

**CITY OF MONROE**  
**ORDINANCE NO. 001/2023**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING TITLE 3 OF THE MONROE MUNICIPAL CODE BY ADDING A NEW CHAPTER 3.27 COMPOST PROCUREMENT THERETO; ESTABLISHING LOCAL COMPOST PROCUREMENT REQUIREMENTS IN COMPLIANCE WITH RCW 43.19A.150; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the Washington State Legislature recently enacted House Bill 1799, which requires cities and counties with populations greater than 25,000 and those with existing organics collection services, to adopt a compost procurement ordinance to implement RCW 43.19A.120;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment of Title 3 MMC—New Chapter 3.27 Adopted. Title 3 of the Monroe Municipal Code is hereby amended by the addition of a new Chapter 3.27 to provide in its entirety as follows:

**Chapter 3.27**  
**COMPOST PROCUREMENT**

Sections:

3.27.010 Compost procurement.

**3.27.010 Compost procurement.**

- A. Definitions. For the purposes of this section, the definitions set forth in RCW 43.19A.010 shall apply unless the context clearly requires otherwise.
- B. When planning government-funded projects or soliciting and reviewing bids for such projects, city departments shall identify whether compost can be utilized in such projects. In the event that compost can be utilized, city departments shall require use of compost in the city project except as otherwise provided by this section or applicable state law.
- C. City departments shall plan for the use of compost in any of the following categories that are applicable to their operations and project types:
  - 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 and green infrastructure to filter pollutants or to keep water onsite or both.
- D. Notwithstanding subsections (B) and (C) of this section, city departments are not required to use compost products if:
1. Compost products are not available within a reasonable time or distance from the project;
  2. Compost products that are available do not comply with existing purchasing standards;
  3. Compost products that are available do not comply with federal, state or local health, quality and safety standards; or
  4. Compost purchase prices are not reasonable or competitive.
- E. City departments shall give priority to purchasing compost products from companies that:
1. Produce compost products locally;
  2. Are certified by nationally recognized organization; and
  3. 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.
- F. City departments that use compost shall report the following information to the finance department by each December 15:
1. The volume and cost of compost purchased by the city department in that year; and
  2. The source or sources of the compost purchased by the city department in that year.
- G. The public works department is responsible for:
1. Providing technical assistance and education regarding the use of food and yard waste compost to city departments and staff;
  2. Conducting educational outreach to inform residents and businesses about the value of food and yard waste compost and how the city uses compost in its operations each year; and

3. Reporting the total estimated tons of organic material diverted from the city's waste stream because of compost use under this section.
- H. By December 31, 2024, and each December 31st of even-numbered years thereafter, the city shall submit a report covering the previous year's compost procurement activities to the Department of Ecology that contains the following information:
1. The total tons of organic material diverted throughout the year;
  2. The volume and cost of compost purchased throughout the year; and
  3. The source or sources of the compost.
- I. Before the transportation or application of compost products under this section, the city shall ensure compliance with Department of Agriculture pest control regulations provided in Chapter 16-470 WAC.

Section 2. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, Washington at a regular meeting held this 24th day of January, 2023.

First Reading: January 10, 2023  
 Final Reading: January 24, 2023  
 Published: January 27, 2023  
 Effective: February 2, 2023

CITY OF MONROE, WASHINGTON:

  
 Geoffrey Thomas (Jan 26, 2023 11:32 PST)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

  
 Jodi Wycoff (Jan 26, 2023 13:33 PST)

Jodi Wycoff, City Clerk

  
 Zach Lell (Jan 26, 2023 10:20 PST)

J. Zachary Lell, City Attorney

# Ord 001 2023 Composting Procurement

Final Audit Report

2023-01-26

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