



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 9, 2003

Ordinance 14811

Proposed No. 2003-0459.2

Sponsors Sullivan

1 AN ORDINANCE relating to solid waste division
2 facilities, operations and finance; setting fees and providing
3 for the setting of fees; making technical corrections;
4 amending Ordinance 12076, Section 2, as amended, and
5 K.C.C. 4.04.020, Ordinance 12076, Section 3, as amended,
6 and K.C.C. 4.04.030, Ordinance 12076, Section 5, as
7 amended, and K.C.C. 4.04.200, Ordinance 7159, Section
8 13, as amended, and K.C.C. 4.04.250, Ordinance 12076,
9 Section 13, as amended, and K.C.C. 4.08.045, Ordinance
10 8891, Section 3, as amended, and K.C.C.10.04.020,
11 Ordinance 7708, Section 1 (part), as amended, and
12 K.C.C.10.08.020, Ordinance 7708, Section 1 (part), as
13 amended, and K.C.C.10.08.040, Ordinance 7708, Section 1
14 (part), and K.C.C.10.08.080, Ordinance 8108, Section 3, as
15 amended, and K.C.C.10.10.020, Ordinance 8108, Section
16 4, as amended, and K.C.C.10.10.030, Ordinance 12564,
17 Section 2, and K.C.C.10.12.021, Ordinance 800, Section 3,

18 as amended, and K.C.C.10.12.030, Ordinance 7012,
19 Section 7, as amended, and K.C.C.10.12.055, Ordinance
20 800, Section 3 (part), as amended, and K.C.C.10.12.060,
21 Ordinance 7786 Section 2, and K.C.C.10.14.020,
22 Ordinance 7786, Section 5, and K.C.C.10.14.040,
23 Ordinance 7786, Section 3, and K.C.C.10.14.050,
24 Ordinance 7786, Section 7, and K.C.C. 10.14.080,
25 Ordinance 9240, Section 1, and K.C.C. 10.16.010,
26 Ordinance 9240, Section 2, and K.C.C. 10.16.020,
27 Ordinance 9240, Section 3, and K.C.C. 10.16.030,
28 Ordinance 9240, Section 6, as amended, and
29 K.C.C.10.16.060, Ordinance 9240, Section 9, and K.C.C.
30 10.16.090, Ordinance 9240, Section 16, and K.C.C.
31 10.16.160, Ordinance 9240, Section 17, and K.C.C.
32 10.16.170, Ordinance 9240, Section 18, and K.C.C.
33 10.16.180, Ordinance 9928, Section 2, as amended, and
34 K.C.C.10.18.010, Ordinance 9928, Section 3, as amended,
35 and K.C.C.10.18.020, Ordinance 9928, Section 4, and
36 K.C.C.10.18.030, Ordinance 9928, Section 5, as amended,
37 and K.C.C. 10.18.040, Ordinance 9928, Section 6, and
38 K.C.C. 10.18.050; Ordinance 9928, Section 7, as amended,
39 and K.C.C. 10.18.060, Ordinance 7737, Section 2, as
40 amended, and K.C.C.10.24.020 and Ordinance 12076,

41 Section 9, as amended, and K.C.C. 4.08.015, adding a new
42 sections to K.C.C. chapter 4.04, adding a new section to
43 K.C.C. chapter 10.08, adding a new section to K.C.C.
44 chapter 10.10 and adding a new section to K.C.C. 10.14
45 and repealing Ordinance 6177, Section 2, as amended, and
46 K.C.C. 10.12.020, Ordinance 9271, Section 14, and K.C.C.
47 10.12.022, Ordinance 6177, Section 4, as amended, and
48 K.C.C.10.12.025, Ordinance 7786, Section 4, and K.C.C.
49 10.14.060, Ordinance 7786, Section 6, and K.C.C.
50 10.14.070, Ordinance 9240, Section 4, and K.C.C.
51 10.16.040, Ordinance 9240, Section 5, as amended, and
52 K.C.C. 10.16.050, Ordinance 9240, Section 7, as amended,
53 and K.C.C. 10.16.070, Ordinance 9240, Section 8, and
54 K.C.C. 10.16.080, Ordinance 9240, Section 10, and K.C.C.
55 10.16.100, Ordinance 9240, Section 11 and K.C.C.
56 10.16.110, Ordinance 9240, Section 12, and K.C.C.
57 10.16.120, Ordinance 9240, Section 13, and K.C.C.
58 10.16.130, Ordinance 9240, Section 14, and K.C.C.
59 10.16.140, Ordinance 9240, Section 15, and K.C.C.
60 10.16.150, Ordinance 9928, Section 9, and K.C.C.
61 10.18.080, Ordinance 9928, Section 10, and K.C.C.
62 10.18.090, Ordinance 11949, Section 2, and K.C.C.
63 10.22.005, Ordinance 11949, Section 3, and K.C.C.

64 10.22.015, Ordinance 11949, Section 4, as amended, and
65 K.C.C. 10.22.025, Ordinance 11949, Section 5, as
66 amended, and K.C.C. 10.22.035, Ordinance 11949, Section
67 6, and K.C.C. 10.22.045, Ordinance 11949, Section 7, and
68 K.C.C. 10.22.055, Ordinance 11949, Section 8, and K.C.C.
69 10.22.065 and Ordinance 11949, Section 9, and K.C.C.
70 10.22.075.

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73 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

74 SECTION 1. Findings. The council makes the following findings:

75 A. The primary mission of the King County solid waste division is to maximize
76 ratepayer value by ensuring that citizens of King County have access to efficient and
77 reliable regional solid waste handling and disposal services at rates as low as reasonably
78 possible, consistent with sound environmental stewardship of our region.

79 B. King County owns and operates a solid waste system, including transfer and
80 disposal facilities for the benefit of its residents and businesses.

81 C. All cities in the county other than Seattle and Milton have entered into
82 interlocal agreements with the county. Under the agreements, the county has agreed to
83 assume responsibility for the provision of solid waste management, planning, transfer and
84 disposal services for solid waste generated within those cities.

85 D. The interlocal agreements also provide that the county indemnifies the cities
86 against claims arising out of the county's operation of its solid waste system.

87 E. King County operates its solid waste system in accordance with a
88 comprehensive solid waste management plan developed in conjunction with all of the
89 cities that are part of the King County solid waste system.

90 F. Under both the Comprehensive Plan and the interlocal agreements, a
91 fundamental purpose of the county's solid waste system is to ensure the protection and
92 enhancement of the public's health, safety and general welfare and the environment. This
93 purpose may be accomplished by: avoiding traffic congestion at disposal facilities;
94 ensuring that any person who uses the county's disposal system complies with applicable
95 regulations for disposal of county solid waste; working cooperatively with any person
96 using the county's disposal system to ensure that the county's operations are efficient and
97 environmentally sound; and taking other appropriate actions.

98 G. The interlocal agreements provide that all waste delivered to the King County
99 solid waste system for disposal must meet applicable environmental requirements. In
100 turn, King County agrees to dispose of all solid waste collected within the cities in
101 compliance with all applicable federal, state and local environmental health laws, rules or
102 regulations.

103 H. For many years, the county-owned Cedar Hills regional landfill in Maple
104 Valley has enabled King County residents and businesses to benefit from waste disposal
105 rates that are among the very lowest in the region.

106 I. The county should continue to use the Cedar Hills regional landfill until it
107 reaches capacity, to maximize the public sector investment in that facility. After Cedar
108 Hills closes, the county will continue to operate the regional waste transfer system, but
109 disposal of the county's waste will be privatized.

110 J. The privatization of the county's solid waste disposal will move approximately
111 fifty million dollars in annual business from the public sector to the private sector.

112 K. The solid waste division must make significant operational changes to prepare
113 for closing the Cedar Hills landfill and exporting more than one million tons of solid
114 waste annually to a private landfill or landfills outside of King County. These changes
115 include upgrading transfer station operations to include compaction facilities and
116 securing intermodal capacity.

117 L. Operational efficiencies based on best business practices in the solid waste
118 division are critical to maximizing value for ratepayers through the closure of Cedar Hills
119 and beyond.

120 M. To meet the challenges of waste export while continuing to provide maximum
121 value to ratepayers, the solid waste division needs the flexibility to respond to market
122 conditions like a private business, while continuing to be accountable to the public.

123 N. The solid waste strategic vision to meet these challenges is to:

- 124 1. Ensure the efficient provision of regional solid waste services;
- 125 2. Maximize value for ratepayers both by promoting competition in the private
126 solid waste market and by obtaining public-sector efficiencies; and
- 127 3. Work in partnership with cities and other stakeholders to protect health,
128 safety, and the environment.

129 O. Fragmentation of the region's waste stream works against competitive pricing
130 of disposal, reduces economies of scale of handling and could lead to reduced public
131 access to services and higher rates. Therefore, the county should continue to ensure the

132 integration of the county's solid waste system, operate the public transfer stations and
133 provide regional transport within the county's service area.

134 P. Curbside service is the most efficient means of collecting solid waste. In
135 partnership with cities and others, incentives or other means should be provided to
136 encourage greater use of curbside collection.

137 Q. To maintain reasonable rates and ensure fairness among classes of customers,
138 the division should efficiently provide levels of service consistent with the demand, costs
139 and benefits of the services.

140 R. K.C.C. Title 10, governing the solid waste division, has not been amended
141 comprehensively for many years and contains outdated provisions and operational
142 requirements that need to be updated, consistent with the Comprehensive Plan and
143 interlocal agreements, to enable the division to meet the challenges of waste export and
144 maximizing ratepayer value.

145 SECTION 2. Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020 are
146 each hereby amended to read as follows:

147 **Definitions.** ~~The ((following terms as used in this chapter shall, unless the~~
148 ~~context clearly indicates otherwise, have the respective meanings in this section))~~
149 definitions in this section apply throughout this chapter unless the context clearly requires
150 otherwise.

151 A. "Acquisition of right of way" or "land acquisition" means funds budgeted for
152 the purchase of property rights, excluding county force charges of the ~~((real property))~~
153 facilities management division.

154 B. "Adopted" means approval by council motion or ordinance.

155 C. "Agency" means every county office, every officer, ~~((each))~~ every institution,
156 whether educational, correctional or other, and every department, division, board and
157 commission, except as otherwise provided in this chapter.

158 D. "Allocation" means a part of a lump sum appropriation that is designated for
159 expenditure by either specific organization unit ~~((and/))~~ or specific purposes, or both.

160 E. "Allotment" means a part of an appropriation that may be encumbered or
161 expended during an allotment period.

162 F. "Allotment period" means a period of less than a fiscal year during which an
163 allotment is effective.

164 G. "Appropriations" means an authorization granted by the council to make
165 expenditures and to incur obligations for specific purposes.

166 H. "Appropriation ordinance" means the ordinance that establishes the legal level
167 of appropriation for a fiscal year.

168 I. "Art" means funds budgeted for ~~((the one percent for))~~ art ~~((program))~~ under
169 K.C.C. chapter 4.40 or as otherwise provided by ordinance for a public art program.

170 J. "Budget" means a proposed plan of expenditures for a given period or purpose
171 and the proposed means for financing these expenditures.

172 K. "Budget document" means a formal, written, comprehensive financial
173 program presented by the executive to the council.

174 L. "Capital improvement plan" means a plan that establishes the capital
175 improvements required to implement an approved operational master plan. This plan
176 should extend over a minimum period of six years to define long-range capital

177 improvement requirements and the annual capital improvements budget for a user
178 agency.

