

Ordinance 0003-23 – Chapter 78, Article V – Food Residuals Composting

An ordinance to create Chapter 78, Article V, of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 78, Article V, of the Municipal Code of the City of Racine is repealed and created to read:

ARTICLE V. – FOOD RESIDUALS COMPOSTING

Sec. 78-131. - Purpose.

The purpose of the program created by the article is to promote food residuals composting, to reduce the amount of organic materials deposited in landfills, and to create valuable and useable compost through the administration of an effective voluntary, residential food residual composting program.

Sec. 78-132. - Administration.

This food residuals composting program shall be administered and enforced by the department of public works.

Sec. 78-133. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Compost* means a material that has been decomposed by composting to the extent that the material will not significantly reheat due to action of microorganisms when subjected to optimum oxygen, moisture, nutrients, and thermal conditions.

*Compostable* means susceptible to complete decomposition by aerobic biological processes to yield carbon dioxide, water, inorganic compounds, and organic matter, leaving no distinguishable or toxic residue.

*Composting* means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition.

*Compostable material* or *compostables* means any organic material that will naturally degrade and may create compost.

*Food residuals* means unconsumed raw or cooked compostable material that results from handling, preparation, cooking, sale, or consumption of food, and includes whole, ground and pulped food scraps. *Food residuals* includes vegetable and non-vegetable food residuals, but

does not include rendering wastes or animal carcasses. Food residuals are also referred to as food waste.

*Participant* means a resident who has registered to participate in this voluntary, residential food residual composting program.

*Permitted compostable material* means feed residuals and other compostable material authorized for deposit by the commissioner of public works.

Sec. 78-134. - Participation in residential food residual composting program.

Residents who occupy residential dwellings desiring to participate in residential food residuals composting program shall register by completing forms furnished by the department of public works and shall pay the fee designated by the common council. Upon full completion of the form and payment of the fee, participants shall be granted an annual composting permit by the City Clerk.

Sec. 78-135. - Separation of permitted compostable material.

Participants shall separate permitted compostable material and retain such material in a compostable bag. To the greatest extent possible, the permitted compostable material separated in accordance with this section shall be kept free of materials other than food residuals and other permitted compostable material.

Sec. 78-136. - Deposit of permitted compostable material.

Except as otherwise directed by the commissioner of public works, participants shall deposit permitted compostable material at the designated location and container as indicated at the drop-off facility. Participants shall present their annual composting permit when depositing permitted compostable material.

Sec. 78-137. - Sunset.

This program shall terminate on December 31, 2024, unless extended by the common council.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: The fee designated by the common council will pay for all program costs.

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within five days, which fact shall be certified thereon by the clerk. If the mayor

disapproves the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.