

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2024-01

SUBJECT: Compost Procurement

CONFORM AS TO DATES & SIGNATURES

- Filed with the City Clerk: 01/03/2024
- Passed by the City Council: 01/17/2024
- Signature of Mayor
- Signature of City Clerk
- Publication: 01/22/2024
- Effective: 01/27/2024
- Recorded: _____

DISTRIBUTED COPIES AS FOLLOWS:

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Kati Diehl
Deputy City Clerk

01/18/2024
Date

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, PERTAINING TO ORGANIC MATERIALS MANAGEMENT; ADOPTING POULSBO MUNICIPAL CODE CHAPTER 3.70 ESTABLISHING THE CITY'S COMPOST PROCUREMENT POLICIES; PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, in March 2022, House Bill 1799 was signed into Washington law, requiring the diversion of organic materials away from landfill disposal and towards food rescue programs and organics management facilities 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 the compost manufactured be procured by local jurisdictions and others to support the economic viability of these processes and programs; and

WHEREAS, HB 1799 encourages most cities and counties in Washington to adopt a compost procurement ordinance by January 1, 2023; and

WHEREAS, the City Council finds that the compost procurement policies set out in this ordinance, developed pursuant to the requirements of HB 1799, are in the best interest of the City and its residents; now, therefore

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN

AS FOLLOWS:

Section 1. **Adoption of a new PMC Chapter 3.70.** The Poulsbo City Council hereby adopts a new chapter of Poulsbo Municipal Code entitled "Compost Procurement" to read as follows:

3.70 COMPOST PROCUREMENT

- 3.70.010 Definitions.**
- 3.70.020 General Policy.**
- 3.70.030 Local Purchasing.**
- 3.70.040 Education.**
- 3.70.050 Reporting.**

3.70.010 Definitions. The follow definitions apply for the purposes of this chapter:

A. "Compost" means a product created with "composted material" as defined in RCW 70A.205.015(3). "Compost" includes, but is not limited to, 100% finished compost or blends that include compost as a primary ingredient. Mulch is considered a "Compost" if it contains a minimum of sixty percent composted material. Bark is not a "Compost".

B. "Cost prohibitive" means a product purchasing cost that exceeds 10% of the cost of another product that would serve the same purpose.

C. "Local" or "locally" as to compost providers means that such provider is located within a 25-mile radius of the city limits of Poulsbo.

3.70.020 General Policy.

- A. Poulsbo shall plan for compost use in the following categories:
1. Landscaping projects;
 2. Construction and postconstruction soil amendments;
 3. Applications to prevent erosion, filter stormwater runoff, promote vegetative growth, or improve the stability and longevity of roadways; and

4. Low-impact development of green infrastructure to filter pollutants or to keep water onsite, or both.

B. Compost products shall be purchased for use in City projects in which compost is an appropriate material or on City property, provided it is not cost prohibitive to acquire. Procurement costs will include the product cost and all associated transportation and delivery charges.

C. Poulsbo is not required to use compost products if:

1. Compost products are not available within a reasonable period of time or distance;

2. Compost products that are available do not comply with existing purchasing standards;

3. Available compost products do not comply with federal or state health, quality, or safety standards; or

4. Compost purchase prices are not reasonable or competitive.

D. Pursuant to RCW 43.19A.130, Poulsbo will strive to purchase an amount of finished compost products equal or greater than fifty percent of the amount of organic materials the City delivered to the compost processor. 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 POMC 1.32.050.

3.70.030 Local Purchasing. Poulsbo will purchase finished compost products from companies producing compost locally, are certified by a nationally recognized organization, such as the U.S. Composting Council, and produce finished compost products derived from municipal

solid waste compost programs while meeting quality standards adopted by the Department of Transportation or adopted by rule by the Department of Ecology. If locally produced compost is not available, compost shall be sourced from outside the region, with preference given to products sourced as close as possible to Pousbo. Proof that locally produced compost was not available at the time of purchase or was cost-prohibitive shall be documented.

3.70.040 Education. Pousbo shall conduct educational outreach to inform residents about the value of compost and how the jurisdiction uses compost in its operations each year.

3.70.050 Reporting. By December 31, 2024, and each December 31st of even- numbered years thereafter, Pousbo shall report the following information to the Department of Ecology:

- A. The 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 finished compost product purchased.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or other portion of this Ordinance or its application to any person is, for any reason, declared invalid, illegal or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

Section 3. Corrections. Upon the approval of the city attorney, the city clerk and/or code publisher is authorized to make any necessary technical corrections to this Ordinance, including but not limited to the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers, and any reference thereto.

Section 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

APPROVED:

DocuSigned by:

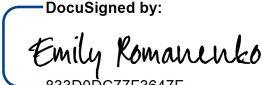
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MAYOR, REBECCA ERICKSON

ATTEST/AUTHENTICATED:

DocuSigned by:

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CITY CLERK, RHIANNON FERNANDEZ, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
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OGDEN MURPHY WALLACE

FILED WITH THE CITY CLERK: 01/03/2024
PASSED BY THE CITY COUNCIL: 01/17/2024
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SUMMARY OF ORDINANCE NO. 2024-01
of the City of Poulsbo, Washington

On January 17, 2024, the City Council of the City of Poulsbo, passed Ordinance No. 2024-01. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, PERTAINING TO ORGANIC MATERIALS MANAGEMENT; ADOPTING POULSBO MUNICIPAL CODE CHAPTER 3.70 ESTABLISHING THE CITY'S COMPOST PROCUREMENT POLICIES; PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 17th day of January, 2024.

DocuSigned by:
Rhiannon Fernandez
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CITY CLERK, RHIANNON FERNANDEZ