179 1. The capital improvement plan shall include the following elements, where
180 applicable:

181 a. general program requirements that define the development scope for specific
182 sites or facilities;

183 b. general space and construction standards;

184 c. prototype floor plans and prototype facility designs for standard
185 improvements;

186 d. space requirements based on the adopted county space plan;

187 e. initial, and life-cycle cost, of alternative facilities and locations including
188 lease and lease/purchase approaches;

189 f. approximate location of planned capital improvements;

190 g. general scope and estimated cost of infrastructure;

191 h. a schedule, that extends over a minimum of six years, for the
192 implementation of projects included in capital improvement plans, based on overall user
193 agency priorities and projected available revenue;

194 2. The user agency shall prepare the elements of the plan in subsection L.1. a, d,
195 f and h of this section. The implementing agency shall prepare the elements of this plan
196 in subsection L.1. b, c, e and g of this section.

197 3. The six-year budget schedule included in the capital improvement plan shall
198 be updated annually in conjunction with the capital budget adoption process.

199 M. "Capital project" means a project with a scope that includes one or more of
200 the following elements, all related to a capital asset: acquisition of either a site or
201 existing structure, or both; program or site master planning; design and environmental
202 analysis; construction; major equipment acquisition; reconstruction; demolition; or major
203 alteration. "Capital project" includes a: project program plan; scope; budget by task; and
204 schedule. The project budget, conceptual design, detailed design, environmental studies
205 and construction elements of a project shall be prepared or managed by the implementing
206 agency.

207 N. "CIP" means capital improvement program.

208 O. "CIP exceptions notification" means, except for major maintenance reserve
209 fund, roads, solid waste, surface water management and wastewater (~~(and surface water~~
210 ~~management))~~) CIP projects, a letter filed with the clerk of the council for distribution to
211 the chair of the budget and fiscal management committee, or its successor committee,
212 which describes changes to an adopted CIP project's scope or schedule, or both, or total
213 project cost and, with the exception of schedule changes, shall be sent in advance of any
214 action. For major maintenance reserve fund CIP projects, "exceptions notification"
215 means a letter filed with the clerk of the council for distribution to the chair of the budget
216 and fiscal management committee, or its successor committee, that describes changes of
217 fifteen percent or more to an adopted CIP project's scope or schedule, or both, or total
218 project costs and, with the exception of schedule changes, shall be sent in advance of any
219 action. For road CIP projects, "exceptions notification" means a letter filed with the clerk
220 of the council for distribution to the chair of the transportation committee, or its successor
221 committee, that describes changes of fifteen percent or more to an adopted CIP project's

222 scope or schedule, or both, or total project costs and, with the exception of schedule
223 changes, shall be sent in advance of any action. For wastewater, solid waste and surface
224 water management CIP projects, "exceptions notification" means a letter filed with the
225 clerk of the council for distribution to the chair of the budget and fiscal management
226 committee, or its successor committee, and to the chair of the utilities committee, or its
227 successor committee, which describes changes of fifteen percent or more to an adopted
228 CIP project's scope or schedule, or both, or total project costs and, with the exception of
229 schedule changes, shall be sent in advance of any action.

230 P. "Construction" means funds budgeted for CIP project construction including
231 contract construction, contract inspection and testing and, as appropriate, construction
232 tasks performed by county forces.

233 Q. "Contingency" means funds budgeted for unanticipated CIP project costs
234 associated with any other project activities.

235 R. "Contracted design" or "preliminary engineering" means funds budgeted for
236 activities of a contract nature associated with all CIP project phases through bid
237 advertising. Included are contracts for feasibility studies, planning, studies, preliminary
238 design, construction drawings, bid specifications and on-site inspections.

239 S. "Cost elements" means CIP budgeting activities related to construction,
240 contracted design, preliminary engineering, acquisition of right of way, equipment and
241 furnishings, contingency, artistic furnishings, county force design, county force right of
242 way, project administration or other activities as provided by the council.

243 T. "Council" means the metropolitan King County council.

244 U. "County force design" means funds budgeted for CIP project design or design
245 review by county personnel.

246 V. "County force right of way" means funds budgeted for real property costs
247 associated with CIP land acquisition.

248 W. "Deficit" means the excess of expenditures over revenues during an
249 accounting period, or an accumulation of such excesses over a period of years.

250 X. "Director" means the director of the office of management and budget.

251 Y. "Equipment and furnishings" means all costs for the purchase of equipment
252 and furnishings associated with CIP project construction.

253 Z. "Executive" means the King County executive, as defined by Article 3 of the
254 King County Charter.

255 AA. "Expenditures" means, where the accounts are kept on the accrual basis or
256 the modified accrual basis, the cost of goods delivered or services rendered, whether paid
257 or unpaid, including expenses, provisions for debt retirement not reported as a liability of
258 the fund from which retired, and capital outlays. Where the accounts are kept on the cash
259 basis, "expenditures" means actual cash disbursements for these purposes.

260 BB. "Financial plan" means a summary by fund of planned revenues and
261 expenditures, reserves and undesignated fund balance.

262 CC. "Fund" an independent fiscal and accounting entity with a self-balancing set
263 of accounts recording either cash or other resources, or both, together with related
264 liabilities, obligations, reserves and equities that are segregated for the purpose of
265 carrying on specific activities or attaining certain objectives in accordance with special
266 regulations, restrictions or limitations.

267 DD. "Fund balance" means the excess of the assets of a fund over its liabilities
268 and reserves except in the case of funds subject to budgetary accounting where, before
269 the end of a fiscal period, it represents the excess of the fund assets and estimated
270 revenues for the period over its liabilities, reserves and appropriations for the fiscal
271 period.

272 EE. "General facility major maintenance emergent need contingency project"
273 means an appropriation to provide contingent budget authority for emergent needs within
274 major maintenance reserve fund CIP projects.

275 FF. "Implementing agency" means the appropriate department and division
276 responsible for the administration of CIP projects.

277 GG. "Lapse" of an appropriation means an automatic termination of an
278 appropriation.

279 HH. "Major maintenance reserve fund CIP project" means any major
280 maintenance reserve fund CIP project that is allocated in the adopted six-year major
281 maintenance reserve fund CIP and is appropriated at the major maintenance reserve fund
282 level in accordance with K.C.C. 4.04.265.

