take care of the area within city limits and counties take care of unincorporated areas and areas within urban growth boundaries (Oregon Legislature 2015, s. 459A.085). They may also delegate aspects of providing the opportunity to recycle to a collection service provider or another party. The standards for collection service are determined by the statute and rule as well as by any local franchise or licensing requirements — see section 3.5 Opportunity to Recycle.

What collection service providers collect is determined by local governments including the quality, character and service levels of collection (Oregon Legislature 2015, s. 459A.085). In addition to the principal recyclable materials, local governments can add additional items that are considered recyclable according to the state definition, though PRMs are not necessarily required to be collected on-route.

3.7.1 Solid waste storage

DEQ requires that garbage and recycling be stored in a way to prevent rodents, transmit diseases, and be safe for collection service workers and the public (Oregon DEQ 2016, s. 340-093-0210). It must also be stored in a way to prevent water and air pollution or allow dust or solid waste to escape. Storage must prevent unpleasant odors or unsightliness. Receptacles should be watertight and have lids that can easily open. Collection areas should be rodent proof and easily cleanable with proper drainage. Interior rooms should be adequately vented unless refrigerated. All wastes should be confined securely. All waste should be removed at regular intervals to prevent conditions listed in the rule. Collection areas should be cleaned regularly to avoid these adverse conditions.

3.7.1.1 Fire code

The Oregon Fire Code also has standards for storing garbage and recycling (Oregon Office of State Fire Marshal 2014).

Receptacles

Receptacles that are larger than 40 gallons should have lids made of noncombustible materials or don't burn easily unless an appropriate sprinkler system is in place or the collection area is more than 10 feet away from other buildings and built of noncombustible materials. Receptacles stored indoors should be noncombustible and with tight-fitting lids if plastic is collected (Oregon Office of State Fire Marshal 2014, s. 304.3.2) (Oregon Office of State Fire Marshal 2014, s. 319.7).

Indoor area capacity

Small rooms (500 square feet or smaller) should not have more than three, 15-gallon receptacles (Oregon Office of State Fire Marshal 2014, s. 319.3). Medium-size rooms (501 to 1,000 square feet) should not have more than three, 55-gallon receptacles. Large rooms (over 1,000 square feet) should not have more than three, 55-gallon receptacles for every 75 feet. Partition walls can serve to reduce the functional size of rooms. Full containers should be moved outside or an approved storage room.

Location

- Receptacles should not be placed in or under any stairway or near a heat source (Oregon Office of State Fire Marshal 2014, s. 319.5).
- Forty-gallon or smaller receptacles can be placed near exits or in exit corridors as long as there is at least 36 to 72 inches for the corridor width remaining — depending on the number of occupants. Larger receptacles should not be in corridors (Oregon Office of State Fire Marshal 2014, s. 1018).
- Collection areas can be inside as long as they are in areas with approved fire-rate construction methods or an approved sprinkler system (Oregon Office of State Fire Marshal 2014, s. 319.6).

Maintenance

When collection areas are indoors, “hazardous area — no smoking” signs should be posted and the area maintained and free of uncontained materials (Oregon Office of State Fire Marshal 2014, s. 319.6). Full receptacles should be moved outside. Where the tenants are supervised and provided personal care services or assisted living, paper recycling should be emptied each day.

3.7.2 Determining recyclability of materials

Oregon statute defines a recyclable material or group of materials as those that are not more expensive to collect and dispose of as garbage (Oregon Legislature 2015, s. 459.005). This definition is influenced by a very dynamic and, at times, unpredictable recycled materials market.

