

CODE

**CITY OF REDMOND
ORDINANCE NO. ___**

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON ADDING A NEW CHAPTER 6.40,
ENVIRONMENTAL PURCHASING, TO TITLE 6 OF THE
REDMOND MUNICIPAL CODE, REGARDING COMPOST
PROCUREMENT IN COMPLIANCE WITH STATE LAW

WHEREAS, in 2020, with the adoption of RCW 43.19A.120, the Washington State Legislature found that compost benefits Washington residents by diverting tons of organic waste from landfills, reducing solid waste costs, replacing synthetic chemical fertilizer, and lowering carbon emissions, and therefore, state and local governments should lead by example by purchasing and using local compost; and

WHEREAS, RCW 43.19A.120 requires all state agencies and local governments to consider whether compost products can be used when planning or soliciting and reviewing bids for public projects and to use compost products in a project except when availability, health, quality, safety, or price-competitive criteria are not met; and

WHEREAS, with the passage of Engrossed Second Substitute House Bill (E2SHB) 1799 by the Washington State Legislature in 2022, now codified at RCW 43.19A.150, the City of Redmond is now required to adopt a "Compost Procurement Ordinance", so as to implement RCW 43.19A.120; and

WHEREAS, procurement of compost for government-funded public projects assists the city in implementing the goals set for in the Environmental Sustainability Action Plan, including Action M1.1, Regional Composting and Action M3.4, Green purchasing/procurement, support of end use markets for recycled materials.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Adoption of Chapter. RMC 6.40, Environmental Purchasing, is hereby adopted.

Chapters:

6.04 Litter Control Code

6.08 Filth and Its Sources

6.12 Noxious Weed Control and Tree Regulations

6.16 Rodents

6.18 Feeding of Feral Pigeons

6.20 Abating Junkyards

6.24 Abating Privies and Dry Closets

6.26 Smoking Prohibited

6.30 Solid Waste Collection

6.34 Limitation on External Effects of Uses

6.36 Noise Standards

6.38 Refusal to Rent Based Solely on Section 8 Voucher or Certificate Request Prohibited

6.40 Environmental Purchasing

6.40.010 Compost Procurement

A. For the purpose of this chapter "compost products" means mulch, soil amendments, ground cover, or other landscaping material derived from the biological or mechanical conversion of biosolids or cellulous-containing waste materials.

B. The city shall plan for the use of compost for government-funded public projects in the following categories:

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

C. The city shall determine whether it is feasible in performance of the work, to use compost in a public project.

If compost can be utilized, the city shall require a department and/or each contractor with whom it contracts to use compost products. Exceptions to the use of compost are as follows:

1. Compost products are not available within a reasonable amount of time;
2. Available compost products do not meet existing standards for health, quality, and safety;
3. Prices are not reasonable or competitive.
4. Available compost products do not comply with existing purchasing standards.

D. The city shall give priority to purchasing compost products from companies that produce compost locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs, and meet the quality standards comparable to standards adopted by the Washington State Department of Transportation or the Washington State Department of Ecology.

E. Beginning December 31, 2024, and each December 31st of even-numbered years thereafter, the city shall submit a report to the Washington Department of Ecology covering the reporting periods compost procurement activities. At the minimum, the report shall contain the following:

1. The total tons of organic material diverted per year;

2. The volume and cost of compost purchased by the city per year; and

3. The source(s) of the compost purchased.

F. The Public Works Director or designee is directed to develop strategies to inform residents and businesses about the value of compost and how the city uses compost in its operations.

Section 3. Corrections by City Clerk or Code Reviser.

Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 4. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 5. Publication and Effective Date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this _____ day of _____, 2023.

CITY OF REDMOND

ANGELA BIRNEY, MAYOR

ATTEST:

CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: