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Introduced by: Barden

Proposed No.: 93-401

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ORDINANCE NO. **10942**

AN ORDINANCE relating to collection of household recyclables and yard waste in unincorporated King County; expanding the areas in which collection services shall be provided; requiring separation of yard waste from refuse; and amending Ordinance 8891, Section 3, as amended; Ordinance 9928, Sections 2-3, 5, 7, 9, and 10, as amended; K.C.C. 10.04.020; and K.C.C. 10.18.010, .020, .040, .060, .080, and .090.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 8891, Section 3, as amended, and K.C.C. 10.04.020 are hereby amended to read as follows:

Definitions. The following definitions shall apply in the interpretation and enforcement of this title:

A. "Agricultural wastes" means non-dangerous wastes on farms resulting from the production of agricultural products including but not limited to manures and carcasses of dead animals weighing each or collectively in excess of fifteen pounds.

B. "Asbestos-containing waste material" means any waste that contains asbestos. This term includes, but is not limited to, asbestos waste from control devices, contaminated clothing, asbestos waste material, materials used to enclose the work area during an asbestos project, and bags or containers that previously contained asbestos.

C. "Ashes" means the residue including any air pollution control equipment flue dusts from combustion or incineration of material including solid wastes.

D. "Bulky waste" means large items of refuse, such as appliances, furniture, and other oversize wastes which would typically not fit into reusable solid waste containers.

E. "Certified hauler or certificated hauler" means any person engaged in the business of solid waste handling having a certificate granted by the Washington Utilities and

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1 Transportation Commission for that purpose.

2 F. "Charitable organization" means any organization which
3 meets the following criteria: must be defined by the Internal
4 Revenue Service as a 501(c)3 charitable organization; must be
5 engaged as a primary form of business in the processing of
6 abandoned goods for resale or reuse; and must have an account
7 with the solid waste division.

8 G. "Clean soils and clean dredge spoils" means soils and
9 dredge spoils which are not dangerous wastes or problem wastes
10 as defined in this chapter.

11 H. "Commercial hauler" means any person, firm or
12 corporation including but not limited to "certified hauler," as
13 defined herein, collecting or transporting solid waste for hire
14 or consideration.

15 I. "Compacted waste" means any solid waste whose volume
16 is less than in the loose condition as a result of compression.

17 J. "Controlled solid waste" means all solid waste
18 generated, collected or disposed within the unincorporated
19 areas of King County and all solid waste generated, collected
20 or disposed within any other jurisdiction with which a solid
21 waste interlocal agreement, as defined herein, exists.

22 K. "Dangerous wastes" means any solid waste designated as
23 dangerous waste by the Washington State Department of Ecology
24 under chapter 173-303 WAC.

25 L. "Demolition wastes" means solid waste, largely inert
26 waste resulting from the demolition, razing or construction of
27 buildings, roads, and other man-made structures. Demolition
28 waste consists of, but is not limited to, concrete, brick,
29 bituminous concrete, wood and masonry, composition roofing and
30 roofing paper, steel, and minor amounts of other metals like
31 copper. Plaster (i.e., sheet rock or plaster board) or any
32 other material that is likely to produce gases or a leachate
33 during the decomposition process and asbestos wastes are not
34 considered to be demolition waste for the purposes of this
35 chapter.

36 M. "Designated interlocal forum" means a group of
37 representatives of unincorporated King County and of

1 incorporated cities and towns within King County designated by
2 the council of King County and by interlocal agreement with the
3 cities in King County to discuss solid waste issues and
4 facilitate regional interlocal cooperation in solid waste
5 management.

6 N. "Disposal" means the discharge, deposit, injection,
7 dumping, leaking, or placing of any solid waste into or on any
8 land or water.

9 O. "Disposal facility" is a disposal site or interim
10 solid waste handling facility. This includes, but is not
11 limited to, transfer stations included as part of the county
12 disposal system, landfills, incinerators, composting plants,
13 and facilities for the recycling or recovery of resources from
14 solid wastes or the conversion of the energy from such wastes
15 to more useful forms or combinations thereof.

16 P. "Disposal site" means a site or sites approved by the
17 council of King County where any final treatment, utilization,
18 processing or disposition of solid waste occurs.

19 Q. "Disposal system" means the system of disposal
20 facilities, rules and procedures established pursuant to this
21 title.

22 R. "Drop box facility" means a facility used for the
23 placement of a detachable solid waste container, i.e., drop
24 boxes, including the area adjacent for necessary entrance and
25 exit roads, unloading, and turnaround areas. Drop box
26 facilities normally serve the general public with loose loads
27 and receive waste from off-site. Drop box facilities may also
28 include containers for separated recyclables.

29 S. "Division" means the solid waste division of the King
30 County public works department.

31 T. "Energy resource recovery" means the recovery of
32 energy in a usable form from mass burning or refuse derived
33 fuel incineration, pyrolysis or any other means of using the
34 heat of combustion of solid waste that involves high
35 temperature (above 1200 degrees Fahrenheit) processing.

36 U. "Garbage" means unwanted animal and vegetable wastes
37 and animal and vegetable wastes resulting from the handling,

1 preparation, cooking and consumption of food, swill, and
2 carcasses of dead animals and of such a character and
3 proportion as to be capable of attracting or providing food for
4 vectors, except sewage and sewage sludge.

5 V. "Hazardous wastes" means and includes, but is not
6 limited to explosives, medical wastes, radioactive wastes,
7 pesticides and chemicals which are potentially harmful to the
8 public health or the environment. Unless otherwise defined by
9 the King County board of health, such waste shall have the
10 meaning as defined by the Washington State Department of
11 Ecology and the Washington Administrative Code.

