

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, PROHIBITING FOR ONE YEAR 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.

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 the 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 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, 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 infill material consisting recycled tires consisting of styrene-butadiene rubber. It is commonly known as "crumb rubber."

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 infill;

B. Install SBR on new public-owned athletic fields within the City of Edmonds.

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.

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 January 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:

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NO. _____

SUMMARY OF ORDINANCE NO. _____

of the City of Edmonds, Washington

On the ____ day of _____, 2015, the City Council of the City of Edmonds, passed Ordinance No. _____. 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 ONE YEAR 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 ____ day of _____, 2015.

CITY CLERK, SANDRA S. CHASE