

RESOLUTION NO: 2026-04

**A RESOLUTION ADOPTING POLICIES AND PROCEDURES FOR THE
RESIDENTIAL GREEN WASTE PROGRAM**

WHEREAS, the City Council has determined that it should implement a green waste collection program as part of its obligations for garbage removal from residential households:
and

WHEREAS, the City Council finds that participating in the green waste removal program will aid the Wasatch Integrated Waste Management District, a government special service district, in their goals of reducing the rate at which the landfill is being filled; and

WHEREAS, the City Council finds that utilizing an “opt-out” model will be the most efficient and effective manner in which to establish this program, in which residents of eligible households are automatically enrolled to receive a green can, and must affirmatively choose to have their household removed from the list; and

WHEREAS, the Council finds that utilizing the opt-out method, as described in the Policies and Procedures, is fair and equitable under all of the circumstances,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
FARMINGTON CITY, STATE OF UTAH, AS FOLLOWS:**

Section 1: The Farmington City Green Waste Can Policies and Procedures, attached to this Resolution as Exhibit A, is hereby adopted as official policy for the management of the green can program in the City.

Section 2: Severability. If any section, clause, or provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3: Effective Date. This Ordinance shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF FARMINGTON CITY,
STATE OF UTAH, THIS 20TH DAY OF JANUARY 2026.**

ATTEST:

FARMINGTON CITY


DeAnn Carlile, City Recorder




Brett Anderson, Mayor



Farmington City Residential Green Waste Can Program

Policies & Procedures

Section 1: Establishment of Program: Pursuant to Chapter 7-3 of the Farmington Municipal Code, the City Council hereby establishes a requirement that all residential households currently receiving residential garbage collection from the City, and all future residential households eligible for City garbage collection, shall be required to receive and pay fees associated with a green waste can, unless exempted under these policies.

Section 2: Exemptions: The following households are eligible for exemption from the City's Green Waste Can Program:

- 1) Households or parties filing written opt-out requests with the City within thirty (30) days of having a green waste can delivered to the address in Spring 2026. This exemption is not transferrable to subsequent owners of the premises.
- 2) Households within a development for which an HOA or other management organization provides comprehensive lawn care for all residential units within the development, such as townhome or condo developments.
- 3) Any residential or commercial unit, including apartments and condos, that are not eligible for City-provided garbage collection.
- 4) Households or parties filing a written opt-out request after the deadline indicated in Section 2.1 of this Policy, if the applicant demonstrates a substantial hardship (medical, physical or economic), should the applicant be required to participate in the City's green waste can program. Substantial hardship for purposes of this policy is limited to extraordinary, unbearable situations such as serious illness, disability, or another permanent burden making it nearly impossible to participate in the program. It does not include expressed preferences, disagreement with the program's existence or objectives, avoiding additional expenses, or bearing an inconvenience.

Section 3: New Owners:

- 1) All new owners of residential properties subject to this policy, whether new to Farmington or existing residents moving into new or existing dwelling units, are required to participate in the City's green waste can program, unless otherwise exempted by provisions of Section 2.
- 2) If ownership of a rental residential property subject to this policy is transferred to a new owner, then green waste can collection shall be required at the time of the transfer, unless exempted by provisions of Section 2, regardless of whether the residence's occupants stay at the property through the transfer.

Section 4: Enforcement: Enforcement of non-compliance to the provisions referred to herein shall be disconnection of water services. Those declining use of City-delivered green waste cans - even if they request that their assigned green can be removed by the City - shall be required to pay the monthly user fee, whether they use the service or not, unless exempted as provided in this Policy.

Section 5: User Fees: A monthly service fee for one or more green waste cans shall be established by the City Council and may be amended by the Council as shown on the City's Consolidated Fee Schedule.



160 S Main
Farmington Utah 84025

CITY COUNCIL STAFF REPORT

To: Mayor and City Council
From: Paul Roberts, City Attorney
Date: January 20, 2026
Subject: **Green Waste Can Policies and Procedures**

With green waste cans rolling out this Spring, it is important that the Council establish procedures for residents to understand parameters of the program, how to opt out, and the finality of making a decision within one month of receiving the can. This draft policy provides staff's suggestions for the Council. For the sake of consistency, it is similar to the policy that the City adopted when it rolled out recycling cans in 2010.

RECOMMENDATION(S)

Make appropriate edits to the policy, and then adopt a policy in line with the desires of the Council related to green waste cans.

Suggested motion language: "I move that the Council adopt the Farmington City Residential Green Waste Can Program Policies and Procedures."

BACKGROUND

In response to a cry for help from Wasatch Integrated Waste Management District, in which our City participates, most of its member cities have begun implementing more rigorous recycling and green waste collection programs. By diverting compostable and recyclable waste from the landfill, it will extend the landfill's lifespan considerably. This will result in deferring costs for all member cities and their residents. Additionally, green waste is composted and sold to the public, with proceeds helping defray the costs of operating the landfill, which is otherwise borne by our residents.

In solidarity with these cities, the Council has directed staff to work with our waste hauler to remove green waste in dedicated cans. We are in possession of about 3,000 cans, with the ability to order more as demand requires. There are about 6,300 residences that are eligible to participate, but we anticipate that as many as half or more may opt out.

Roll-out will be by zone, with approximately half of eligible households planned to be delivered cans in April, and the following half in May. Public Works can provide additional information on roll-out.

Residents should also be reminded that during December – March, the green can functions as a regular garbage (black) can.

The policies and procedures accompanying this report establishes the following:

- The program only applies to residential properties that are served by our trash collection. As such, no apartments or condominiums will be assessed a fee or delivered a can.
- The program excludes any development in which an HOA or other landscape management company takes care of all landscaping within the development, such as some PUD's or townhome developments.
- Every other household (approximately 6,300 residences) will be enrolled in the program automatically, with the right to opt out within 30 days of having the can delivered to their home. There is not a fee associated with opting out or having the can removed. I emphasize this because rumor mills will say otherwise and our communication must be clear and consistent.
- Once the opt out period has lapsed, the resident does not have the right to opt out any more.
- The opt-out decision is not transferable to any future owners.
- All new residents are required to accept a green can, whether moving into a new build or an existing home.
- Households who do not opt out during the one-month period, but who wish to opt out after the deadline, only may do so if they show substantial hardship:
 - Substantial Hardship is defined in the policy as “an extraordinary, unbearable situation such as serious illness, disability, or another permanent burden making it nearly impossible to participate.”
- The city already has a rule for those who wish to temporarily suspend garbage pickup due to extended absences. [See FMC § 7-3-060\(H\)](#). As such, it need not be called out in the green waste policy specifically. Concerned citizens who are being deployed for military service or engaging in lengthy absences for any reason, should be directed to request temporary discontinuance.
- Residents who do not opt out, or who have missed the opt out window, are free to have the Public Works Department remove the green waste can. However, they will still be charged the monthly service fee.

Respectfully submitted,



Paul Roberts
City Attorney

Review and concur,



Brigham Mellor
City Manager