12 W. "Hazardous waste management plan" means a plan for
13 managing moderate risk wastes, pursuant to RCW 70.105.220.

14 X. "Health department" means the Seattle-King County
15 health department.

16 Y. "Health officer" means the King County director of
17 public health, or his authorized agent.

18 Z. "Industrial solid wastes" means waste by-products from
19 manufacturing and fabricating operations such as scraps,
20 trimmings, packing, and other discarded materials not otherwise
21 designated as dangerous waste under Chapter 173-303 WAC.

22 AA. "Interim solid waste handling facility" means any
23 interim treatment, utilization or processing site engaged in
24 solid waste handling which is not the final disposal site.
25 Transfer stations, drop boxes, baling and compaction sites,
26 source separation centers, intermediate processing facilities,
27 mixed waste processing facilities and treatment facilities are
28 considered interim solid waste handling sites.

29 BB. "Intermediate processing facility" means any facility
30 that sorts mixed recyclables from source separation programs to
31 divide them into individual component recyclable materials or
32 to process them for marketing.

33 CC. "King County Solid Waste Advisory Committee" means the
34 committee formed pursuant to King County Ordinance 6862 and
35 RCW Chapter 70.95 to advise the county on solid waste
36 management planning, assist in the development of programs and
37 policies concerning solid waste management, and review and

1 comment on the plan and other proposed solid waste management
2 rules, policies or ordinance prior to adoption.

3 DD. "Landclearing wastes" means solid wastes resulting
4 from the clearing of land for new construction and includes,
5 but is not limited to, stumps and other vegetation, rocks, mud
6 and other plant or mineral wastes.

7 EE. "Landfill" means a disposal site or part of a site at
8 which waste is placed in or on land and which is not a
9 landspreading disposal facility.

10 FF. "Landspreading disposal facility" means a facility
11 that applies sludge or other solid wastes onto or incorporates
12 solid waste into the soil surface at greater than vegetative
13 utilization and soil conditioners/immobilization rates.

14 GG. "Liquid" means a substance that flows readily and
15 assumes the form of its container but retains its independent
16 volume.

17 HH. "Littering" means to accumulate, or place, throw,
18 deposit, put into or in any land or water or otherwise dispose
19 of refuse including rubbish, ashes, garbage, dead animals,
20 industrial refuse, commercial waste and all other waste
21 material of every kind and description in any manner except as
22 authorized by this chapter.

23 II. "Manager" means the manager of the solid waste
24 division of the department of public works of King County.

25 JJ. "Medical waste" means all waste so defined by the King
26 County board of health rules and regulations.

27 KK. "Mixed municipal solid waste" means waste consisting
28 of solid waste generated by residences, stores, offices, and
29 other generators of wastes that are not industrial,
30 agricultural, or demolition wastes.

31 LL. "Mixed waste processing" means sorting of solid waste
32 after collection from the point of generation in order to
33 remove recyclables from the solid waste to be disposed.

34 MM. "Mobile yard waste facility" means a yard waste
35 facility requiring no above-grade construction and established
36 on a temporary basis. For the purposes of Section 10.12.020, a
37 mobile yard waste facility shall be considered to be a disposal

1 site without scales.

2 NN. "Moderate risk waste" means:

3 1. any waste that exhibits any of the properties of
4 hazardous waste but is exempt from regulation under RCW Chapter
5 70.105 solely because the waste is generated in quantities
6 below the threshold for regulation, and

7 2. any household wastes which are generated from the
8 disposal of substances identified by the department of ecology
9 as hazardous household substances.

10 OO. "Multi-family structure" means any residential
11 structure designed exclusively for occupancy by two or more
12 families living independently of each other receiving solid
13 waste collection service as an entire structure or complex and
14 the structure or complex is billed for solid waste collection
15 service as a whole and not by individual dwelling units.

16 PP. "Noncommercial user" means any person not engaged in
17 the business of solid waste handling.

18 QQ. "Operating hours" means those times during which
19 disposal facilities are normally open and available for the
20 delivery of solid wastes.

21 RR. "Person" means any individual, association, firm,
22 corporation, partnership, political subdivision, municipality,
23 government agency, industry, public or private corporation, or
24 any other entity.

25 SS. "Plan" means the coordinated comprehensive solid waste
26 management plan for the county as required by RCW Chapter
27 70.95.

28 TT. "Problem wastes" means:

29 1. soils removed during the cleanup of a remedial
30 action site, or a dangerous waste site closure or other cleanup
31 efforts and actions and which contain harmful substances but
32 are not designated dangerous wastes, or

33 2. dredge spoils resulting from the dredging of surface
34 waters of the state where contaminants are present in the
35 dredge spoils at concentrations not suitable for open water
36 disposal and the dredge spoils are not dangerous wastes and are
37 not regulated by the Federal Clean Water Act.

1 UU. "Procurement policy" means the development and
2 implementation of a policy which achieves the purchase of
3 products made from recycled and/or recyclable goods.

4 VV. "Receivers" means persons who will reuse recyclables
5 and to whom source separated recyclables for which a market
6 does not presently exist can be delivered at little or no cost
7 in order to avoid landfilling the materials pending development
8 of economic markets.

