

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Josh Birks, Sustainability Services Deputy Director  
Megan DeMasters, Environmental Sustainability Director  
Emily Wegner, Environmental Sustainability Lead Specialist

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## SUBJECT

**Items Related to Waste Programs.**

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## EXECUTIVE SUMMARY

A. Second Reading of Ordinance No. 056, 2026, Amending Sections 12-32 and 15-413 of the Code of the City of Fort Collins to Align City Waste Hauler Requirements with the State of Colorado Extended Producer Responsibility Program.

B. Second Reading of Ordinance No. 057, 2026, Amending Section 12-30 of the Code of the City of Fort Collins to Update the Residential Waste Collection Program to Add a Multi-Housing Variance.

These Ordinances, unanimously adopted on First Reading on May 19, 2026, update City Code to modify the Hauler Licensing Program to align with the new state Extended Producer Responsibility Program and to modify the Contracted Residential Waste Collection Program to include an additional variance option for owners of small multi-unit residences.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

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## FIRST READING BACKGROUND / DISCUSSION

### Extended Producer Responsibility Background

In December 2025, Colorado Department of Public Health and Environment (CDPHE) approved the statewide Extended Producer Responsibility (EPR) program that shifts responsibility for the cost of recycling paper and packaging from consumers to producers. Large companies that make and sell covered materials in Colorado pay dues that cover the cost of recycling those materials to the Circular Action Alliance (CAA). CAA will distribute the funds to entities providing recycling services. These funds will be provided for residential recycling services first, and additional services such as commercial recycling are to be covered at a later time. Participating entities may apply and establish a service agreement with CAA to receive reimbursement for the cost of recycling covered materials.

## City of Fort Collins Code Updates

To ensure haulers within the city can participate in EPR, and to ensure cost savings reach residents, staff are recommending updates to two sections of code:

- **Recycling Requirement for Licensed Haulers** Current code requires haulers to offer recycling as part of an all-in rate for service. Under the EPR program, participating haulers are required to separate recycling costs and indicate a \$0 line item for recycling services on residents' bills. To ensure that haulers who enter service agreements with CAA pass savings on to customers, staff recommend adding language to Sec. 15-413 – Recycling Requirement for both residential curbside collection and multi-family collection, requiring haulers subject to a CAA agreement to meet applicable billing requirements. This will allow haulers who participate in EPR to disaggregate recycling costs, showing a \$0 line item on customers' bills.
- **Contracted Residential Waste Program** Updates to Sec. 12-32 will require the City's contracted hauler to participate in the EPR program and establish City authority to enforce a deadline for participation and receive additional reporting. This authority adds transparency and accountability to ensure savings reach residents.

### Contracted Waste Program Modification: Small, Multi-Unit Variance

The Residential Waste Collection Program began on September 30, 2024. Staff have learned many lessons in the months since program launch, including identifying areas where the program can be refined to better meet resident needs. Specifically, staff are proposing a new variance option to address challenges created for small multi-unit properties under the Program:

- **What:** This will allow owners of units within small, multi-unit buildings (7 units or fewer) to have the units share carts for residential trash, recycling, and yard trimmings collection.
- **Why:** Prior to program launch, many small multi-unit buildings shared service. The program requires individual units to enroll in the program or pay the opt-out fee, meaning owners who continued shared arrangements after launch are now required to pay an opt-out fee for each unit, even when total waste production has not increased. This results in disposal costs that are higher than actual use warrants and are misaligned with Pay-As-You-Throw (PAYT) and Zero Waste goals. This variance was developed in response to resident feedback and requests from Councilmembers to find a solution for this challenge and is designed to restore pricing that reflects real use, supporting both PAYT and Zero Waste goals.
- **Expected reach:** 30 building owners have expressed interest and are ready to participate immediately. Based on current service usage patterns, staff project that 300 or fewer small multi-unit buildings would take advantage of the variance, representing 1.7% of total units in the program.
- **Impact on operations and goals:** This variance will offer flexibility within the program to meet the unique needs of residents in this situation and better align service costs with actual waste production in support of PAYT goals.

### CITY FINANCIAL IMPACTS

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**For EPR Ordinance:** None.

**For Variance Ordinance:** This variance is expected to reduce opt-out fee revenue for affected properties, resulting in a modest reduction to the program's administrative fee revenue. Overall program budget impact is anticipated to be minimal.

### BOARD / COMMISSION / COMMITTEE RECOMMENDATION

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None.

## **PUBLIC OUTREACH**

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**For EPR Ordinance:** None.

**For Variance Ordinance:** Feedback from residents that informed these recommendations was gathered from direct phone and email conversations, tabling at two housing-focused community events, and by compiling feedback from organic phone, email, and Access Fort Collins requests.

## **ATTACHMENTS / LINKS**

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First Reading attachments available in May 19, 2026, agenda materials at the following link:  
<https://fortcollins-co.municodemeetings.com/>.

1. Ordinance No. 056, 2026
2. Ordinance No. 057, 2026