283 II. "Major widening project" means any roads CIP project adding at least one
284 through lane in each direction.

285 JJ. "Object of expenditure" means a grouping of expenditures on the basis of
286 goods and services purchased, such as salary and wages.

287 KK. "Open space non-bond fund project" means an open space project that is
288 allocated in the adopted six-year open space CIP and is appropriated at the open space
289 non-bond fund number 3522 level in accordance with K.C.C. 4.04.300.

290 LL. "Operational master plan" means a comprehensive plan for an agency setting
291 forth how the organization will operate now and in the future. An operational master
292 plan shall include the analysis of alternatives and their life cycle costs to accomplish
293 defined goals and objectives, performance measures, projected workload, needed
294 resources, implementation schedules and general cost estimates. The operational master
295 plan shall also address how the organization would respond in the future to changed
296 conditions.

297 MM. "Program" means the definition of resources and efforts committed to
298 satisfying a public need. The extent to which the public need is satisfied is measured by
299 the effectiveness of the process in fulfilling the needs as expressed in explicit objectives.

300 NN. "Project administration" means funds budgeted for all county costs
301 associated with administering design and construction contracts on CIP projects.

302 OO. "Project program plan" means a plan, primarily in written narrative form,
303 that describes the overall development concept and scope of work for a building, group of
304 buildings or other facilities at a particular site. The complexity of the project program
305 plan will vary based upon the size and difficulty of the program for a particular site.
306 When the plan includes projects that are phased over time, each phase shall have an
307 updated project program plan prepared by the user agency before project implementation.
308 The project program plan shall be prepared by the user agency with assistance from the
309 implementing agency. The program plan describes the user agency program
310 requirements for a specific building or site; provides the basis for these requirements; and
311 identifies when funds for the implementation of the capital projects will be provided.
312 The program plan shall elaborate on the general program information provided in the

313 operational master plan and the capital improvement plan. The plan shall also describe
314 user agency programs, how these programs would fit and function on the site, and the
315 general recommendation of the user agency regarding the appearance of the building or
316 site. This plan shall indicate when a site master plan is required for a project.

317 PP. "Public need" means those public services found to be required to maintain
318 the health, safety and well-being of the general citizenry.

319 QQ. "Quarterly management and budget report" means a report prepared
320 quarterly by the director for major operating and capital funds, ~~((which))~~ that:

- 321 1. Presents executive revisions to the adopted financial plan or plans;
- 322 2. Identifies significant deviations in agency workload from approved levels;
- 323 3. Identifies potential future supplemental appropriations with a brief discussion
324 of the rationale for each potential supplemental;
- 325 4. Identifies significant variances in revenue estimates;
- 326 5. Reports information for each appropriation unit on the number of filled and
327 vacant full-time equivalent and term-limited temporary positions and the number of
328 temporary employees;
- 329 6. Includes the budget allotment plan information required under K.C.C.

330 4.04.060; and

- 331 7. Describes progress towards transitioning potential annexation areas to cities.

332 RR. "Reappropriation" means authorization granted by the council to expend the
333 appropriation for the previous fiscal year for capital programs only.

334 SS. "Regulations" means the policies, standards and requirements, stated in
335 writing, designed to carry out the purposes of this chapter, as issued by the executive and
336 having the force and effect of law.

337 TT. "Revenue" means the addition to assets that does not increase any liability,
338 does not represent the recovery of an expenditure, does not represent the cancellation of
339 certain liabilities on a decrease in assets and does not represent a contribution to fund
340 capital in enterprise and intragovernmental service funds.

341 UU. "Roads CIP project" means roads capital projects that are allocated in the
342 adopted six-year roads CIP and are appropriated at the roads CIP fund level in
343 accordance with K.C.C. 4.04.270.

344 VV. "Scope change" means, except for major maintenance reserve fund, roads,
345 solid waste, surface water management and wastewater CIP projects, that a CIP project's
346 total project cost increases by ten percent or by fifty thousand dollars, whichever is less.
347 For major maintenance reserve fund, roads, solid waste, surface water management or
348 wastewater CIP projects, "scope change" means the total project cost increases by fifteen
349 percent.

350 WW. "Site master plan" means a plan prepared by the implementing agency,
351 with input from the user agency, that describes, illustrates and defines the capital
352 improvements required to provide user agency program elements.

353 1. The site master plan shall include preliminary information regarding, at a
354 minimum:

- 355 a. site analysis, including environmental constraints;
- 356 b. layout, illustration and description of all capital improvements;

- 357 c. project scopes and budgets;
358 d. project phasing; and
359 e. operating and maintenance requirements.

360 2. The site master plan shall be approved by the user agency and the
361 implementing agency before submittal to the executive and council for approval.

362 XX. "Solid waste CIP project" means a solid waste project that is allocated in the
363 adopted six-year solid waste CIP and is appropriated at the solid waste CIP fund level in
364 accordance with section 6 of this ordinance.

365 YY. "Surface water management CIP project" means a surface water
366 management project that is allocated in the adopted six-year surface water management
367 CIP and is appropriated at the surface water management CIP fund level in accordance
368 with K.C.C. 4.04.275.

369 ~~((YY.))~~ ZZ. "User agency" means the appropriate department, division, office or
370 section to be served by any proposed CIP project.

371 ~~((ZZ.))~~ AAA. "Wastewater asset management projects" means the wastewater
372 capital projects identified and intended by the wastewater treatment division to extend
373 and optimize the useful life of wastewater treatment assets, including facilities, structures,
374 pipelines and equipment.

375 ~~((AAA.))~~ BBB. "Wastewater CIP project" means wastewater capital projects that
376 are allocated in the adopted six-year wastewater CIP and are appropriated at the
377 wastewater CIP fund level in accordance with K.C.C. 4.04.280.

378 SECTION 3. Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.030 are
379 each hereby amended to read as follows:

380 **Contents of the budget document.** The budget documents shall include, but not
381 be limited to, data specified in this chapter.