9 WW. "Reclamation site" means a location used for the
10 processing or the storage of recycled waste.

11 XX. "Recyclables" means any material that can be kept out
12 of or recovered from solid waste and the resources therein be
13 transformed and/or reused including, but not limited to, mixed
14 paper, newsprint, cardboard, aluminum, glass, plastics,
15 chemicals, oil, wood, compostable organics (food and yard
16 debris), ferrous metal, and inorganics (rubble and inert
17 material).

18 YY. "Recycling" means either source separation or the
19 processing of solid waste mechanically or by hand to segregate
20 materials for sale or reuse. Materials which can be removed
21 through recycling include but are not limited to mixed paper,
22 newsprint, cardboard, aluminum, glass, plastics, chemicals,
23 oil, wood, compostable organics (food and yard debris), ferrous
24 metal, and inorganics (rubble and inert material). Recycling
25 does not include combustion of solid waste or preparation of a
26 fuel from solid waste.

27 ZZ. "Refuse" means garbage, rubbish, ashes, swill and all
28 other putrescible and nonputrescible wastes, except sewage,
29 from all public and private establishments and residences.

30 AAA. "Regional approach" means the development and
31 implementation of a solid waste management program in
32 cooperation with municipalities in King County and with other
33 counties within the Puget Sound area.

34 BBB. "Regional direct" means any solid waste transported
35 to Cedar Hills disposal site by conventional long haul transfer
36 vehicles, transporting from solid waste transfer stations solid
37 waste generated and collected in King County.

1 CCC. "Reuse" means the return of a commodity into the
2 economic stream for use.

3 DDD. "Rubbish" means all nonputrescible wastes from all
4 public and private establishments and from all residences.

5 EEE. "Secured load" means a load of solid waste which has
6 been secured or covered in the vehicle in a manner that will
7 prevent any part of the solid waste from leaving the vehicle
8 while the vehicle is moving.

9 FFF. "Self-hauler" means all vehicles that are neither
10 passenger licensed vehicles nor vehicles used by solid waste
11 collection entities in their solid waste collection operations.

12 GGG. "Single family dwelling" means any residential unit
13 receiving solid waste collection service as an individual unit
14 and the dwelling is billed for solid waste collection service
15 as an individual dwelling.

16 HHH. "Solid waste" means all putrescible and
17 nonputrescible solid and semisolid wastes, except wastes
18 identified in WAC 173-304-015, including but not limited to
19 garbage, rubbish, ashes, industrial wastes, swill, demolition
20 and construction wastes, abandoned vehicles or parts thereof,
21 discarded commodities, sludge from wastewater treatment plants
22 and septage from septic tanks, woodwaste, dangerous waste, and
23 problem wastes. This includes all liquid, solid and semisolid
24 materials which are not the primary products of public,
25 private, industrial, commercial, mining and agricultural
26 operations. Unrecovered residue from recycling operations
27 shall be considered solid waste.

28 III. "Solid waste collection entity" means every person
29 or his lessees, receivers, or trustees, owning, controlling,
30 operating or managing vehicles used in the business of
31 transporting solid waste for collection and/or disposal for
32 compensation including all certified haulers, or any city using
33 its own employees, or any company operating pursuant to a
34 contract with or franchise from a city performing solid waste
35 collection services within the city.

36 JJJ. "Solid waste interlocal agreement" means an
37 agreement between a city and the county for use of King County

1 disposal system for solid waste generated or collected within
2 the city.

3 KKK. "Solid waste management" means the systematic
4 administration of activities which provide for the reduction in
5 generated volume, source separation, collection, storage,
6 transportation, transfer, recycling, processing, treatment and
7 disposal of solid waste. This includes public education and
8 marketing activities.

9 LLL. "Source separation" means the process of separating
10 recyclable materials from material which will become solid
11 waste at its source.

12 MMM. "Suspect waste" means any waste the manager suspects
13 may be unauthorized waste.

14 NNN. "Swill" means every refuse accumulation of animal,
15 fruit or vegetable matter, liquid or otherwise, that attend the
16 preparation, use, cooking, dealing in or storing of meat, fish,
17 fowl, fruit and vegetables, except coffee grounds.

18 OOO. "Transfer station" means a staffed, fixed,
19 supplemental collection and transportation facility used by
20 persons and route collection vehicles to deposit collected
21 solid waste from off-site into a larger transfer vehicle for
22 transport to a permanent disposal site. It may also include
23 recycling facilities.

24 PPP. "Unauthorized waste" means waste which is waste not
25 acceptable for disposal at any or a specific disposal facility
26 according to applicable rules and regulations or a
27 determination of the manager.

28 QQQ. "Uncompacted waste" means any solid waste in an
29 uncompressed or loose condition.

30 RRR. "Unincorporated ((urban)) service area" means a
31 geographical area of ((urban)) unincorporated King County
32 designated to receive solid waste, recyclables, and yard waste
33 collection services.

34 SSS. "Waste reduction" means reducing the amount or type
35 of waste generated.

36 TTT. "Woodwaste" means solid waste consisting of wood
37 pieces or particles generated as a by-product resulting from

1 the handling and processing of wood, including, but not limited
2 to, hog fuel, sawdust, shavings, chips, bark, small pieces of
3 wood, stumps, limbs and any other material composed largely of
4 wood which has no significant commercial value at the time in
5 question, (but shall not include slash developed from logging
6 operations unless disposed of on a different site), and does
7 not include wood pieces or particles containing chemical
8 preservatives such as creosote, pentachlorophenol, or
9 copper-chrome-arsenate.

