

**ORDINANCE NO. 4013**

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, PROHIBITING FOR EIGHTEEN MONTHS THE INSTALLATION OF STYRENE-BUTADIENE RUBBER (ALSO KNOWN AS SBR OR "CRUMB RUBBER") ON PUBLICLY-OWNED ATHLETIC FIELDS WITHIN THE CITY OF EDMONDS; AND DIRECTING THAT ADDITIONAL ANALYSIS BE CONDUCTED ON THE POSSIBLE NEGATIVE IMPACTS FROM SUCH INSTALLATIONS OF SBR UPON HUMAN HEALTH AND THE ENVIRONMENT.

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WHEREAS, the precautionary principle is a doctrine stating that when there are threats of serious or irreversible damage to the environment, a lack of full scientific certainty is not a reason for postponing measures to prevent any potential damage; and

WHEREAS, the precautionary principle can be applied with equal force to threats of serious damage to human health; and

WHEREAS, the Edmonds City Council supports the values embodied in the precautionary principle; and

WHEREAS, concerns have been raised about possible environmental and human health effects of SBR athletic fields; and

WHEREAS, a recent study conducted at Yale University found that the rubber used in synthetic turf and rubber mulch contained 96 chemicals; and

WHEREAS, there were no toxicity assessments for a little under half of those chemicals and, of those with toxicity assessments, 20 percent were probable carcinogens; and

WHEREAS, the Edmonds City Council would like to know whether these chemicals may have synergistic effects and are present in levels that may pose a health risk; and

WHEREAS, the Washington State Department of Health is working with the University of Washington's School of Public Health to review information provided by

soccer coach Amy Griffin and verify that information against the Washington State Cancer Registry in hopes of determining whether there is an increased rate of selected cancers among soccer players, especially goalies compared to what it would expect based on Washington state rates; and

WHEREAS, the U.S. Consumer Product Safety Commission (CPSC) is working closely with its federal and state partners toward ending the uncertainty surrounding crumb rubber; and

WHEREAS, the U.S. Environmental Protection Agency has posted on its website a question and answer regarding crumb rubber that reads as follows:

**Q: What advice does EPA have for communities who are concerned about tire crumb?**

**A:** EPA recognizes that communities are anxious about tire crumb used in recreational areas. As questions have arose, federal, state, and local government agencies have responded by conducting studies and so far the results have not shown exposures of concern. But new data and analysis are needed about children's health risks from exposures and as the use and variety of tire crumb in turf fields has changed. A plan to identify and address these gaps in research is underway. Communities could also consider contacting their local health officials with questions.

While future studies are being conducted, communities that need to make decisions to repair and/or replace their tire crumb playing fields, can consider alternate materials that are available; and

WHEREAS, California's Office of Environmental Health Hazard Assessment is planning to conduct a comprehensive evaluation of crumb rubber; and

WHEREAS, the Edmonds City Council is hopeful that, in the near future, this evaluation and other studies will be conducted into human exposure and the impact on human health from crumb rubber; and

WHEREAS, City staff should monitor the status of these crumb rubber studies; and

WHEREAS, during this period of uncertainty, the Edmonds City Council is mindful that alternatives to SBR playfields exist that do not present as many health concerns as SBR;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Definitions.

The following definitions shall apply to Section 2 of this ordinance:

A. SBR. "SBR" is an athletic field material consisting of recycled tires consisting of styrene-butadiene rubber. It is commonly known as "crumb rubber." It is used as an infill material and/or as a base layer under the infill.

B. Publicly-owned athletic fields. A "publicly-owned athletic field" is an athletic field owned by a city, county, school district, port district, hospital district, other special purpose district or government entity.

Section 2. SBR Prohibition.

For as long as this ordinance remains in effect, it shall be unlawful to:

- A. Install SBR on publicly-owned athletic fields already existing within the City of Edmonds if those fields have not already been converted to an SBR composition;
- B. Install SBR on new public-owned athletic fields within the City of Edmonds;
- C. Install SBR on existing publicly-owned SBR athletic fields within the City of Edmonds as part of a substantial renovation of such existing SBR fields, PROVIDED THAT, for maintenance purposes, infill top dressing of existing SBR fields shall be allowed as needed to keep an appropriate amount of the fiber exposed and to maintain proper infill depth.