382 A. The budget shall set forth the complete financial plan for the ensuing fiscal
383 year showing planned expenditures((;)) and the sources of revenue from which they are to
384 be financed.

385 1. The budget document shall include the following:

386 a. estimated revenue by fund and by source from taxation;

387 b. estimated revenues by fund and by source other than taxation;

388 c. actual receipts for first six months, January 1 through June 30, of the current
389 fiscal year;

390 d. actual receipts for the last completed fiscal year by fund and by source;

391 e. estimated fund balance or deficit for current fiscal year by fund; and

392 f. such additional information dealing with revenues as the executive and
393 council shall deem pertinent and useful((;-));

394 g. tabulation of expenditures in a comparable form by fund, program project,
395 or object of expenditure for the ensuing fiscal year;

396 h. actual expenditures for the first six months, January 1 through June 30, of
397 the current year;

398 i. actual expenditures for the last completed fiscal year;

399 j. the appropriation for the current year; and

400 k. such additional information dealing with expenditures as the executive and
401 council shall deem pertinent and useful.

402 2. All capital improvement projects and appropriations shall be authorized only
403 by inclusion in the annual council adopted CIP or any amendment thereto. A bond
404 ordinance is not an appropriation for capital projects. The capital improvement section of
405 the budget shall include:

406 a. estimated expenditures for at least the next six fiscal years by program;

407 b. expenditures planned for current, pending, or proposed capital projects
408 during the fiscal year, classified according to proposed source of funds whether from
409 bonds, or any combination of other local, state, federal and private sources;

410 c. an alphabetic index to enable quick location of any project contained in the
411 budget;

412 d. a discrete number for each project that shall serve to identify it within the
413 capital budget document and all accounting reports;

414 e. estimated net annual operating costs associated with each project upon
415 completion or in cases where operating costs are negligible or incalculable, a statement to
416 that effect;

417 f. an identification of all CIP projects by council district in which they are
418 located;

419 g. CIP projects funded in the budget year, which shall be presented in separate
420 sections of the budget.

421 (1) Major maintenance reserve fund CIP projects shall be presented in the
422 six-year general CIP program.

423 (2) The appropriation for major maintenance reserve fund CIP projects shall
424 be made at the major maintenance reserve fund level in accordance with K.C.C. 4.04.265.

425 (3) Roads CIP projects shall be presented in the six-year road CIP program.

426 (4) The appropriation for roads CIP projects shall be made at the roads CIP
427 fund level in accordance with K.C.C. 4.04.270.

428 (5) Wastewater CIP projects shall be presented in the six-year wastewater
429 CIP program.

430 (6) The appropriation for wastewater CIP projects shall be made at the
431 wastewater CIP fund level in accordance with K.C.C. 4.04.280.

432 (7) Surface water management CIP projects shall be presented in the six-year
433 surface water management CIP program.

434 (8) The appropriation for surface water management CIP projects shall be
435 made at the surface water management CIP fund level in accordance with K.C.C.
436 4.04.275.

437 (9) Solid waste CIP projects shall be presented in the six-year solid waste CIP
438 program.

439 (10) The appropriation for solid waste CIP projects shall be made at the solid
440 waste CIP fund level in accordance with section 6 of this ordinance;

441 h. in addition to schedule requirements, a statement of purpose and estimated
442 total cost for each project for which expenditures are planned during the ensuing fiscal
443 year;

444 i. the original project cost estimate, which shall remain fixed from year to year.

445 This original cost estimate shall be included in the capital budget document. A project
446 record, separate from the budget document, shall be provided ~~((which))~~ that identifies the
447 original project cost estimate and any subsequent changes ~~((thereto))~~ to the original

448 project cost estimate by cost element and revenue source as approved in the budget
449 document or any amendment to the budget;

450 j. an enumeration of revised project cost estimates;

451 k. funds actually expended for projects as of June 30 of the current year;

452 l. funds previously authorized for the project;

453 m. anticipated specific cost elements within each project. However, the
454 executive is authorized to transfer funds between specific activities within the same
455 project only if these transfers will not result in a necessary increase to the total project
456 budget. A scope change of a project constitutes a revision.

457 (1) A CIP project scope change shall be included in the CIP exceptions
458 notification if total project costs increase by ten percent or by fifty thousand dollars,
459 whichever is less; or if the schedule deviates by three months.

460 (2) For parks CIP projects, a CIP exceptions notification shall be filed with
461 the clerk of the council in advance of action for distribution to the chair of the budget and
462 fiscal management committee, or its successor committee, when fifty thousand dollars or
463 more or funds in excess of ten percent of total project costs, whichever is less, are to be
464 transferred from a contingency project to a CIP project.

465 (3) For major maintenance reserve fund CIP projects, a CIP exceptions
466 notification shall be filed with the clerk of the council in advance of action for
467 distribution to the chair of the budget and fiscal management committee, or its successor
468 committee, when moneys in excess of fifteen percent of the total major maintenance
469 reserve fund CIP project costs are to be transferred from the general facility major
470 maintenance emergent need contingency project.

471 (4) For roads CIP projects, a CIP exceptions notification shall be filed with
472 the clerk of the council in advance of action for distribution to the chair of the
473 transportation committee, or its successor committee, when contingency funds in excess
474 of fifteen percent of total project costs are to be transferred.

475 (5) For ~~((wastewater and))~~ solid waste, surface water management and
476 wastewater CIP projects, a CIP exceptions notification shall be filed with the clerk of the
477 council in advance of action for distribution to the chair of the budget and fiscal
478 management committee, or its successor committee, and chair of the utilities committee,
479 or its successor committee, when contingency funds in excess of fifteen percent of total
480 project costs are to be transferred;

481 n. individual allocations by cost element for each capital project; and

482 o. when a single fund finances both operating expenses and capital projects,
483 there shall be separate appropriations from the fund for the operating and the capital
484 sections of the budget.

485 B.1. The budget message shall explain the budget in fiscal terms and in terms of
486 goals to be accomplished and shall relate the requested appropriation to the
487 Comprehensive Plan of the county.

