

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. CB11-0263
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance amending Chapter 48 of the Revised Municipal Code of the City and County of Denver regarding solid waste and the collection of compost material.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Section 48-41 of Article IV of Chapter 48 of the Revised Municipal Code by deleting the language stricken and adding the language underlined as follows:

“Section 48-41. Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them: ...

(4) *Compost* material means yard rubbish, household garbage, municipal facility kitchen garbage, as well as paper products that are acceptable to the manager of public works.

(5) *Eligible property* means a single-family residence, ~~or~~ an eligible residential multiunit dwelling, or a municipal facility kitchen.

...

(14) *Municipal facility kitchen garbage* means waste from the preparation, cooking and consumption of food, condemned food products and all refuse and waste from the handling, storage, preparation and use of produce originating in kitchens, food preparation facilities, and food preparation areas located in municipal and Denver public school facilities.

~~(15)~~ (14) *Single-family residence* means a structure designed for human habitation by persons comprising a single family.

~~(16)~~ (15) *Trash* shall mean all or any ashes, building rubbish, commercial garbage, garbage, household garbage, household rubbish, litter, refuse, yard rubbish, and waste matter as defined herein.

~~(17)~~ (16) *Trash container* shall mean a container prescribed for trash disposal and recycling by rules and regulations of the manager of public works.

~~(18)~~ (17) *Yard rubbish* includes tree branches, twigs, grass, shrub clippings, weeds, leaves and other general yard and garden waste materials. Yard rubbish may include a small quantity of dirt attached to weeds, etc., but does not include sod or dirt as such.

~~(19)~~ (18) *Waste matter* includes all solid and hazardous wastes, including liquids, as those

terms are defined by the State of Colorado.”

Section 2. Section 48-42.5 of Article IV of Chapter 48 of the Revised Municipal Code by deleting the language stricken and adding the language underlined as follows:

“(a) The manager shall develop and implement a service plan for the collection of compost material from eligible property owned or occupied by persons who choose to participate. Phase 1 of this plan shall run from the date of enactment through and until December 31, 2010, and its scope is limited to three thousand five hundred (3,500) households within the pilot project geographic area. Subsequent phases of this plan shall include expansion of the program as practicable.

(b) Any owner or occupant of eligible property who requests such service shall be charged a compost service fee of nine dollars and seventy-five cents (\$9.75) per cart per month, billed and payable in advance quarterly or annual installments. A ten dollar (\$10) discount will be provided for annual installment payments made during the first annual billing cycle of each year. ~~eighty-seven dollars and seventy-five cents (\$87.75), for the period April through December, 2010, billed and payable in advance in three (3) quarterly installments.~~

~~(c) This section shall sunset on December 31, 2010.”~~

COMMITTEE APPROVAL DATE: April 12, 2011

MAYOR-COUNCIL DATE: April 19, 2011

PASSED BY THE COUNCIL: _____, 2011

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____, 2011

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

PREPARED BY: Jacqueline H. Berardini, ASSISTANT CITY ATTORNEY, April 21, 2011

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

David W. Broadwell, Denver City Attorney

BY: _____, _____ City Attorney DATE: _____, 2011