

ORDINANCE NO. 837

AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING WILSONVILLE CODE SECTIONS 8.010 AND 4.179.

WHEREAS, on July 26, 2018, the Metro regional government adopted Ordinance No. 18-1418 to create a business food waste requirement, also known as the mandatory commercial food scrap program; and

WHEREAS, the City of Wilsonville (“City”) is subject to the Metro mandatory commercial food scrap program, and thus, businesses within the City that meet Metro’s definition of a “Covered Business” must participate in the mandatory food scrap program; and

WHEREAS, one of the requirements of local governments subject to the Metro mandatory food waste program is to require persons who provide space to a Covered Business to allow the source separation and collection of food waste; and

WHEREAS, the City of Wilsonville desires to amend Wilsonville Code (“WC”) Chapter 8, Section 8.010 and Chapter 4, Section 4.179, to meet this requirement of the Metro mandatory food waste program; and

WHEREAS, WC Chapter 4 is considered a supporting document of the City’s Comprehensive Plan; and

WHEREAS, the City Council may conduct a public hearing to consider an amendment to the Comprehensive Plan when the Council finds that the amendment is necessary to comply with rules, regulations, goals, guidelines, or other legal actions of any governmental agency having jurisdiction over matters contained therein; and

WHEREAS, the City Council, after public hearing notices were provided to over 800 property owners and to the Department of Land Conservation and Development, published twice in the Wilsonville Spokesman, and posted in four locations throughout the City and on the City website, held a public hearing on July 15, 2019 to review the proposed amendment to WC 8.010 and 4.179 and to gather additional testimony and evidence; and

WHEREAS, the City Council has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of its proceeding; and

WHEREAS, the City Council has duly considered the subject, including all the exhibits and testimony introduced and offered by all interested parties.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. FINDINGS.

The above-recited findings are adopted and incorporated by reference herein, including the staff report submitted with this Ordinance. The City Council further finds and concludes that the adoption of the proposed Wilsonville Code text is necessary to help protect the public health, safety, and welfare of the municipality by implementing the Metro requirements for the mandatory commercial food scrap program.

2. DETERMINATION.

Wilsonville Code 8.010 is amended as follows:

“The regulation of disposal and hauling, including both hauler and customer requirements, for solid waste, recycling, yard debris, organic materials, and other materials shall be adopted by City ordinance. *A person or entity that leases or provides space to a Covered Business (as defined in Metro Administrative Rule 5.10-4010) must allow or facilitate the provision of food waste collection service for that Covered Business.*”

Wilsonville Code 4.179 is amended as follows:

“(09) When applicable, the applicant must comply with Wilsonville Code Section 8.010.”

3. The City Recorder is directed to amend Wilsonville Code Sections 8.010 and 4.179, as approved above, and to make such format, style, and conforming changes to match the format and style of the respective chapters of the Wilsonville Code.

4. Except as set forth above, Chapter 8 and Chapter 4 of the Wilsonville Code remain in full force and effect, as written.

5. This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 15th day of July, 2019, and scheduled for a second reading at a regular

meeting of the Council on August 5, 2019 commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.



Kimberly Veliz, City Recorder

ENACTED by the City Council on the 5th day of August, 2019, by the following votes:

Yes: 4 No: 0



Kimberly Veliz, City Recorder

DATED and signed by the Mayor the 5th day of August, 2019.



TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes