

Ordinance No.

An Ordinance Requiring Universal Access to Organic Waste Collection Services

WHEREAS, _____ recognizes the significant environmental impact of organic waste disposed of in landfills, including its contribution to methane emissions, waste diversion challenges, and the depletion of natural resources;

WHEREAS, the Texas Commission on Environmental Quality (TCEQ) reported that in the North Central Texas region alone, 11.8 million tons of waste were disposed of in landfills in 2023, making it the highest out of 24 different regions, and accounting for almost 30% of the state's total waste;

WHEREAS, _____ is committed to promoting sustainability, resource conservation, and the reduction of solid waste, and believes that curbside residential organics collection is a critical component of achieving these goals;

WHEREAS, studies and pilot programs have shown that curbside organics collection programs can significantly reduce landfill waste, contribute to local composting efforts, and provide residents with an opportunity to divert organic waste from landfills, thereby supporting a circular economy;

NOW, THEREFORE, _____ hereby adopts the following Universal Access to Organic Waste Collection Services Ordinance.

Section 1. Title and Purpose

This ordinance shall be known as the **Universal Access to Organic Waste Collection Services Ordinance**. Its purpose is to ensure the availability of Organic Waste collection services to all Residences within _____. These services are intended to reduce the amount of Organic Waste sent to landfills or incinerators, reduce greenhouse gas emissions, and promote the reuse of valuable organic materials through composting and related processes.

Section 2. Definitions

For the purposes of this ordinance, the following definitions shall apply:

- **“Composting”** means a controlled aerobic process of decomposing Organic Waste into nutrient-rich soil amendments.
- **“Food Scraps”** means all food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, and eggshells. Food Scraps excludes fats, oils, and grease.

- **“Food-Soiled Paper”** means compostable paper material that has come in contact with food or liquid, such as, but not limited to, compostable paper plates, paper coffee cups, napkins, pizza boxes, and milk cartons.
- **“Hauler”** means any entity providing regular recurring residential curbside collection, transportation, or disposal services of discard materials (e.g. garbage, recyclables, compostables) within the Municipality.
- **“Municipality”** refers to the _____.
- **“Organics Waste”** means biodegradable waste, including Food Scraps, Yard Trimmings, Food-Soiled Paper, and other organic materials that are suitable for composting or other diversion methods approved by local regulations.
- **“Residence”** refers to services performed at and for residential premises, which include single family dwelling units of _____ or less dwelling units.
- **“Source Separation”** means the act of keeping Organic Waste separate from other types of waste at the point of generation.
- **“Yard Trimmings”** means leaves, grass clippings, brush, branches, and other forms of Organics Materials generated from landscapes or gardens.

Section 3. Requirements

(a) Service Availability

1. Haulers operating within the Municipality must make Organic Waste collection service available and accessible to any Residences they serve for other forms of waste collection.
2. Participation shall be voluntary by Residences, but Organic Waste collection service must be available upon Resident request.

(b) Collection Standards

1. Haulers must provide curbside collection of Organic Waste at a minimum frequency of _____.
2. Acceptable Organic Waste shall be designated by the Municipality and include the following:
 - a. Food Scraps, including fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, and eggshells
 - b. Food-Soiled Paper, including compostable paper plates, paper coffee cups, napkins, pizza boxes, and milk cartons
 - c. Yard Trimmings, including leaves, grass clippings, brush, and branches
3. Haulers may require that Residences use containers provided by the Hauler or allow Residences to provide their own containers.
 - a. Containers must be durable, clearly labeled with instructions for use, and sufficient in size to store Organic Waste between pickups.

- b. Hauler must retain ownership of issued containers and be responsible for replacements due to normal wear. Damage caused by Residents must be repaired or replaced at the Resident's expense.
4. Residents participating in Organic Waste collection services must separate Organic Waste into the designated container, as agreed upon by the Hauler.

(c) Processing Standards

1. Haulers must deliver collected Organic Waste to properly permitted composting or anaerobic digestion facilities.
2. Organic waste must not be landfilled or incinerated, except in emergencies as determined by the Municipality.

(d) Cost Standards

1. Haulers shall provide, in good faith, Organic Waste collection services at a reasonable and fair cost to Residences, to incentivize participation without creating barriers.

(e) Education and Outreach

1. Haulers must provide educational materials on Organic Waste collection services to customers. Materials may include, but are not limited to:
 - a. Internet web pages
 - b. Brochures
 - c. Mailings
 - d. Advertisements
 - e. Radio and television commercials or public service announcements
2. Haulers must provide, at a minimum, notifications to new customers that include:
 - a. Program overview, including how to participate, accepted materials, clear collection process and schedule, and contact information
 - b. Material preparation guidelines detailing required process for ensuring collection and processing of Organic Waste
 - c. Recommendations and tips to reduce total waste production

(f) Reporting Requirements

1. Haulers must submit a quarterly report to the Municipality that includes:
 - a. Total number of serviced Residence accounts
 - b. Monthly tonnage of Organic Waste collected
 - c. Location of delivery and processing facilities of Organic Waste

(g) Administrative Fee

1. An administrative fee of _____ per customer per month shall be remitted quarterly to the Municipality to support program administration, promotion, and outreach.

Section 4. Implementation and Education

- The Municipality shall implement an outreach and education program to inform Residents and Haulers of their responsibilities under this ordinance.
- Technical assistance shall be provided by the Municipality to help Haulers comply with this ordinance.

Section 5. Enforcement and Penalties

(a) Inspections and Monitoring

- Failure of a Hauler to provide required services under this ordinance may result in penalties as prescribed in Section 5.b.
- Residents may file complaints with the Municipality for non-compliance by Haulers, which shall be investigated by the Municipality.

(b) Penalties

- First violation: Written warning and educational materials.
- Second violation: Fine up to .
- Subsequent violations: Fines up to per occurrence.

Section 6. Exemptions

- Temporary exemptions may be granted for Haulers where compliance would pose an undue hardship, as determined by the Municipality.
- Request for exemptions must be submitted in writing to the Municipality and include, at a minimum, the number of customers affected and the reasons supporting the request.

Section 7. Severability

If any part of this ordinance is held invalid, the remainder shall remain in effect.

Section 8. Effective Date

This ordinance shall take effect on
later than .

, with all Haulers required to comply no