3.7.3 Principal recyclable materials

Principal recycling materials (PRMs) are those designated by the EQC as materials that should be collected in each wasteshed (Oregon DEQ 2016, s. 340-090-0070). The PRMs vary by wasteshed — see Appendix B. The new multi-tenant requirements require local governments to collect at least four PRMs or whatever is collected curbside for single-family customers — whichever is less. PRMs that do not qualify in the wasteshed as a recyclable material under the economic definition do not need to be collected. PRMs for all wastesheds include ferrous and non-ferrous scrap metal and used motor oil. Other PRMs include:

- Aluminum
- Container glass
- Corrugated cardboard and kraft paper
- Hi-grade office paper
- Newspaper
- Tin cans
- Yard debris

3.7.4 Other recyclable materials

Other materials can be added to collection programs as long as the material or group of materials do not cost more than disposing of the same materials as garbage (Oregon Legislature 2015, s. 459.005). Additional materials include:

- Mixed waste paper — junk mail, etc.
- Old magazines
- Other rigid plastic — non-containers
- Plastic bottles — PET, HDPE
- Plastic tubs — HDPE, PP
- Wasted food

3.7.5 Charges for recycling

There are limits on what a customer can be charged for separating recyclables from garbage. Collection services may charge for recycling, but not more than is charged for the same service that does not include recycling. The collection service can charge for just recycling collection service with no garbage service as long as it is not more

than the charge than the cost if the materials were collected and disposed of as garbage (Oregon Legislature 2015, s. 459A.070).

When local governments set rates for collection by collection companies, they can include all net costs for providing the opportunity to recycle including but not limited to collection, handling, processing, storing, transporting and delivering materials to markets (Oregon Legislature 2015, s. 459A.007).

3.7.6 Removing recycling from containers

No person may remove source-separated recycling set out for collection — such as someone scavenging deposit containers — without permission from the owner or generator — unless authorized, such as is the case for collection service providers (Oregon Legislature 2015, s. 459A.080).

3.7.7 Managing contamination and disposing of recycling as garbage

Collection service providers are not required to collect recycling that has not been properly prepared to reasonable specifications or contains hazardous substances (Oregon DEQ 2016, s. 340-090-0090). Specifications must have been included in the local education and promotion program. Collection providers may leave improperly prepared recycling with the generator. In the case of multi-tenant collection programs, tenants are the generator. If the collector leaves contaminated recycling, they must also provide written information that explains how to properly prepare the materials. At the same time, no one is allowed to mix recycling that has been separated with garbage and dispose of it as garbage (Oregon Legislature 2015, s. 459A.080).

3.7.8 Alternative programs

Local jurisdictions can provide an alternate method of providing the opportunity to recycle other than what is described in section 3.5 Opportunity to Recycle, as long as it is as effective in achieving recovery as they would have had with a standard program (Oregon Legislature 2015, s. 459A.007) (Oregon DEQ 2016, s. 340-090-0080). They must also achieve their respective recovery rate goal or the recovery rate achieved by a similar watershed.

3.8 Recycling reports

Oregon law requires that all publicly and privately-operated recycling and material recovery operations complete a Material Recovery Survey form (Oregon DEQ 2016) (Oregon Legislature 2016, s. 340-090-0100). This includes landfills, local recycling collectors, private recycling collection companies and depots, transfer stations, material recovery facilities, composters, local governments and any other operation that handles post-consumer recoverable materials. Companies handling scrap metal are not required to report on post-consumer scrap metal, but some do so voluntarily. The data requirements of the survey include all recyclable materials handled, including amount collected, county of origin, companies from which any transfers were received and where the materials were marketed. Collectors are required to report where materials came from including commercial and multifamily generators. Oregon law also requires the information reported by private recyclers be kept confidential by DEQ, including customer lists and specific amounts and types of materials collected or marketed by individual companies. Only aggregated information may be released to the public (Oregon DEQ 2016).

3.9 Residential Landlord and Tenant Act

Oregon law determines tenant rights and defines rental agreements in multifamily dwellings including recycling and utility fees (Oregon Legislature 2015, s. 90.318). It is the duty of the tenant to pursue enforcement of provisions of the act (Oregon Legislature 2015, s. 90.125). When local governments implement multifamily recycling programs, landlords of properties with five or more units must provide to tenants (Oregon Legislature 2015, s. 90.318):

- A location for collection recycling
- Regular recycling collection
- Annual information on what, where and how to recycle is provided to new tenants when they sign the lease

3.9.1 Exceptions

Types of residences not included under the Residential and Landlord Tenant Act are:

- Institutions such as medical, drug or alcohol rehabilitation, geriatric facilities, campus dorms, counseling, religious and similar services
- Fraternal or social organization housing
- Hotels or motels
- Vacation rentals
- Owner-occupied condominiums
- Agricultural worker housing (Oregon Legislature 2017, s. 90.110)

3.9.2 Terms and conditions

Landlords may include terms and conditions in a rental agreement to include obligations by the landlord and the tenant (Oregon Legislature 2015, s. 90.220). Rules and regulations for use of the premises can include promoting the convenience, safety or welfare of other tenants (Oregon Legislature 2015, s. 90.262). Landlords cannot ask tenants to waive their rights associated with the act (Oregon Legislature 2015, s. 90.245).

3.9.3 Deposits, fees, service charges and billing methods

3.9.3.1 Security deposits and fees

Landlords can only request security deposits for insuring against unpaid rent and damages to the premises caused by tenants (Oregon Legislature 2015, s. 90.300). Landlords can charge fees for noncompliance of written rules or policies limited to certain reasons including failure to clean up garbage from common areas (Oregon Legislature 2015, s. 90.302). Fees can accompany a second written notice of violation and not exceed \$50 in a year for the second violation and \$50 plus five percent of the rental payment for the third violation.

3.9.3.2 Service charges

Landlords can require tenants to pay for a portion of shared garbage collection services as long as it is stated in writing at or before the tenant moves in (Oregon Legislature 2015, s. 90.315). The landlord is allowed to include the cost of the service charge in the rent or to bill the tenant separately for this service (Oregon Legislature 2015, s. 90.532) (Oregon Legislature 2015, s. 90.533). The landlord can also request an additional 10 percent of the service charge if it is stated in the rental agreement. Alternately, the landlord can require that the tenant pay for service directly to the service provider.

3.9.3.3 Changes to billing methods

Landlords can change garbage collection service from shared collection to individual collection as long as they give tenants 180 days' notice (Oregon Legislature 2015, s. 90.533). At that point, the tenant becomes the direct customer. Service providers must supply receptacles and bill the tenant directly. Landlords can also arrange for individual service for each tenant and pass the cost on from the service provider to tenants based on their usage.

3.9.4 Roles and responsibilities

3.9.4.1 Landlord responsibilities

In addition to the responsibilities listed above, landlords are required to maintain buildings and grounds to be clean, safe and free from accumulations of garbage, rodents and vermin (Oregon Legislature 2015, s. 90.320). They must also provide an adequate number of garbage receptacles — unless otherwise agreed under ORS 90.533 — that are clean and in working order.

3.9.4.2 Tenant responsibilities

The tenant is responsible for disposing of garbage, needles, syringes and other infectious waste in a safe and legal manner (Oregon Legislature 2015, s. 90.325) (Oregon Legislature 2015, s. 90.740).

3.9.4.4 Shared responsibilities

The landlord and tenant can enter into an agreement for the tenant to perform maintenance tasks under some basic conditions (Oregon Legislature 2015, s. 90.320).

3.9.4.5 Failure of landlord to maintain premises, common areas and essential services

If a landlord is not in compliance with the terms of a rental agreement or not fulfilling their responsibilities to maintain common areas, the tenant may provide notification to the landlord that the rental agreement will be terminated (Oregon Legislature 2015, s. 90.360). The agreement will be terminated after 30 days if the problem is not remedied. Tenants can also recover damages or be excused from paying rent for the period of noncompliance (Oregon Legislature 2015, s. 90.365).

3.9.4.6 Failure of tenant to dispose of materials properly

The landlord can terminate the rental agreement or seek damages if the tenant fails to responsibly dispose of garbage, needles, syringes or other infectious waste properly (Oregon Legislature 2015, s. 90.392).