488 2. The total proposed expenditures shall not be greater than the total proposed
489 revenue. However, this requirement shall not prevent the liquidation of any deficit
490 existing on January 1, 1996.

491 3. If the estimated revenues in the current expense, special revenue~~((;))~~ or debt
492 service funds for the next ensuing fiscal period, together with the fund balance for the
493 current fiscal period exceeds the applicable appropriations proposed by the executive for

494 the next ensuing fiscal period, the executive shall include in the budget document
495 recommendations for the use of the excess for the reduction of indebtedness, for the
496 reduction of taxation or for other purposes as in his or her discretion shall serve the best
497 interests of the county.

498 4. If, for any applicable fund, the estimated revenues for the next ensuing period
499 plus fund balance shall be less than the aggregate of appropriations proposed by the
500 executive for the next ensuing fiscal period, the executive shall include in the budget
501 document his or her proposals as to the manner in which the anticipated deficit shall be
502 met, whether by an increase in the indebtedness of the county, by imposition of new
503 taxes, by increase of tax rate or in any like manner.

504 C.1. Justification for revenues and expenditures shall be presented in detail when
505 necessary to explain changes of established practices, unique fiscal practices and new
506 sources of revenue or expenditure patterns or any data the executive considers useful to
507 support the budget. The following elements shall be included:

508 a. nonbudgeted departments and programs expenditures and revenues; that is,
509 intragovernmental service funds;

510 b. historical and projected agency workload information; and

511 c. a brief explanation of existing and proposed new programs, as well as the
512 purpose and scope of agency activities.

513 2. Capital improvement program data shall include, but not be limited to, the
514 streets and highway programming process, which shall specify priorities, guide route
515 establishments, select route design criteria and provide detailed design information for
516 each road or bridge project.

517 D.1. Beginning with budget year 2004, the department of executive services shall
518 submit a request for CIP project funding, which shall specify project funding levels on a
519 project-by-project basis, but which shall be appropriated at the major maintenance
520 reserve fund CIP fund level, stated as an aggregate of individual projects for the budget
521 year in question in accordance with K.C.C. 4.04.266.

522 2. The council may require other data from the department of executive services
523 that the council considers necessary for review of the budget, which may include objects
524 of expenditure and other expenditures categories.

525 E.1. The department of transportation shall submit a request for CIP project
526 funding, which shall specify project funding levels on a project-by-project basis, but
527 which shall be appropriated at the road CIP fund level, stated as an aggregate of
528 individual projects for the budget year in question in accordance with K.C.C. 4.04.270.

529 2. The council may require other data from the department of transportation that
530 the council considers necessary for review of the budget, which may include objects of
531 expenditure and other expenditures categories.

532 F.1. The department of natural resources and parks shall submit a request for CIP
533 project funding, which shall specify project funding levels on a project-by-project basis,
534 but which shall be appropriated at the wastewater CIP fund level, stated as an aggregate
535 of individual projects, including subprojects, for the budget year in question in
536 accordance with K.C.C. 4.04.280. Except for multiyear construction contracts and
537 carryover amounts approved during the annual CIP reconciliation process, appropriations
538 shall be for one year. All construction contracts including multiyear construction
539 contracts shall be appropriated for the full construction amount in the first year. Any
540 multiyear construction contracts longer than three years must be specifically identified in

541 the (~~department of natural resources and parks~~) wastewater CIP budget request. The
542 request for CIP project funding for wastewater asset management shall include categories
543 of wastewater asset management projects. Wastewater asset management projects shall
544 be appropriated annually at the category level. The executive-proposed CIP shall allocate
545 anticipated expenditures for each wastewater asset management project category as part
546 of the six-year wastewater CIP. For each category, a proposed project list will be
547 appended.

548 2. The council may require other data from the department of natural resources
549 and parks that the council considers necessary for review of the budget, which may
550 include objects of expenditures and other expenditures categories.

551 G.1. The department of natural resources and parks shall submit a request for CIP
552 project funding, which shall also specify project funding levels on a project-by-project
553 basis but which shall be appropriated at the surface water management CIP fund level,
554 states as an aggregate of individual projects, including subprojects, for the budget year in
555 question in accordance with K.C.C. 4.04.275. Except for multiyear construction
556 contracts and carryover amounts approved during the annual CIP reconciliation process,
557 appropriations shall be for one year. All construction contracts including multiyear
558 construction contracts shall be appropriated for the full construction amount in the first
559 year. Any multiyear construction contracts longer than three years must be specifically
560 identified in the (~~department of natural resources and parks~~) surface water management
561 CIP budget request.

562 2. The council may require from the department of natural resources and parks
563 other data that that the council considers necessary for review of the budget, which may
564 include objects of expenditure and other expenditures categories.

565 H.1. The department of natural resources and parks shall submit a request for CIP
566 project funding, which shall also specify project funding levels on a project-by-project
567 basis but which shall be appropriated at the solid waste CIP fund level, states as an
568 aggregate of individual projects, including subprojects, for the budget year in question in
569 accordance with section 6 of this ordinance. Except for multiyear construction contracts
570 and carryover amounts approved during the annual CIP reconciliation process,
571 appropriations shall be for one year. All construction contracts including multiyear
572 construction contracts shall be appropriated for the full construction amount in the first
573 year. Any multiyear construction contracts longer than three years must be specifically
574 identified in the solid waste CIP budget request.

575 2. The council may require from the department of natural resources and parks
576 other data that that the council considers necessary for review of the budget, which may
577 include objects of expenditure and other expenditures categories.

