

BILL NO. 6217
ORDINANCE NO. 6102

**AN ORDINANCE AMENDING SECTION 235.320 OF THE CLAYTON CITY CODE
RELATING TO PRIVATE COMPOSTING PRACTICES.**

WHEREAS, the City of Clayton wishes to remain in the forefront of facilitating and promoting environmentally progressive practices; and

WHEREAS, composting appropriate materials is a safe, efficient and ecologically advantageous alternative to the practice of disposing of all such materials in landfills; and

WHEREAS, following study and recommendation by the City of Clayton Ecology and Environmental Awareness Committee, the Board of Aldermen now wishes to update the City's regulations pertaining to private composting practices and facilities in order to recognize an expanded range of materials suitable for composting and to more thoroughly identify materials not suited for composting;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section 1.

Section 235.320 of Article III of Chapter 235 of Title II of the Code of Ordinances of the City of Clayton, Missouri, regarding private composting practices is hereby repealed, and a new Section 235.320 regarding the same subject is hereby enacted in lieu thereof to read as follows:

TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE

CHAPTER 235: GARBAGE AND TRASH

ARTICLE III. COMPOSTING

SECTION 235.320: COMPOSTING

A. *Definition.* As used in this Section, the term *COMPOSTING* shall mean a controlled biological reduction of organic waste to humus.

B. *Maintenance.* All compost piles shall be maintained using approved composting procedures to comply with the following requirements:

1. All compost piles shall be enclosed in a freestanding compost bin. Each compost bin shall be no larger in volume than one hundred fifty (150) cubic feet for properties ten thousand (10,000) square feet and less in lot size, with an additional one hundred fifty (150) cubic feet permitted for each additional ten thousand (10,000) square feet of lot size. Compost bins shall be no taller than five (5) feet.
2. All compost piles shall be maintained so as to prevent the harborage of rodents and pests. The presence of rodents in or near a compost pile shall be cause for the City to issue a complaint.

3. All compost piles shall be maintained so as to prevent unpleasant, rotten egg-like, putrefactive, sweet, sour or pungent odors.
4. Unless written permission has been granted by the adjoining property owner, no compost pile shall be located less than three (3) feet from the rear or side property line or within twenty (20) feet of any home, patio, pool or similar structure on the adjacent property. All compost piles shall be at least three (3) feet behind the front building setback line.
5. No compost pile shall be located where it will impede the natural free flow of storm water drainage.
6. Any vegetables, fruit and their remains, egg shells, fruit peels and rinds and hair must be composted in such a way that these materials are buried in the center of the pile at all times and so that none of these materials are exposed or visible.

C. *Ingredients.*

1. No compost pile shall contain any of the following:
 - a. Animal carcasses, fish, fowl, meat or other animal products;
 - b. Manure;
 - c. Used litter box remains;
 - d. Milk, cheese, sour cream or other dairy products;
 - e. Lard, oils, or oil-based foods;
 - f. Mayonnaise;
 - g. Salad dressing;
 - h. Whole grains (rice, wheat, barley, etc.);
 - i. Peanut butter;
 - j. Items not normally composted;
 - k. Items not biodegradable.
2. Permitted ingredients shall include:
 - a. Yard waste, including leaves, sod, and grass clippings;
 - b. Untreated wood, wood chips, and sawdust;
 - c. Paper;
 - d. Straw;
 - e. Vegetables, fruits and their remains, including peels and rinds;
 - f. Empty egg shells;
 - g. Aquatic weeds;
 - h. Coffee grounds and tea leaves;
 - i. Evergreen needles;
 - j. Hair;
 - k. Drier lint;
 - l. Vacuum cleaner dust;
 - m. Organic garden waste;
 - n. Commercial compost additives.

D. *Private use only.* Compost piles established in accordance with this Article are for private use only. There shall not be commercial provision of material to be composted or commercial use of the product of such composting.

E. *Owner responsibility.* Every owner or operator shall be responsible for maintaining all property under his/her control in accordance with the requirements of this Article.

Section 2.

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 3.

It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section 4.

This Ordinance shall be in full force and effect both from and after its passage by the Board of Aldermen.

Passed by the Board of Aldermen this 13th day of April, 2010.

Mayor

Attest:

City Clerk