4. Discussion

4.1 Conclusions

In general, state statutes and rules are supportive of providing the opportunity to recycle for residential and commercial tenants of multi-tenant properties. Much of the responsibility is placed on cities and counties and by extension, in most wastesheds, by privately-owned garbage and recycling collection service providers. How local governments define their franchise or license requirements can help support multi-tenant recycling even more.

The Residential Landlord and Tenant Act also creates a useful framework for multifamily tenants and managers. The onus of enforcement is on the tenant or landlord however. This could put unnecessary strain on the tenant-landlord relationship for properties that are out of compliance.

After review by stakeholders, there may be reasons to propose changes to rules to support multi-tenant recycling. At a minimum, the 13 optional program elements will need to change to reflect that one of them — multifamily is now required. The commercial recycling program element will need to be updated to reflect commercial tenants. Additionally, the requirements for collection service providers to track and monitor multi-tenant properties are weak.

4.2 Limitations

The scope of the study included state guiding documents, statutes and rules. The scope did not cover local government codes and ordinances or franchise or license requirements. Since much of the implementation happens at the local level, there is not a clear picture of how cities and counties are following through with state policy.

References

- Oregon DEQ. 2012. *Materials Management in Oregon — 2050 Vision and Framework for Action*. Accessed Dec. 13, 2017. <http://www.oregon.gov/deq/FilterDocs/MManagementOR.pdf>.
- . 2018. *Oregon Multi-Tenant Statutes, Rules and Guiding Documents*.
- . 2016. "2016 Recycling Collector Survey." Accessed Dec. 21, 2017. <http://www.oregon.gov/deq/FilterDocs/RecyclingCollectorSurvey.pdf>.
- . 2016. "240-093-0010 Policy." *Oregon Administrative Rules, Chapter 340, Division 90 — Recycling and Waste Reduction*. Accessed Mar. 29, 2018. <https://secure.sos.state.or.us/oard/view.action?ruleNumber=340-093-0010>.
- . 2016. "340-090-0010 Definitions." *Oregon Administrative Rules, Chapter 340, Division 90 — Recycling and Waste Reduction*. Accessed Nov. 6, 2017. <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=70977>.
- . 2016. "340-090-0030 General Requirements." *Oregon Administrative Rules, Chapter 340, Division 90*. Accessed May 2018. <https://secure.sos.state.or.us/oard/view.action?ruleNumber=340-090-0030>.
- . 2016. "340-090-0040 Local Government Recycling Program Elements." *Oregon Administrative Rules, Chapter 340, Division 90 — Recycling and Waste Reduction*. Accessed Nov. 6, 2017. <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=70982>.
- . 2016. "340-090-0070 Principal Recyclable Material." *Oregon Administrative Rules, Chapter 340, Division 90 — Recycling and Waste Reduction*. Accessed Dec. 14, 2017. <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=71000>.
- . 2016. "340-090-0080 Alternative Methods for Providing the Opportunity to Recycle." *Oregon Administrative Rules, Chapter 340, Division 90 — Recycling and Waste Reduction*. Accessed Dec. 15, 2017. <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=71001>.
- . 2016. "340-090-0090 Collection of Recyclable Materials." *Oregon Administrative Rules, Chapter 340, Division 90 — Recycling and Waste Reduction*. Accessed Dec. 14, 2017. <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=71002>.
- . 2016. "340-090-0210 Storage and Collection." *Oregon Administrative Rules, Chapter 340, Division 90 — Recycling and Waste Reduction*. Accessed Mar. 29, 2018. <https://secure.sos.state.or.us/oard/view.action?ruleNumber=340-093-0210>.
- Oregon Legislation. 2015. "459A.008 Expanded education and promotion program." *Oregon Revised Statute Chapter 459A — Reuse and Recycling*. Accessed Jan. 2018. <https://www.oregonlaws.org/ors/459A.008>.
- Oregon Legislature. 2016. "340-090-0100 Reporting Requirements." *Oregon Administrative Rules Chapter 340, Division 90 — Recycling and Waste Reduction*. Accessed Jan. 2018. <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=71003>.
- . 2015. "459.005 Definitions for ORS 459.005 to 459.437, 459.705 to 459.790 and 459A.005 to 459A.665." *Oregon Revised Statute Chapter 459 — Solid Waste Management*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459.html.
- . 2015. "459.015 Policy." *Oregon Revised Statute Chapter 459 — Solid Waste Management*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459.html.
- . 2015. "459.017 Relationship of state to local governments in solid waste management." *Oregon Revised Statute Chapter 459 — Solid Waste Management*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459.html.
- . 2015. "459.045 Rules." *Oregon Revised Statute Chapter 459 — Solid Waste Management*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459.html.
- . 2015. "459.065 State preemption; intergovernmental agreements authorized." *Oregon Revised Statute Chapter 459 — Solid Waste Management*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459.html.
- . 2015. "459.085 County authority outside cities; effect of annexation; interagency agreements." *Oregon Revised Statute Chapter 459 — Solid Waste Management*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459.html.

- . 2015. "459.095 Restrictions on authority of local government units." *Oregon Revised Statute Chapter 459 — Solid Waste Management*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459.html.
- . 2015. "459A.005 Opportunity to recycle defined." *Oregon Revised Statute Chapter 459A — Reuse and Recycling*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459A.html.
- . 2015. "459A.007 Opportunity to recycle program elements." *Oregon Revised Statute Chapter 459A — Reuse and recycling*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459A.html.
- . 2015. "459A.010 Policy; statewide goals, recovery rates." *Oregon Revised Statute Chapter 459A — Reuse and Recycling*. Accessed Dec. 13, 2017. https://www.oregonlegislature.gov/bills_laws/ors/ors459A.html.
- . 2015. "459A.015 Commission Duties." *Oregon Revised Statute Chapter 459A — Reuse and Recycling*. Accessed Jan. 2018. https://www.oregonlegislature.gov/bills_laws/ors/ors459A.html.
- . 2015. "459A.020 Statewide integrated solid waste management plan; review; revision." *Oregon Revised Statute Chapter 459A — Reuse and Recycling*. https://www.oregonlegislature.gov/bills_laws/ors/ors459A.html.
- . 2015. "459A.070 Limitation on amount charged person who source separates recyclable material." *Oregon Revised Statute Chapter 459A — Reuse and Recycling*. Accessed Dec. 13, 2017. https://www.oregonlegislature.gov/bills_laws/ors/ors459A.html.
- . 2015. "459A.080 Prohibitions against removing or mixing recyclable material." *Oregon Revised Statute Chapter 459A — Reuse and Recycling*. Accessed Dec. 13, 2017. https://www.oregonlegislature.gov/bills_laws/ors/ors459A.html.
- . 2015. "459A.085 City, county authority to issue collection service franchises; opportunity to recycle; rates." *Oregon Revised Statute Chapter 459A — Reuse and recycling*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors459A.html.
- . 2015. "90.100 Definitions ." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2017. "90.110 Exclusions from application of this chapter." *Chapter 90 Residential Landlord and Tenant*. Accessed Nov. 14, 2017. www.oregonlaws.org/ors/90.110.
- . 2015. "90.124 Administration of remedies; enforcement." *Oregon Revised Statute*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.220 Terms and conditions of rental agreement; smoking policy; rent obligations and payment." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.245 Prohibited provisions in rental agreements; remedy." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.262 Use and occupancy rules and regulations." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.300 Security deposits; prepaid rent." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.302 Fees allowed for certain landlord expenses; accounting not required; fees for noncompliance with written rules; tenant remedies." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.315 Utility or service payments; additional charges; responsibility for utility or service; remedies." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.318 Criteria for landlord provision of certain recycling services." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. https://www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.320 Landlord to maintain premises in habitable condition; agreement with tenant to maintain premises." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.325 Tenant duties." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.