578 SECTION 4. Ordinance 12076, Section 5, as amended, and K.C.C. 4.04.200 are
579 each hereby amended to read as follows:

580 **Executive responsibilities.**

581 A.1. The executive shall be responsible for the implementation of all CIP projects
582 pursuant to adopted project budgets and schedules. However, major maintenance reserve
583 fund CIP projects may be implemented in accordance with the major maintenance reserve
584 fund capital improvement budgeting procedures in K.C.C. 4.04.265, road CIP projects
585 may be implemented in accordance with the roads capital improvement budgeting
586 procedures in K.C.C. 4.04.270, ~~((wastewater CIP projects may be implemented in~~
587 ~~accordance with the wastewater capital improvement budgeting procedures in K.C.C.~~
588 ~~4.04.280 and))~~ solid waste CIP projects may be implemented in accordance with the solid

589 waste capital improvement budgeting procedures in section 6 of this ordinance, surface
590 water management CIP projects may be implemented in accordance with the surface
591 water management capital improvement budgeting procedures in K.C.C. 4.04.275 and
592 wastewater CIP projects may be implemented in accordance with the wastewater capital
593 improvement budgeting procedures in K.C.C. 4.04.280.

594 2. At least fifteen days before advertising for construction bids for any capital
595 project, the council chair and councilmembers in whose district construction will take
596 place shall be notified. The notification shall include project identification, advertising
597 dates and a summary description of the work to be performed, though failure to comply
598 with this provision shall not delay bid advertisement.

599 B.1. The executive shall be responsible for implementation of adopted CIP
600 projects to ensure their completion on schedule and within adopted budgets. However,
601 major maintenance reserve fund CIP projects may be reprogrammed in accordance with
602 K.C.C. 4.04.265, roads CIP projects may be reprogrammed in accordance with K.C.C.
603 4.04.270, (~~wastewater CIP projects may be reprogrammed in accordance with K.C.C.~~
604 ~~4.04.280 and~~) solid waste CIP projects may be reprogrammed in accordance with section
605 6 of this ordinance, surface water management CIP projects may be reprogrammed in
606 accordance with K.C.C. 4.04.275 and wastewater CIP projects may be reprogrammed in
607 accordance with K.C.C. 4.04.280.

608 2. The budget for each major maintenance reserve fund CIP project shall not
609 exceed by more than fifteen percent the amount specified for that project in the adopted
610 six-year major maintenance reserve fund CIP, except when the amount is modified by
611 ordinance or in accordance with the CIP exceptions notification process. The budget for

612 each roads CIP project shall not exceed by more than fifteen percent the amount specified
613 for that project in the adopted six-year roads CIP, except when the amount is modified by
614 ordinance or in accordance with the CIP exceptions notification process. The budget for
615 each solid waste, surface water management and wastewater CIP project shall not exceed
616 by more than fifteen percent the amount specified for that project in the adopted six-year
617 solid waste, surface water management or wastewater CIP, except when the amount is
618 modified by ordinance or in accordance with the CIP exceptions notifications process.

619 3. The executive may select consultants on all CIP projects. The executive shall
620 implement this section by establishing rules and procedures that provide for consultant
621 selection, ongoing CIP design review and project implementation.

622 C. All above-grade CIP projects shall be subject to the following process:

623 1. An operational master plan shall be developed by the agency requesting a
624 CIP project in conjunction with the director of the office of management and budget and
625 shall be submitted to the executive and the council for approval;

626 2. A capital improvement plan, based upon the adopted county space plan,
627 where applicable, and the approved operational master plan, shall be developed by the
628 user agency with assistance from the implementing agency and shall be submitted to the
629 executive and the council for approval;

630 3. A project program plan, based upon the adopted county space plan, where
631 applicable, and the approved operational master plan, shall be developed by the user
632 agency, with assistance from the implementing agency, for each requested CIP. This
633 plan shall be submitted to the executive and the council for approval. This plan shall
634 specify which projects will require a site master plan;

635 4. A site master plan shall be developed by the implementing agency, with input
636 from the user agency, for all capital improvements that involve multiple projects, are
637 complex in nature, or are otherwise identified as requiring such a plan in the project
638 program plan. This plan shall be submitted to the executive and council for approval;

639 5. The executive may exempt smaller scale projects from the requirements in
640 subsection C.1 and C.2 of this section((;)) if criteria for granting exemptions are
641 established((;)) and approved by the council((;)) and if the implementing agency certifies
642 the project program plan and related CIP or lease request is in conformance with the
643 adopted county space plan; and

644 6. Capital projects that involve the development of new parks or significant
645 addition to or rehabilitation of existing parks shall require a public meeting in the affected
646 community at the program plan and site master plan stages, before submitting these plans
647 to the executive and council for approval.

648 SECTION 5. Ordinance 7159, Section 13, as amended, and K.C.C. 4.04.250 are
649 each hereby amended to read as follows:

650 **CIP schedule requirements.**

651 A. All CIP appropriation requests from the executive shall include project
652 schedule information for land acquisition, design and construction for each project. All
653 CIP projects involving county staff shall include estimated number of county staff hours
654 in the ensuing fiscal year for each county force project cost element. The estimated
655 schedule, with beginning and ending dates for each of these cost elements, shall be listed
656 by month.

657 B. The requirements in subsection A of this section do not apply to
658 reprogramming appropriations for:

659 1. The major maintenance reserve fund CIP being made at the major
660 maintenance reserve fund level and major maintenance reserve fund CIP projects being
661 reprogrammed, all in accordance with K.C.C. 4.04.265;

662 2. The roads CIP being made at the roads CIP fund level, and roads projects
663 being reprogrammed, all in accordance with K.C.C. 4.04.270 and

664 3. The solid waste, surface water management and wastewater CIPs being made
665 at the solid waste, surface water management and wastewater CIP fund levels, and solid
666 waste, surface water management and wastewater CIP projects being reprogrammed, all
667 in accordance with section 6 of this ordinance, K.C.C. 4.04.275 and ((~~K.C.C.~~) 4.04.280.

668 NEW SECTION. SECTION 6. There is hereby added to K.C. C. chapter 4.04 a
669 new section to read as follows:

670 **Solid waste capital improvement budgeting.**

671 A. This section establishes procedures required for flexible response budgeting
672 provisions applicable to the solid waste CIP beginning in 2004. Except as specifically
673 provided in this section, budgeting for the solid waste CIP shall be performed in
674 accordance with other applicable county law.