10 UUU. "Yard waste" means a compostable organic material
11 generated in yards or gardens, including but not limited to,
12 leaves, grass, branches, prunings, and clippings of woody and
13 fleshy plants and unflocked Christmas trees, but shall not
14 include rocks, dirt or sod, concrete, asphalt, bricks,
15 landclearing wastes, demolition wastes, woodwaste or food
16 waste.

17 VVV. "Yard waste facility" means a facility used by
18 county residents to deposit source separated yard waste.

19 SECTION 2. Ordinance 9928, Section 2, as amended, and
20 K.C.C. 10.18.010 are hereby amended to read as follows:

21 Minimum levels of residential recyclables collection. The
22 minimum levels of service and WUTC regulation of certificated
23 haulers, pursuant to RCW 81.77, shall continue for five years
24 from the effective date of Ordinance 9928 (May 30, 1991). The
25 minimum level of service for residential recycling programs in
26 unincorporated ((urban)) service areas of King County, as
27 defined in Attachment ((A to Ordinance 9928)) B, dated March
28 30, 1993, to this ordinance, shall include the following:

29 A. Single family recyclables collection.

30 1. Recyclables collection services shall, at a
31 minimum, be available to all single family dwellings in
32 unincorporated ((urban)) service areas of the county.

33 2. Participation in these programs shall be
34 voluntary.

35 3. Materials. The following recyclable materials, at
36 a minimum, shall be collected from single family dwellings.

37 a. Newspaper - printed groundwood newsprint

1 including glossy advertisements and supplemental magazines that
2 are delivered with the newspaper.

3 b. Clear, amber, and green empty, clean glass
4 containers. Plate glass, ceramics, or mirror glass will not be
5 collected.

6 c. Clean tin-coated steel cans.

7 d. Clean aluminum cans and foil.

8 e. Mixed waste paper, including most types of clean
9 and dry paper which fall into high and low grade categories
10 including glossy papers, magazines, catalogs, phone books,
11 cards, laser-printed white ledger paper, windowed envelopes,
12 paper with adhesive labels, paper bags, wrapping paper, packing
13 paper, chipboard such as cereal boxes and shoe boxes, and
14 glossy advertising paper.

15 f. Cardboard - clean corrugated cardboard and kraft
16 paper, including unbleached, unwaxed paper with a ruffled
17 ("corrugated") inner liner. Cardboard does not include
18 chipboard such as cereal boxes and shoe boxes.

19 g. PET plastics - clean and empty polyethylene
20 terephthalate bottles [Society of Plastics Industry (SPI) code
21 1], including clear 1- and 2-liter soda bottles, as well as
22 some bottles for liquor, liquid cleaners, and detergents.

23 h. HDPE plastics - clean and empty high-density
24 polyethylene bottles [Society of Plastics Industry (SPI) code
25 2] including milk, juice, and water jugs, as well as bottles
26 for laundry detergent, fabric softener, and lotion.

27 4. Collection schedule. The recyclable materials
28 listed in Subsection A.3 shall be collected at least twice a
29 month on the same day of the week as solid waste collection.

30 a. The certificated hauler may request an exception
31 to this requirement for all or part of their service area.

32 b. The request must be submitted in writing to the
33 division and include, at a minimum, the following information:
34 the location of the area affected; the number of customers
35 affected; the alternative collection schedule; and the reasons
36 supporting the request.

37 c. The division will determine whether to allow the

1 hauler's request based on demonstration that: the number of
2 customers affected is minimized; program participation will not
3 be adversely affected; substantial cost savings will accrue due
4 to the alternative collection schedule; and other information
5 presented in the request.

6 5. Collection Containers. Containers for recyclables
7 storage shall be provided by certificated haulers to all single
8 family dwellings. The containers may be provided by the
9 certificated hauler by delivering containers to all single
10 family dwelling units in unincorporated ((urban)) service
11 areas. Alternatively, collection containers may be provided on
12 a sign-up basis according to the notification requirements
13 defined in K.C.C. 10.18.040A. Delivery of containers to all
14 single family dwellings is preferable to a sign-up system.

15 a. The containers shall be sufficient in number and
16 type to hold all recyclables accumulated between collections.

17 b. The containers must be made of durable materials
18 that will last a minimum seven years under normal use. Plastic
19 materials used in the construction of recycling containers
20 shall be durable, ultraviolet light stabilized and manufactured
21 using recycled or post-consumer materials. Collection
22 containers shall contain a minimum of at least ten percent
23 postconsumer material unless the certificated hauler can
24 demonstrate evidence to the division that such material is
25 unavailable. Plastic bags, or bags made of other material,
26 shall not be used as containers.

27 c. All containers shall contain information about
28 the proper preparation of materials and include the telephone
29 number and name of the certificated hauler.

30 d. A container delivery schedule shall be provided
31 to the county at the initiation of the project to allow for
32 coordination of its promotional and educational efforts.
33 Containers will be delivered to program participants at least
34 seven (7) days prior to the initiation of collection. As new
35 areas of service for the collection of single family
36 recyclables and yard waste are established, the container
37 delivery schedule and actual container delivery requirements

1 described herein shall be adhered to by the certificated
2 haulers.

3 B. Multi-family recyclables collection.

4 1. Recyclables collection services shall, at a
5 minimum, be available to all multi-family structures or
6 complexes in unincorporated ((urban)) service areas of the
7 county.

8 2. Participation in these programs shall be
9 voluntary.

10 3. Materials. At a minimum, all of the recyclable
11 materials listed in Subsection A.3 shall be collected from
12 multi-family structures.