Oregon Multi-Tenant Statutes, Rules and Guiding Documents

- . 2015. "90.360 Effect of landlord noncompliance with rental agreement or obligation to maintain premises; generally." *Oregon Revises Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.365 Failure of landlord to supply essential services; remedies." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.392 Termination of rental agreement by landlord for cause; tenant right to cure violation." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.532 Billing methods for utility or service charges; system maintenance; restriction on charging for water." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.533 Conversion of billing method for garbage collection and disposal." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . 2015. "90.740 Tenant obligations." *Oregon Revised Statute Chapter 90 — Residential Landlord and Tenant*. Accessed Nov. 6, 2017. www.oregonlegislature.gov/bills_laws/ors/ors090.html.
- . n.d. "Oregon Revised Statute Chapter 164 — Offenses Against Property." *164.805 Offensize littering*. Accessed Dec. 15, 2017. https://www.oregonlegislature.gov/bills_laws/ors/ors164.html.
- Oregon Office of State Fire Marshal. 2014. "Chapter 10 — Means of Egress." *Oregon Fire Code*. Accessed Apr. 3, 2018. http://ecodes.biz/ecodes_support/free_resources/Oregon/14_Fire/14_PDFs/Chapter%2010%20-%20Means%20of%20Egress.pdf.
- . 2014. "Chapter 3 — General Requirements." *Oregon Fire Code*. Accessed Mar. 29, 2018. <http://www.oregon.gov/osp/SFM/Pages/2014ORFireCode.aspx>.

Appendix A

Table 1: Local recovery rates for 2025

Wasteshed	Recovery rate
Baker	25%
Benton	44%
Clackamas	64%
Clatsop	53%
Columbia	45%
Coos	30%
Crook	20%
Curry	30%
Deschutes	45%
Douglas	34%
Gilliam	25%
Grant	25%
Harney	25%
Hood River	35%
Jackson	25%
Jefferson	32%
Josephine	20%
Klamath	20%
Lake	15%
Lane	63%
Lincoln	37%
Linn	45%
Malheur	25%
Marion	64%
Metro	64%
Milton-Freewater	25%
Morrow	20%
Multnomah	64%
Polk	48%
Sherman	20%
Tillamook	37%
Umatilla	20%
Union	25%
Wallowa	25%
Wasco	35%
Washington	64%
Wheeler	20%
Yamhill	45%

Appendix B

Table 2: Principal recyclable materials to be collected in the wasteshed

Wasteshed	Ferrous and non-ferrous scrap metal and used motor oil	Newspaper	Corrugated cardboard and kraft paper	Aluminum	Container glass	Hi-grade office paper	Tin cans	Yard debris	Total
Baker	x	x	x	x	x				5
Benton	x	x	x	x	x	x	x		7
Clackamas	x	x	x	x	x	x	x	x	8
Clatsop	x	x	x	x	x	x	x		7
Columbia	x	x	x	x	x		x		6
Coos	x	x	x	x	x	x			6
Crook	x	x	x	x	x				5
Curry	x	x	x						3
Deschutes	x	x	x	x	x	x			6
Douglas	x	x	x	x	x	x			6
Gilliam	x								1
Grant	x	x	x						3
Harney	x	x	x						3
Hood River	x	x	x	x	x	x	x		7
Jackson	x	x	x	x	x	x			6
Jefferson	x	x	x	x	x				5
Josephine	x	x	x	x	x	x			6
Klamath	x	x	x	x	x				5
Lake	x	x	x						3
Lane	x	x	x	x	x	x	x		7
Lincoln	x	x	x	x	x	x	x		7
Linn	x	x	x	x	x	x	x		7
Malheur	x	x	x	x					4
Marion	x	x	x	x	x	x	x		7
Metro	x	x	x	x	x	x	x	x	8
Milton-Freewater	x	x	x	x	x		x		6
Morrow	x	x							2

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Multnomah	x	x	x	x	x	x	x	x	8
Sherman	x	x							2
Tillamook	x	x	x	x	x				5
Umatilla	x	x	x	x	x	x	x		7
Union	x	x	x	x	x	x	x		7
Wallowa	x	x							2
Wasco	x	x	x	x	x	x	x		7
Washington	x	x	x	x	x	x	x	x	8
Wheeler	x								1
Yamhill	x	x	x	x	x	x	x		7