

ORDINANCE NO. **10446**

AN ORDINANCE relating to collection of household recyclables and yard waste in unincorporated King County, amending yard waste collection and notification requirements incentive rate structure goals, and administrative fee due dates; prescribing a penalty for late payment of the administrative fee and amending ordinance 9928, Sections 2, 3, 5, and 8, and K.C.C. 10.18.010, K.C.C.10.18.020, K.C.C. 10.18.040, and K.C.C. 10.18.070.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 9928, Section 2 and K.C.C. 10.18.010 is hereby amended to read as follows:

10.18.010 Minimum levels of residential recyclables collection.

The minimum levels of service and WUTC regulation of certificated haulers, pursuant to RCW 81.77, shall continue for five years from the effective date of Ordinance 9928 (May 30, 1991). The minimum level of service for residential recycling programs in unincorporated urban service areas of King County, as defined in Attachment A to Ordinance 9928, shall include the following:

A. Single family recyclables collection.

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

2. Participation in these programs shall be voluntary.

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

a. Newspaper - printed groundwood newsprint including glossy advertisements and supplemental magazines that are delivered with the newspaper.

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

c. Clean tin-coated steel cans.

d. Clean aluminum cans and foil.

1 e. Mixed waste paper, including most types of clean and dry
2 paper which fall into high and low grade categories including glossy papers,
3 magazines, catalogs, phone books, cards, laser-printed white ledger paper,
4 windowed envelopes, paper with adhesive labels, paper bags, wrapping paper,
5 packing paper, chipboard such as cereal boxes and shoe boxes, and glossy
6 advertising paper.

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

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

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

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

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

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

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

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

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

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

19 c. All containers shall contain information about the proper
20 preparation of materials and include the telephone number and name of the
21 certificated hauler.

22 d. A container delivery schedule shall be provided to the
23 county at the initiation of the project to allow for coordination of its
24 promotional and educational efforts. Containers will be delivered to program
25 participants at least seven (7) days prior to the initiation of collection.

26 B. Multi-family recyclables collection.

27 1. Recyclables collection services shall, at a minimum, be
28 available to all multi-family structures or complexes in unincorporated urban
29 service areas of the county.

30 2. Participation in these programs shall be voluntary.

31 3. Materials. At a minimum, all of the recyclable materials
32 listed in Subsection A.3 shall be collected from multi-family structures.
33

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

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

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

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

13 c. All containers shall contain information about the proper
14 preparation of materials and include the telephone number and name of the
15 certificated hauler.

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

19 C. Single family and multi-family yard waste collection.

20 1. Yard waste collection services shall, at a minimum, be
21 available to all single family dwellings and multi-family structures or
22 complexes in unincorporated urban service areas of the county.

23 2. Participation in these programs shall be voluntary.

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

27 a. With the exception of unflocked Christmas trees, materials
28 larger than two inches in diameter and three feet in length will not be
29 considered yard waste. Unflocked Christmas trees shall be accepted in three
30 foot lengths with no diameter restrictions.

1 4. Collection Schedule. Yard waste shall be collected from
2 single family dwelling units and multi-family structures or complexes at least
3 twice a month during the months of March through November, and at least once a
4 month from December through February. Single family ((~~Y~~))yard waste shall be
5 collected on the same day of the week as solid waste collection.

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

8 b. The request must be submitted in writing to the division and
9 include, at a minimum, the following information: the location of the area
10 affected; the number of customers affected; the alternative collection
11 schedule; and the reasons supporting the request.

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

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

20 a. Certificated haulers may require that customers use
21 containers provided by the certificated hauler or to allow customers to
22 provide their own containers. An additional fee may be charged to the
23 customers electing to lease a yard waste container from a certificated hauler.

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

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

27 D. Additional minimum level of service provisions. The following
28 provisions shall apply to the collection services described in Subsection A.,
29 B., and C.:

1 1. If access to potential program participants is restricted, due
2 to impassable road conditions, alternatives to curbside recyclables
3 collection, such as drop site collection, will be provided by the certificated
4 hauler. This exception shall not apply to impassable road conditions due to
5 severe weather situations. The certificated hauler will report to the county
6 those areas receiving alternative curbside collection services.

7 2. The certificated haulers shall designate and inform the county
8 and program participants of the holidays that it will observe and the schedule
9 that will be used when a holiday falls on a regular collection day. The
10 certificated hauler shall designate a process for responding to missed
11 collections as a result of inclement or adverse weather conditions.

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

16 4. The certificated haulers shall retain ownership of all
17 containers distributed to program participants. Replacement necessitated by
18 normal use or by container damage due the certificated haulers negligence
19 shall be the responsibility of the certificated hauler. Replacement
20 necessitated by container damage due to program participant negligence shall
21 be at the program participant's expense.

22 5. The certificated haulers shall use intermediate processing
23 facilities that have obtained all applicable local, state and federal permits.
24 Whenever possible, local markets shall be used to receive recyclables and/or
25 yard waste for purposes of processing, handling or remanufacturing the
26 materials into new products.

27 6. The certificated haulers shall not under any circumstances
28 dispose of marketable recyclables or yard waste by landfilling or
29 incineration. In addition, in no instance shall unmarketable materials be
30 disposed of at a landfill or other disposal facility outside of King County.

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

8 SECTION 2. Ordinance 9928, Section 3C, and K.C.C. 10.18.020 C. is
9 hereby amended by adding thereto and inserting the following:

10 10.18.020 Solid waste collection and recycling rates. Certificate
11 holders under chapter RCW 81.77 shall use rate structures and billing systems
12 consistent with the solid waste management priorities set forth under RCW
13 70.95.010 and the minimum levels of solid waste collection and recycling
14 services pursuant to the local comprehensive solid waste management plan, as
15 required by RCW 81.77.

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

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

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

23 3. A yard waste only rate for program participants who decline solid
24 waste collection service, but participate in a yard waste collection program.
25 Haulers may include a fee to administer the billing for this service.

26 4. Billing that includes the cost of solid waste and recycling
27 collection services on the same statement, as provided by chapter 81.77 RCW.

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

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

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

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

10 9. A monthly administrative fee to compensate the division for the
11 costs of program management and promotional and educational programs. The
12 monthly administrative fee is specified in K.C.C. 10.18.070.

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

15 B. Certificated haulers shall file tariffs, with an effective date no
16 later than July 31, 1991, with the WUTC. It is the county's policy that the
17 rates include all elements specified in Subsection A. of this section and be
18 designed to encourage participation in recyclables and yard waste collection
19 programs, in accordance with the plan.

20 C. Whenever Certificated certificated haulers shall also file tariffs,
21 with an effective date no later than January 1, (1992), with the Washington
22 Utilities and Transportation Commission (WUTC). ~~It~~ it is the county's policy
23 that the certificated haulers include all elements specified in Subsection A.
24 of this section in the tariffs ~~submitted to the WUTC~~ and that an incentive
25 solid waste collection rate structure be used rather than a strict cost of
26 service rate structure. An incentive solid waste collection rate structure is
27 one that rewards customers who recycle and includes substantial cost
28 differentials between solid waste collection service levels. The tariffs
29 filed shall include the following percentages of increases between levels of
30 service: a minimum of sixty percent between mini and one can; a minimum of
31
32
33

1 forty percent between one and two cans or equivalent; and a minimum of twenty
2 five percent between two and three cans or equivalent. These percentages
3 should apply to the combined charge to the customer for both solid waste and
4 recyclable materials collection. The WUTC is strongly encouraged to approve
5 tariffs that are consistent with the policies set forth in this chapter, and
6 that meet the minimum percentages specified in this section.

7 SECTION 3. Ordinance 9928, Section 5 and K.C.C. 10.18.040 is hereby
8 amended to read as follows:

9 10.18.040 Program promotion and education requirements. Certificated
10 haulers shall be responsible for distributing promotional and educational
11 materials for their franchise area and for initial promotion of the programs.
12 Promotional and educational materials are those materials prepared for the
13 purpose of encouraging participation and educating residents about the
14 county's recycling collection programs. Materials shall include, but not be
15 limited to, any or all of the following: brochures; mailings; advertisements;
16 radio and television commercials or public service announcements; and
17 displays.

18 A. Single family recyclables collection. The certificated hauler shall
19 provide, at a minimum, the following notifications to all single family
20 dwellings within the portion of their franchise area lying within an
21 unincorporated urban service area.

22 1. The first notification shall announce availability of service,
23 provide a description of the program, container delivery schedule, recycling
24 hotline phone number(s), and an explanation of the solid waste and recyclables
25 collection rate structure and how program participants can reduce their level
26 of solid waste collection service by participating in collection programs. An
27 optional program sign-up card may be included in the first notification.

28 2. A second notification shall include a schedule of collection days
29 and shall explain materials preparation requirements detailing the required
30 care and handling of recyclables to make them acceptable for collection by the
31
32
33

1 certificated hauler, including, but not limited to, cleaning, sorting, and
2 properly locating recyclables for collection. Recycling hotline phone
3 number(s) must also be provided. this notification may be included with
4 delivered containers.

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

9 4. The division may also promote the program to residents of single
10 family dwellings.

11 B. Multi-family recyclables collection. The certificated hauler shall
12 provide, at a minimum, the following notifications to all multi-family
13 building owners and managers for the portion of their franchise area lying
14 within an unincorporated urban service area.

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

20 2. A second notification, included with container delivery, shall
21 include a schedule of collection days and shall explain materials preparation
22 requirements detailing the required care and handling of recyclables to make
23 them acceptable for collection by the certificated hauler, including, but not
24 limited to, cleaning, sorting, and properly locating recyclables for
25 collection. Recycling hotline phone number(s) must also be provided.

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

30 4. The division may promote the program to both tenants and building
31 managers.

1 C. Single family and multi-family yard waste collection. The
2 certificated hauler shall provide, at a minimum, the following notifications
3 to all single family dwellings and multi-family structures or complexes within
4 the portion of their franchise area lying within an unincorporated urban
5 service area.

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

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

17 3. Certificated haulers shall continue to notify non-participants of
18 the availability of single family yard waste collection services at least
19 twice a year until 60 percent or more of all single family dwellings are
20 signed up for service.

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

23 D. All notifications provide by the certificated hauler must be approved
24 by the division. The division shall review notifications for content and
25 accuracy of information, and consistency with materials prepared by the
26 county. Copies of the notifications must be submitted to the division for its
27 review at least three weeks prior to their printing and the division shall
28 return comments within that three week period.

1 E. King County shall periodically provide the certificated haulers with
2 educational materials to be included with a hauler's mailing or bill. These
3 materials will be designed to encourage participation in the collection
4 programs and to familiarize participants with general waste reduction and
5 recycling concepts. The division and the certificated hauler shall mutually
6 agree upon the number and format of materials to be included in the hauler's
7 mailings. Any material prepared by the division that will be distributed by
8 haulers will be distributed to the haulers for their review three weeks prior
9 to their printing. The hauler shall return any comments on the materials to
10 the division within that three week period.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33


1 SECTION 4. Ordinance 9928, Section 8 and K.C.C. 10.18.070 is hereby
2 amended to read as follows:

3 County administrative fee. The county hereby imposes a fee, as permitted by
4 RCW 36.58.045, upon solid waste collection service on certificated haulers
5 operating within the unincorporated areas of the county to fund the
6 administration and planning expenses to comply with the requirements in RCW
7 70.95.090. A monthly administrative fee of twenty-two (22) cents per
8 customer, or its equivalent, shall be collected by the certificated haulers to
9 compensate the division for the costs of program management and promotional
10 and educational programs. The revenue collected through the administrative
11 fee shall be remitted to the division on a quarterly basis on the following
12 dates: (~~March 31,; June 30; October 31; December 31.~~) April 30, for the
13 quarter of January through March; July 31, for the quarter of April through
14 June; October 31, for the quarter of July through September; and January 31,
15 for the quarter of October through December. A late payment penalty equal to
16 one and one-half percent of the delinquent unpaid balance, compounded monthly,
17 shall be assessed on the delinquent unpaid balance of those accounts in
18 arrears.

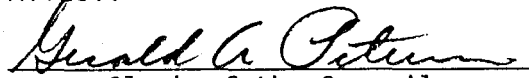
19 INTRODUCED AND READ for the first time this 16th day of March, 1992.

20 PASSED this 29th day of June, 1992.


21 KING COUNTY COUNCIL
22 KING COUNTY, WASHINGTON,

23 
24 VICE Chairman

25 ATTEST:

26 
27 Clerk of the Council

28 APPROVED this 9th day of JULY, 1992

29 
30 King County Executive

31 KM:kc
32 u/ordkaren