13 4. Collection schedule. The recyclable materials
14 listed in Subsection A.3 shall be collected at least twice a
15 month on a regular schedule.

16 5. Collection containers. Certificated haulers shall
17 provide on-site collection containers for recyclables to multi-
18 family structures or complexes on a sign-up basis according to
19 the notification requirements defined in K.C.C. 10.18.040B.

20 a. The containers shall be sufficient in number and
21 type to hold all recyclables accumulated between collections.

22 b. On-site containers must be made of durable
23 materials that will last a minimum of seven years under normal
24 use. Plastic bags, or bags made of other material, shall not
25 be used as on-site containers.

26 c. All containers shall contain information about
27 the proper preparation of materials and include the telephone
28 number and name of the certificated hauler.

29 d. Containers will be delivered to multi-family
30 structures signed-up for service at least seven (7) days prior
31 to the initiation of collection.

32 C. Single family and multi-family yard waste
33 collection.

34 1. Yard waste collection services shall, at a
35 minimum, be available to all single family dwellings and multi-
36 family structures or complexes in unincorporated ((urban))
37 service areas of the county.

1 2. Participation in these programs shall be
2 voluntary.

3 3. Materials. Yard waste collected from single
4 family dwellings and multi-family structures or complexes shall
5 meet the following specifications:

6 a. With the exception of unflocked Christmas trees,
7 materials larger than two inches in diameter and three feet in
8 length will not be considered yard waste. Unflocked Christmas
9 trees shall be accepted in three foot lengths with no diameter
10 restrictions.

11 4. Collection Schedule. Yard waste shall be
12 collected from single family dwelling units and multi-family
13 structures or complexes at least twice a month during the
14 months of March through November, and at least once a month
15 from December through February. Single family yard waste shall
16 be collected on the same day of the week as solid waste
17 collection.

18 a. The certificated hauler may request an exception
19 to this requirement for all or part of their service area.

20 b. The request must be submitted in writing to the
21 division and include, at a minimum, the following information:
22 the location of the area affected; the number of customers
23 affected; the alternative collection schedule; and the reasons
24 supporting the request.

25 c. The division will determine whether to allow the
26 hauler's request based on demonstration that: the number of
27 customers affected is minimized; program participation will not
28 be adversely affected; substantial cost savings will accrue;
29 and other information presented in the request.

30 5. Collection Containers. Certificated haulers shall
31 offer to provide yard waste containers to single family
32 dwellings and multi-family structures or complexes on a sign-up
33 basis, according to the notification requirements in K.C.C.
34 10.18.040C.

35 a. Certificated haulers may require that customers
36 use containers provided by the certificated hauler or to allow
37 customers to provide their own containers. An additional fee

1 may be charged to the customers electing to lease a yard waste
2 container from a certificated hauler.

3 b. Plastic bags shall not be used as containers.

4 c. Certificated haulers may establish a maximum
5 volume of and/or weight of yard waste that will be accepted for
6 each collection.

7 D. Requirements for separation of yard waste from
8 refuse. 1. Effective October 1, 1993, containers set

9 out at single family dwellings and multi-family structures or
10 complexes in unincorporated service areas for collection of
11 refuse by certificated haulers shall not contain yard waste.

12 2. For the period beginning on August 1, 1993, and
13 ending on September 30, 1993, certificated haulers in
14 unincorporated service areas shall attach a tag on any refuse
15 container set out at a single family dwelling or multi-family
16 structure or complex if yard waste is visible within the
17 container. The tag shall cite the requirements for separating
18 yard waste from refuse contained in this ordinance and provide
19 information about how to obtain yard waste collection service.

20 3. Beginning October 1, 1993, certificated haulers in
21 unincorporated service areas shall not collect any refuse
22 container set out at a single family dwelling or multi-family
23 structure if yard waste is visible within the container and
24 shall attach a tag to the container citing the yard waste
25 source separation requirements contained in this ordinance and
26 providing information about how to obtain yard waste collection
27 service. Haulers shall also attach a tag to any refuse
28 container from which yard waste becomes visible while the
29 container is being emptied into a collection vehicle.

30 ((D))E. Additional minimum level of service provisions.

31 The following provisions shall apply to the collection services
32 described in Subsection A., B., and C.:

33 1. If access to potential program participants is
34 restricted, due to impassable road conditions, alternatives to
35 curbside recyclables collection, such as drop site collection,
36 or modified curbside collection services, which, at a minimum,
37 will include collection from the nearest roadway which is

1 accessible by the hauler's collection vehicle. will be provided
2 by the certificated hauler. If the certificated hauler deems
3 the road conditions are impassable by collection vehicles, the
4 hauler will work with customers to determine a mutually agreed
5 upon location for the collection of recyclables and yard waste.
6 If mutual agreement cannot be reached, collection will occur
7 from the nearest roadway which is accessible by the hauler's
8 collection vehicle. This exception shall not apply to
9 impassable road conditions due to severe weather situations.
10 The certificated hauler will report to the county those areas
11 receiving alternative or modified curbside collection services.

12 2. The certificated haulers shall designate and
13 inform the county and program participants of the holidays that
14 it will observe and the schedule that will be used when a
15 holiday falls on a regular collection day. The certificated
16 hauler shall designate a process for responding to missed
17 collections as a result of inclement or adverse weather
18 conditions.

19 3. Special recyclables collection services shall be
20 provided for those households where there are handicapped or
21 elderly people who cannot move their recycling or yard waste
22 containers to the curb. Households that qualify for this
23 service will be determined by the certificated hauler.

