

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER WEAVER
COUNCIL BILL NO. 22
ORDINANCE NO. 1752
Series 2022

TITLE: AN ORDINANCE AMENDING THE WHEAT RIDGE CODE OF LAWS TO PERMIT COMPOSTING UNDER PRESCRIBED CONDITIONS

WHEREAS, the City of Wheat Ridge is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the “Council”), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

WHEREAS, in the exercise of this authority the Council has previously enacted Chapter 15 of the Code of Laws describing and prohibiting nuisance conditions; and

WHEREAS, backyard composting has been increasing in popularity as an effective method for households to decrease the amount of household waste that is diverted to landfills; and

WHEREAS, there are many benefits of residential composting, including:

- food scraps and yard waste make up over 30% of household waste, much of which could be composted;
- composting enriches the soil, helping it to retain moisture and suppress plant diseases and pests while reducing the need for chemical fertilizers. Degraded soil releases carbon, but even a one-time application of compost turns soil back into a carbon sink;
- composting reduces methane emissions from landfills and lowers the carbon footprint of households; landfilling food scraps produces 20 times the CO2 emissions as composting;
- composting increases soil resilience to extreme heat and flooding; and

WHEREAS, the allowance of residential composting in Wheat Ridge would create alignment with the City’s agricultural roots. Composting is directly mentioned in the City’s 2035 Vision Statement, which states: *Wheat Ridge is committed to environmental stewardship so that residents have opportunities to recycle, to compost, to reduce air pollution, emissions, litter, and water waste, and to pursue urban culture*; and

WHEREAS, the Wheat Ridge Environmental Sustainability Plan (WRESAP) also supports composting; and

WHEREAS, the Council wishes to amend the Code so as to remove the potential for properly performed composting to be considered a nuisance.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Wheat Ridge, Colorado:

Section 1. Section 15-4 of the Code is amended by the addition of the following new definitions in the appropriate alphabetical order:

Compostable materials means discarded materials from any residential or commercial source that are collected separately for the purpose of being composted, or otherwise processed into soil amendment, fertilizer, mulch, sludge, biogas, fuel, or electricity.

Composting means the mixing of shredded and decayed organic matter with dirt or earth for the purpose of fertilizing and conditioning soil to support plant growth.

Section 2. Section 15-25 of the Code is amended to read:

It shall be unlawful to:

- (a) Store upon the property, place upon the property, or allow to remain on the property any trash or garbage, as described for a period in excess of seven (7) days, PROVIDED, HOWEVER, COMPOSTING AND THE STORAGE OF COMPOSTABLE MATERIALS IN THE PROCESS OF COMPOSTING, SHALL NOT BE DEEMED A VIOLATION OF THIS SECTION, PROVIDED THAT COMPOST PILES SHALL BE IN A SEGREGATED AREA. NO PERSON WHO MAINTAINS A COMPOST CONTAINER, BIN OR PILE SHALL FAIL TO PREVENT IT FROM BECOMING A NUISANCE DUE TO PUTRID ODORS OR ATTRACTION OF WILDLIFE OR PESTS, INCLUDING, WITHOUT LIMITATION, INSECTS, RODENTS, OR OTHER ANIMALS, OR ANY OTHER OBJECTIONABLE CONDITION.
- (b) . . .
- (c) OTHER THAN AS PERMITTED FOR COMPOSTING UNDER SECTION 15-25(a), place or permit to remain anywhere in the city any garbage or other material subject to decay other than leaves or grass, except in a covered metal or plastic container, or in a sealed plastic bag, awaiting pickup and disposal; . . .

Section 3. Effective Date. This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 28th day of November 2022, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for December 12, 2022 at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 8 to 0, this 12th day of December, 2022.

SIGNED by the Mayor on this 14th day of December, 2022.



Bud Starker, Mayor

ATTEST:



Stephen Kirkpatrick, City Clerk

Approved as to Form



Gerald E. Dahl, City Attorney

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