Section 3. Additional Analysis. To determine whether the duration of the above prohibition should be extended, the city council directs that the following additional analysis occur during 2016:

- A. Monitor the status of ongoing and new research into the health effects of SBR;
- B. Engage an independent consultant with appropriate expertise to review the research that has been completed;
- C. Provide a report to the city council sometime in 2016 that will allow for the risks associated with crumb rubber to be reassessed based on the latest authoritative information.
- D. Conduct a public hearing in June of 2017 to determine whether this ordinance should be extended.

Section 4. Sunset. Unless the effective duration of this ordinance is extended by a subsequently adopted ordinance, the provisions of this ordinance shall be null, void, and of no force and effect on or after July 11, 2017.

Section 5. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This ordinance is subject to referendum and shall take effect thirty (30) days after final passage of this ordinance.

APPROVED:

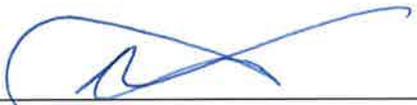
  
MAYOR DAVE EARLING

ATTEST/AUTHENTICATED:

  
CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY   
\_\_\_\_\_  
JEFF TARADAY

FILED WITH THE CITY CLERK:	December 4, 2015
PASSED BY THE CITY COUNCIL:	December 8, 2015
PUBLISHED:	December 13, 2015
EFFECTIVE DATE:	January 12, 2016
ORDINANCE NO.	4013

**SUMMARY OF ORDINANCE NO. \_4013**

of the City of Edmonds, Washington

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On the 8<sup>th</sup> day of December, 2015, the City Council of the City of Edmonds, passed Ordinance No. 4013. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, PROHIBITING FOR EIGHTEEN MONTHS THE INSTALLATION OF STYRENE-BUTADIENE RUBBER (ALSO KNOWN AS SBR OR "CRUMB RUBBER") ON PUBLICLY-OWNED ATHLETIC FIELDS WITHIN THE CITY OF EDMONDS; AND DIRECTING THAT ADDITIONAL ANALYSIS BE CONDUCTED ON THE POSSIBLE NEGATIVE IMPACTS FROM SUCH INSTALLATIONS OF SBR UPON HUMAN HEALTH AND THE ENVIRONMENT.

The full text of this Ordinance will be mailed upon request.

DATED this 9<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
CITY CLERK, SCOTT PASSEY

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Kathleen Landis being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH673320 ORD. 4013, 4014 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 12/13/2015 and ending on 12/13/2015 and that said newspaper was regularly distributed to its subscribers during all of said period.

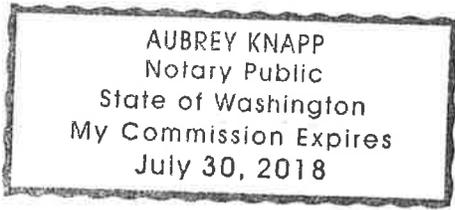
The amount of the fee for such publication is \$46.44.

Kathleen Landis (handwritten signature)

Subscribed and sworn before me on this 14 day of December, 2015.

Aubrey Knapp (handwritten signature)

Notary Public in and for the State of Washington.



SUMMARY OF ORDINANCES

of the City of Edmonds, Washington

On the 8th day of December, 2015, the City Council of the City of Edmonds, passed the following Ordinances. Summaries of the content of said ordinances consisting of titles are provided as follows:

ORDINANCE NO. 4013

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, PROHIBITING FOR EIGHTEEN MONTHS THE INSTALLATION OF STYRENE-BUTADIENE RUBBER (ALSO KNOWN AS SBR OR "CRUMB RUBBER") ON PUBLICLY-OWNED ATHLETIC FIELDS WITHIN THE CITY OF EDMONDS; AND DIRECTING THAT ADDITIONAL ANALYSIS BE CONDUCTED ON THE POSSIBLE NEGATIVE IMPACTS FROM SUCH INSTALLATIONS OF SBR UPON HUMAN HEALTH AND THE ENVIRONMENT

ORDINANCE NO. 4014

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING THE BUDGET FOR FISCAL YEAR COMMENCING JANUARY 1, 2016; ADOPTING AMENDMENTS TO THE CAPITAL FACILITIES PLAN ELEMENT OF THE COMPREHENSIVE PLAN; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE

The full text of these Ordinances will be mailed upon request.  
DATED this 9th day of December, 2015.

CITY CLERK, SCOTT PASSEY  
EDH673320

Published: December 13, 2015.

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