24 4. The certificated haulers shall retain ownership of
25 all containers distributed to program participants.
26 Replacement necessitated by normal use or by container damage
27 due to the certificated haulers negligence shall be the
28 responsibility of the certificated hauler. Replacement
29 necessitated by container damage due to program participant
30 negligence shall be at the program participant's expense.

31 5. The certificated haulers shall use intermediate
32 processing facilities that have obtained all applicable local,
33 state and federal permits. Whenever possible, local markets
34 shall be used to receive recyclables and/or yard waste for
35 purposes of processing, handling or remanufacturing the
36 materials into new products.

37 6. The certificated haulers shall not under any

1 circumstances dispose of marketable recyclables or yard waste
2 by landfilling or incineration. In addition, in no instance
3 shall unmarketable materials be disposed of at a landfill or
4 other disposal facility outside of King County.

5 7. The division will discuss any proposed changes
6 with the certificated haulers prior to proposing any amendments
7 to the list of materials to be collected and/or the
8 unincorporated ((urban)) service area boundaries. However,
9 nothing in this chapter shall prohibit a certificated hauler
10 from exceeding the minimum requirements by collecting
11 additional materials or providing collection services to a
12 larger portion of their franchise area.

13 SECTION 3. Ordinance 9928, Section 3, as amended, and
14 K.C.C. 10.18.020 are hereby amended to read as follows:

15 Solid waste collection and recycling rates. Certificate
16 holders under chapter RCW 81.77 shall use rate structures and
17 billing systems consistent with the solid waste management
18 priorities set forth under RCW 70.95.010 and the minimum levels
19 of solid waste collection and recycling services pursuant to
20 the local comprehensive solid waste management plan, as
21 required by RCW 81.77.

22 A. It is the county's policy that the certificated
23 haulers include the following elements in the tariffs submitted
24 to the WUTC:

25 1. A mini-can (10-20 gallon container) rate to reward
26 people who reduce their level of solid waste collection
27 service.

28 2. A recycling-only rate for program participants who
29 decline solid waste collection service, but participate in
30 recycling programs. Certificated haulers may include a fee to
31 administer billing for this service.

32 3. A yard waste only rate for program participants
33 who decline solid waste collection service, but participate in
34 a yard waste collection program. Haulers may include a fee to
35 administer billing for this service.

36 4. Billing that includes the cost of solid waste and
37 recycling collection services on the same statement, as

1 provided by chapter 81.77 RCW.

2 5. A rate structure designed to provide customers
3 with adequate options and incentives to reduce their level of
4 solid waste collection service as a result of their
5 participation in waste reduction and recycling programs.

6 6. A rate structure that distributes the cost of the
7 single family and multi-family recyclables collection programs
8 among all rate payers in the franchise area where recycling and
9 yard waste services are available.

10 7. A rate structure for single family yard waste
11 collection services that charges only those customers
12 subscribing to the service. To encourage recycling, the cost
13 of yard waste collection shall be less than a comparable unit
14 of solid waste.

15 8. The cost to produce and distribute program
16 promotion and educational materials to customers, in accordance
17 with K.C.C. 10.18.040.

18 9. A monthly administrative fee to compensate the
19 division for the costs of program management and promotional
20 and educational programs. The monthly administrative fee is
21 specified in K.C.C. 10.18.070.

22 10. Reduced solid waste and recyclables collection
23 rates for eligible elderly and low-income program participants,
24 as permitted by the WUTC.

25 B. Certificated haulers shall file tariffs with the
26 Washington Utilities and Transportation Commission (WUTC), with
27 an effective date no later than July 31, 1991, ((with the
28 Washington Utilities and Transportation Commission (WUTC)) for
29 services related to household recyclables and yard waste
30 collection in the unincorporated urban service areas as defined
31 in Attachment A, dated April 24, 1991, to this ordinance.
32 Certificated haulers shall also file tariffs with the WUTC,
33 with an effective date no later than October 1, 1993, for
34 services related to household recyclables and yard waste
35 collection in the unincorporated service areas as defined in
36 Attachment B, dated March 30, 1993, to this ordinance. It is
37 the county's policy that the rates include all elements

1 specified in Subsection A. of this section and be designed to
2 encourage participation in recyclables and yard waste
3 collection programs, in accordance with the plan.

4 C. Whenever certificated haulers file tariffs with the
5 Washington Utilities and Transportation Commission (WUTC), it
6 is the county's policy that the certificated haulers include
7 all elements specified in Subsection A. of this section in the
8 tariffs and that an incentive solid waste collection rate
9 structure be used rather than a strict cost of service rate
10 structure. An incentive solid waste collection rate structure
11 is one that rewards customers who recycle and includes
12 substantial cost differentials between solid waste collection
13 service levels. The tariffs filed shall include the following
14 percentages of increases between levels of service: a minimum
15 of sixty percent between mini and one can; a minimum of forty
16 percent between one and two cans or equivalent; and a minimum
17 of twenty five percent between two and three cans or
18 equivalent. These percentages should apply to the combined
19 charge to the customer for both solid waste and recyclable
20 materials collection. The WUTC is strongly encouraged to
21 approve tariffs that are consistent with the policies set forth
22 in this chapter, and that meet the minimum percentages
23 specified in this section.

