

RESOLUTION NO. R2010-017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS SUPPORTING "EXTENDED PRODUCER RESPONSIBILITY" TO PROMOTE THE SHIFT OF DISPOSAL COSTS FROM LOCAL GOVERNMENTS TO PRODUCERS OF ITEMS THROUGH STATE LEGISLATION; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denton, Texas is committed to serve as a steward of our environment and has established procedures and programs to ensure sustainability, such as maximizing diversion of recyclable materials from landfill disposal through recycling services; providing for an on-site materials recovery facility (MRF), and passing Resolution R2007-032, which directed the City to utilize environmentally preferred products when making purchasing decisions to the extent possible; and

WHEREAS, policies of the State of Texas currently make local governments, such as the City of Denton, responsible for waste management, but the municipal waste management system was established a century ago to manage far simpler and more homogeneous wastes than the manufactured goods and packaging of today that constitute approximately 75% of the materials that are managed by the City of Denton Solid Waste Department; and

WHEREAS, there are significant environmental and human health impacts associated with the improper management of hazardous products, yet the amount of hazardous products and management costs keep increasing; and

WHEREAS, local governments have no input into the design or marketing of consumer products and face a scarcity of resources to adequately address the rising volume of discarded products; therefore, the costs paid by citizens and local governments to manage product disposal amount to subsidies that enable and encourage producers to design products for disposal without any regard to the product's end of life management; and

WHEREAS, Extended Producer Responsibility ("EPR") is an environmental policy approach in which producers (brand owners and importers) accept responsibility for the management of post-consumer products, so that those who produce and use products bear the costs of recycling and responsible disposal; and

WHEREAS, the Texas legislature has enacted HB 2714 in 2007 requiring producer responsibility programs for home computers that has resulted in approximately twelve (12) billion pounds of recycled electronics in 2009; and

WHEREAS, the City of Denton can advance EPR through a variety of mechanisms including requiring the manufacturers of products sold to City of Denton departments to take financial responsibility for collecting and recycling their products at the end of their useful life and by incorporating EPR policies into the City of Denton's environmentally

preferred procurement practices by favoring vendors and manufacturers that take back their product and associated packaging at end of life; and

**THE COUNCIL OF THE CITY OF DENTON, TEXAS HEREBY RESOLVES:**

SECTION 1. The City of Denton, Texas urges the Texas Commission on Environmental Quality (TCEQ) and the State Legislature to enact legislation, policies and programs for "Extended Producer Responsibility" which will give producers the incentive to design products, to make them less toxic, and make them easier to reuse and recycle.

SECTION 2. The City of Denton, Texas supports the Texas Product Stewardship Council, as an organization of local governments that is working to advocate transparent and fair EPR systems in Texas; to shift waste management costs from local governments to the producers (and importers) of the product; and which will give producers (and importers) the incentive to re-design products to make them less toxic and easier to reuse and recycle.

SECTION 3. The City of Denton, Texas shall include, where possible, EPR language in contracts for the acquisition of commodities.

SECTION 4. The City of Denton, Texas encourages manufacturers and distributors of products and packaging sold in our jurisdiction to minimize excess packaging; to design products for durability and reusability; and to design products which will facilitate the ability to be recycled; to use recycled materials in the manufacture of new products; and to provide financial support for the collection, processing, recycling or disposal of used materials.

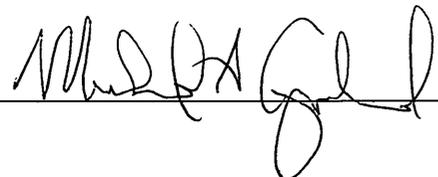
PASSED AND APPROVED this the 15<sup>th</sup> day of June, 2010.

  
MARK A. BURROUGHS, MAYOR

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

By:   
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APPROVED AS TO LEGAL FORM:  
ANITA BURGESS, CITY ATTORNEY

By:   
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