

ORDINANCE NO. _____ **DRAFT**

An ORDINANCE relating to compost procurement requirements

WHEREAS, In March 2022, ESSHB 1799 was passed by the Washington state legislature and signed by the Governor. The new statute states:

The legislature finds that landfills are a significant source of emissions of methane, a potent greenhouse gas. Among other economic and environmental benefits, the diversion of organic materials to productive uses will reduce methane emissions.

In order to reduce methane emissions associated with organic materials, the legislature finds that it will be beneficial to improve a variety of aspects of how organic materials and organic material wastes are reduced, managed, incentivized, and regulated under state law. Therefore, it is the intent of the legislature to support the diversion of organic materials from landfills through a variety of interventions to support productive uses of organic material wastes, including:

(h) Encouraging cities and counties to procure more of the compost and finished products created from their organic material wastes in order to support the economic viability of processes to turn organic materials into finished products and increasing the likelihood that composting and other responsible organic material management options are economically viable.

WHEREAS, Section 701 of ESSHB 1799, now codified at RCW 43.19A.150, requires cities such as the City of Camas to “adopt a compost procurement ordinance to implement RCW 43.19A.120.”

WHEREAS, RCW 43.19A.120 states that “When planning government-funded projects or soliciting and reviewing bids for such projects, all state agencies and local governments shall consider whether compost products can be utilized in the project.”

WHEREAS, the purpose of this ordinance is to conform to state law regarding compost procurement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMAS AS FOLLOWS:

I

When planning government-funded projects or soliciting and reviewing bids for such projects, the City shall consider whether compost products can be utilized in the project. If compost products can be utilized in the project, the City shall use compost products to the extent required by law, including, without limitation, RCW 43.19A.120(2).

II

To the extent required by RCW 43.19A.150(3), the City shall plan for the use of compost in the following categories:

- (a) Landscaping projects;
- (b) Construction and postconstruction soil amendments;
- (c) Applications to prevent erosion, filter stormwater runoff, promote vegetation growth, or improve the stability and longevity of roadways; and
- (d) Low-impact development and green infrastructure to filter pollutants or keep water on-site, or both.

This plan will be re-assessed each December 31st of even-numbered years, beginning in 2024 and thereafter as part of the reporting obligations in Section IV.

III

To the extent required by RCW 43.19A.150(4), the City will develop strategies to inform residents about the value of compost and how the City uses compost in its operations.

IV

To the extent required by RCW 43.19A.150(5), by December 31, 2024, and each December 31st of even-numbered years thereafter, the City shall prepare a report for the Department of Ecology covering the previous year's compost procurement activities, including the following information:

- (a) Total tons of organic material diverted each year;
- (b) The volume and cost of compost purchased each year; and
- (c) The source(s) of the compost purchased.

V

To the extent required by RCW 43.19A.150(6), the City shall give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the Department of Transportation or adopted by rule by the Department of Ecology.

VI

In accordance with RCW 39.30.040(1), the City may allow for the preferential purchase of compost to meet the requirements of RCW 43.19A.120.

VII

The Public Works Director is hereby authorized to adopt such other policies and procedures to implement the terms herein as may be deemed necessary.

VIII

This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED by the Council and APPROVED by the Mayor this ____ day of _____, 2023

SIGNED: _____
Mayor

ATTEST: _____
Clerk

APPROVED as to form:

City Attorney