24 SECTION 4. Ordinance 9928, Section 5, as amended, and
25 K.C.C. 10.18.040 are hereby amended to read as follows:

26 Program promotion and education requirements.
27 Certificated haulers shall be responsible for distributing
28 promotional and educational materials for their franchise area
29 and for initial as well as subsequent program promotion ((of
30 ~~the programs~~) as new programs and areas of service are
31 established. Promotional and educational materials are those
32 materials prepared for the purpose of encouraging participation
33 and educating residents about the county's recycling collection
34 programs. Materials shall include, but not be limited to, any
35 or all of the following: brochures; mailings; advertisements;
36 radio and television commercials or public service
37 announcements; and displays.

1 A. Single family recyclables collection. The
2 certificated hauler shall provide, at a minimum, the following
3 notifications to all single family dwellings within the portion
4 of their franchise area lying within an unincorporated
5 ((urban)) service area.

6 1. The first notification shall announce availability
7 of service, provide a description of the program, container
8 delivery schedule, recycling hotline phone number(s), and an
9 explanation of the solid waste and recyclables collection rate
10 structure and how program participants can reduce their level
11 of solid waste collection service by participating in
12 collection programs. An optional program sign-up card may be
13 included in the first notification.

14 2. A second notification shall include a schedule of
15 collection days and shall explain materials preparation
16 requirements detailing the required care and handling of
17 recyclables to make them acceptable for collection by the
18 certificated hauler, including, but not limited to, cleaning,
19 sorting, and properly locating recyclables for collection.
20 Recycling hotline phone number(s) must also be provided. This
21 notification may be included with delivered containers.

22 3. Certificated haulers offering collection services
23 on a sign-up basis must continue to notify non-participants of
24 the availability of service at least twice a year until 80
25 percent or more of all single family dwellings are signed-up
26 for service.

27 4. The division may also promote the program to
28 residents of single family dwellings.

29 5. The certificated haulers shall follow the
30 notification requirements listed in this subsection whenever
31 new areas of service and/or new services are added to the
32 single family recyclables collection program.

33 B. Multi-family recyclables collection. The
34 certificated hauler shall provide, at a minimum, the following
35 notifications to all multi-family building owners and managers
36 for the portion of their franchise area lying within an
37 unincorporated ((urban)) service area.

1 1. The first notification shall announce availability
2 of service, provide a description of the program, and a sign-up
3 card or phone number to call for service, and an explanation of
4 the solid waste and recyclables collection rate structure and
5 how program participants can reduce their level of solid waste
6 collection service by participating in collection programs.

7 2. A second notification, included with container
8 delivery, shall include a schedule of collection days and shall
9 explain materials preparation requirements detailing the
10 required care and handling of recyclables to make them
11 acceptable for collection by the certificated hauler,
12 including, but not limited to, cleaning, sorting, and properly
13 locating recyclables for collection. Recycling hotline phone
14 number(s) must also be provided.

15 3. Certificated haulers offering collection services
16 shall notify non-participating building owners and managers of
17 the availability of service at least twice a year until 50
18 percent or more of all multi-family dwellings are signed-up for
19 service.

20 4. The division may promote the program to both
21 tenants and building managers.

22 5. The certificated haulers shall follow the
23 notification requirements listed in this subsection whenever
24 new areas of service and/or new services are added to the
25 multi-family recyclables collection program.

26 C. Single family and multi-family yard waste
27 collection. The certificated hauler shall provide, at a
28 minimum, the following notifications to all single family
29 dwellings and multi-family structures or complexes within the
30 portion of their franchise area lying within an unincorporated
31 ((urban)) service area..

32 1. The first notification shall announce availability
33 of service, provide a description of the program and
34 requirements for separation of yard waste from refuse, and a
35 sign-up card or phone number to call for service, and an
36 explanation of the solid waste and recyclables collection rate
37 structure and how program participants can reduce their level

1 of solid waste collection service by participating in
2 collection programs.

3 2. A second notification, included with container
4 delivery (if the hauler requires the use of their containers),
5 shall include a schedule of collection days and shall explain
6 materials preparation requirements detailing the required care
7 and handling of yard waste to make it acceptable for collection
8 by the certificated hauler. Recycling hotline phone number(s)
9 must also be provided.

10 3. Certificated haulers shall continue to notify non-
11 participants of the availability of single family yard waste
12 collection services and requirements for separating yard waste
13 from refuse at least twice a year until 60 percent or more of
14 all single family dwellings are signed up for service.

15 4. The division may also promote the program to
16 residents of single family dwellings and multi-family
17 structures or complexes.

18 5. The certificated haulers shall follow the
19 notification requirements listed in this subsection whenever
20 new areas of service and/or services are added to the single
21 family and multi-family yard waste collection program.

22 D. Initial notification requirements for separation of
23 yard waste from refuse.

24 1. A notification of the requirements for separating
25 yard waste from refuse contained in this ordinance shall be
26 provided no later than August 31, 1993. For non-participants
27 in yard waste collection programs, the notification shall also
28 announce availability of yard waste collection service and
29 shall provide a description of the program, a sign-up card or
30 phone number to call for service, and an explanation of the
31 solid waste and recyclables collection rate structure and how
32 program participants can reduce their level of solid waste
33 collection service by participating in collection programs.

34 2. Before August 1, 1993, the division shall
35 promulgate promotional materials pertaining to the source
36 separation requirements contained in Section 2 of this
37 ordinance. Promotion may include press releases, direct

1 mailings to affected residents, and distribution of information
2 at county solid waste facilities.

3 ((D))E. All notifications provided by the certificated
4 hauler must be approved by the division. The division shall
5 review notifications for content and accuracy of information,
6 and consistency with materials prepared by the county. Copies
7 of the notifications must be submitted to the division for its
8 review at least three weeks prior to their printing and the
9 division shall return comments within that three week period.

10 ((E))F. King County shall periodically provide the
11 certificated haulers with educational materials to be included
12 with a hauler's mailing or bill. These materials will be
13 designed to encourage participation in the collection programs
14 and to familiarize participants with general waste reduction
15 and recycling concepts. The division and the certificated
16 hauler shall mutually agree upon the number and format of
17 materials to be included in the hauler's mailings. Any
18 material prepared by the division that will be distributed by
19 haulers will be distributed to the haulers for their review
20 three weeks prior to their printing. The hauler shall return
21 any comments on the materials to the division within that three
22 week period.

23 SECTION 5. Ordinance 9928, Section 7, and K.C.C.
24 10.18.060 are hereby amended to read as follows:

25 Reporting requirements.

26 A. The certificated hauler shall submit a report to the
27 division on the fifth day of each month beginning May 1991
28 through July 1991 for the household recyclables and yard waste
29 collection programs established for the service area identified
30 in Attachment A, dated April 24, 1991, to this ordinance. The
31 certificated hauler shall also submit a report to the division
32 on the fifth day of each month, for a period of three months,
33 beginning with the first month of service following the
34 provision of services to the service area identified in
35 Attachment B, dated March 30, 1993, to this ordinance, and any
36 subsequent expansion of services to new areas and/or the
37 provision of new services. The reports will include an

1 implementation schedule for the program and a written summary
2 of progress made to implement the collection programs for the
3 portion of their franchise area lying within an unincorporated
4 ((urban)) service area. The implementation schedule and report
5 will address but not be limited to: a description of container
6 type, status of container and equipment order and delivery;
7 container delivery to program participants; status and content
8 of tariff submittals to the WUTC; and progress made in program
9 promotion.

10 B. Certificated haulers shall, on a monthly basis,
11 provide the county with information to evaluate the
12 effectiveness of the programs. The reports will contain
13 monthly, quarterly, and annual data in a format and medium
14 determined by the division. At a minimum, the monthly service
15 reports shall include the following information for each
16 service area and for each service:

17 1. Weekly and monthly set-out counts by routes,
18 programs and service area. Set-out count is the number of
19 dwelling units that make the contents of their recyclables
20 and/or yard waste collection containers available for
21 collection.

22 2. Average pounds of recyclables and yard waste
23 collected per set-out.

24 3. Summaries of tons of all recyclables and yard
25 waste collected, by material.

26 4. Location of intermediate processing facility(ies)
27 and materials types delivered to these facilities.

28 5. Summaries of tons of all recyclables sold, by
29 material.

30 6. Summary of tons of contaminated recyclables and
31 yard waste disposed of at a county solid waste facility, and
32 which solid waste facility received it.

33 7. For each franchise area located within the
34 ((urban)) unincorporated service areas, as defined by this
35 chapter:

36 a. The total number of single family solid waste
37 collection customers;

1 b. The total number of multi-family complexes
2 receiving solid waste collection service, and the number of
3 units within those complexes;

4 c. The total number of single family dwellings
5 receiving recyclables and/or yard waste collection services;

6 d. The total number of multi-family complexes
7 receiving recyclables collection services and the location of
8 these complexes.

9 8. Summaries of tons of all solid waste collected
10 from all single family dwellings and multi-family structures
11 and which King County solid waste facilities received it.

12 9. Any significant changes in patterns of usage of
13 King County solid waste facilities, to be reported to the
14 manager of the division 30 days in advance of the change.

15 10. Log of service complaints received by certificated
16 haulers.

17 11. (~~Location~~) Upon the request of the division, the
18 number of households and geographic location of areas receiving
19 alternatives to or modified curbside recyclables collection due
20 to inaccessibility as permitted in K.C.C. 10.18.010D.1.

21 12. A map at a scale of one (1) inch equals two
22 hundred (200) feet, indicating the areas served and the
23 collection days for each program.

24 13. Upon the request of the division, the number of
25 customers that received notification tags on refuse containers
26 because they contained yard waste.

27 14. Upon the request of the division, the number of
28 customers whose refuse containers were not collected because
29 they contained yard waste.

30 C. Reports shall be submitted to the division by the
31 fifteenth (15th) of each month and will be based on the
32 operation of the programs for the previous month. In addition,
33 annual service reports shall be due within 30 days after the
34 end of the calendar year. In addition to the year end summary
35 of the monthly reporting information, the annual report shall
36 include a summary of program highlights, the effects of changes
37 in services and areas served, problems and measures taken to

1 resolve problems and increase efficiency and participation, an
2 analysis of each program's effectiveness, and an annual tonnage
3 forecast which estimates the total amount of solid waste
4 tonnage for the current year.

5 D. The certificated haulers shall meet with a
6 representative of the solid waste division at a minimum of once
7 per month, beginning in May 1991. All meetings shall be at the
8 discretion of the division.

9 INTRODUCED AND READ for the first time this 24th day
10 of May, 1993.

11 PASSED this 12th day of July, 1993

12 KING COUNTY COUNCIL
13 KING COUNTY, WASHINGTON

14 *Andy Greger*
15 chair

16 ATTEST:

17 *Shirley Mason*
18 Deputy Clerk of the Council

19 APPROVED this 23rd day of July, 1993

20 *Jim Hill*
21 King County Executive

- 22 Attachments:
23 A. Unincorporated Service Areas, dated April 24, 1991
24 B. Unincorporated Service Areas, dated March 30, 1993