

ORDINANCE NO. O2022-019

AN ORDINANCE of the City Council of the City of Tumwater, Washington, adopting a compost procurement policy as more particularly described herein.

WHEREAS, on January 19, 2021 the City of Tumwater declared a climate emergency via Resolution No. R2021-002; and

WHEREAS, estimates suggest that 8-10% of global greenhouse gas emissions are associated with food waste that is not consumed; and

WHEREAS, City of Tumwater operations produced an estimated 119 metric tons of carbon dioxide equivalent from solid waste alone in 2021; and

WHEREAS, the emissions related to landfills and agriculture can be drastically reduced by diverting organic materials from landfills and enriching agricultural soils with compost; and

WHEREAS, 70A.205.007 RCW establishes goals for the state of Washington to cut landfill-disposed organic material by 75% compared to 2015; and

WHEREAS, in March 2022, ESSHB 1799 was signed into Washington law with the primary goal to increase the diversion of organic materials going to landfills in order to reduce methane emissions as landfills are a significant source of methane emissions; and

WHEREAS, as more organic materials are diverted and recycled, it is critical that compost produced be procured by local jurisdictions and others to support the economic viability of these processes and programs. The application of compost provides significant environmental benefits to our soil and food. 43.19A.150 RCW requires the City of Tumwater and many other jurisdictions in Washington to adopt a compost procurement ordinance by January 1, 2023.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Delegation. The Water Resources & Sustainability Director shall adopt, and amend as needed, a policy requiring the use of compost products in all city funded projects consistent with RCW 43.19A.120 and this ordinance.

Section 2. General Policy. The City shall use composted material for all public projects in which compost is an appropriate material for use in the following categories:

1. Landscaping projects;
2. Construction and post-construction soil amendments;
3. Applications that prevent erosion, filter storm water runoff, promote vegetation growth, improve the stability and longevity of roadways; and
4. Low-impact development and green infrastructure to filter pollutants and keep water on-site, or both.

Projects requiring application of this ordinance shall conform to the City's Drainage Design and Erosion Control Manual, Development Guide, Tumwater Municipal Code, or other relevant permit requirements and guideline(s). Requests for variance to this ordinance shall be submitted for review and approval to the Water Resources & Sustainability Director describing the need for deviation and mitigation, as appropriate.

Section 3. Local Purchasing. The City shall purchase 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.

Section 4. Education. The City shall conduct educational outreach to inform residents about the value of compost and how the jurisdiction uses compost in its operations each year.

Section 5. Reporting. The Water Resources & Sustainability Department shall provide necessary reports to the Department of Ecology as required. Any Department utilizing compost are required to submit regular reports to the Water Resources & Sustainability Department, or upon request.

Section 6. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 8. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph,

subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 7. Effective Date. This ordinance shall become effective thirty (30) days after passage, approval and publication as provided by law.

ADOPTED this _____ day of _____, 20__.

CITY OF TUMWATER

Debbie Sullivan, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published:_____

Effective Date:_____