675 B. To allow reprogramming flexibility needed to respond in a timely manner to
676 events beyond the control of the solid waste division that result in temporary
677 postponement or acceleration of solid waste CIP projects allocated in the current budget
678 year, and notwithstanding any other provision of county law, current-year budget
679 authorization for the solid waste CIP shall be appropriated at the total CIP fund level

680 rather than CIP project level. Solid waste CIP project budget allocation reallocations
681 may take place during the budget year among the projects specifically adopted in the
682 current six-year solid waste CIP together with carryover projects from previously adopted
683 plans in accordance with the procedures in this section without the need for the enactment
684 of amendatory appropriations ordinances.

685 C.1. Implementation of the solid waste CIP shall be in accordance with the
686 project funding priorities and project funding levels identified in the annual solid waste
687 six-year CIP as adopted by the council. On or before May15 of each year, the solid waste
688 division shall prepare and file with the office of the clerk of the council a solid waste CIP
689 reallocation report. The report shall provide a status report on implementation of all solid
690 waste CIP projects contained in the current adopted six-year solid waste CIP together
691 with those projects carried forward from previously adopted six-year solid waste CIPs,
692 and shall include:

- 693 a. an explanation of significant changes to scope, schedule and impact on work
694 plan and budget since last budget approval;
- 695 b. identification of revisions to milestones and budget for the current year;
- 696 c. a proposal for revisions to scope, budget and schedule for the next six
697 months;
- 698 d. a reallocated solid waste six-year CIP including a revised financial plan, all
699 changes to projects, estimated costs, schedules and scopes of work to be pursued for the
700 current year and programmed in the remaining years of the six-year program;
- 701 e. a justification for each project postponement or acceleration and
702 substitution;

703 f. an accounting summary of the current project status and the amount of
704 unexpended project budget balance by project phase and revenue for each project in the
705 current year of the program;

706 g. the original project cost estimate;

707 h. the revised project cost estimate that is being used as the basis for the
708 current year fund appropriation and six-year CIP; and

709 i. identification of which projects will be ready for implementation in the
710 current budget year within the constraints of the total current year fund appropriation.

711 2. For any current project in the adopted program that is not ready for
712 implementation for reasons beyond the control of the solid waste division or if a project
713 needs to be accelerated, the report shall identify for substitution or postponement one or
714 more projects of comparable budget allocation value from within the current adopted six-
715 year solid waste CIP. If the budget allocation for any project to be postponed or
716 accelerated exceeds the budget allocation of the proposed substituted or postponed
717 project or projects, the difference shall be allocated to or from the solid waste CIP
718 contingency appropriation. A postponed project shall be reallocated to the year in the
719 six-year program from which the project that is identified for substitution was originally
720 programmed. If a suitable CIP project does not exist to receive the reallocated funds, the
721 funds shall remain allocated to the original CIP project.

722 D.1. The reallocation report shall be accompanied by a transmittal letter
723 addressed to the chair of the budget and fiscal management committee or designee, or its
724 successor committee, and the chair of the utilities committee, or its successor committee,
725 and copies of the report and letter shall be filed with the office of the clerk of the council

726 for distribution to each councilmember, to the chair of the budget and fiscal management
727 committee or designee, or its successor committee, to the chair of the utilities committee,
728 or its successor committee, and to the lead staff for the budget and fiscal management
729 committee and for the utilities committee.

730 2. A councilmember who objects to a project reallocation proposed in the
731 reallocation report shall notify the chair of the budget and fiscal management committee,
732 or its successor committee, within fourteen days of the filing of the report. Within thirty
733 days of the filing of the reallocation report, the chair of the budget and fiscal management
734 committee, or its successor committee, shall consider the objections raised and notify the
735 executive in writing which project reallocations may proceed and shall also notify the
736 executive in writing of project reallocations that may not proceed. The chair of the
737 budget and fiscal management committee, or its successor committee, shall file with the
738 clerk of the council a copy of the written notice and send a copy of the notice to any
739 councilmember who raised an objection. The reallocation report takes effect upon receipt
740 by the executive of the written notice. However, if a written notice is not provided by the
741 chair of the budget and fiscal management committee, or its successor committee, within
742 thirty days of the filing of the reallocation report, the report takes effect on the thirty-first
743 day following the filing of the reallocation report.

744 E. Any new project proposed for allocation in the current year that is not included
745 in the current or previously adopted solid waste six-year CIP, or any newly proposed
746 project cost or project scope to be added to a project adopted as part of the solid waste
747 six-year CIP that cannot be accommodated by transfers of contingency funds, may be
748 added to the solid waste CIP after going through the normal appropriation process.

749 Transfers of contingency funds that are required after the solid waste CIP reprogramming
750 report is transmitted to the council shall be reported by the department of natural
751 resources by filing the report with the clerk of the council for distribution to the chair of
752 the budget and fiscal management committee, or its successor committee, and the chair of
753 the utilities committee, or its successor committee, with copies to lead staff for the budget
754 and fiscal management committee and for the utilities committee. Transfers from
755 contingency funds in excess of fifteen percent of the total project cost shall be contingent
756 upon written approval by the chair of the budget and fiscal management committee, or its
757 successor committee.

758 F. A solid waste CIP contingency project shall be allocated in the landfill reserve
759 fund and the solid waste construction fund current year fund appropriations to provide
760 contingent budget authority to be used according to the requirements established in this
761 chapter. The solid waste CIP contingency project amount for each fund shall be seven
762 and one-half percent of the current year solid waste CIP budget, but shall not exceed ten
763 million dollars.

764 SECTION 7. Ordinance 12076, Section 13, as amended, and K.C.C. 4.08.045 are
765 each hereby amended to read as follows:

766 **Landfill reserve fund.**

767 A. ((POLICY)) Public necessity requires that the existing system of the county
768 for the disposal of solid waste, together with such extensions, additions or betterments
769 thereto as may from time to time be authorized, ((be)) maintained, conducted, operated
770 and accounted for as a utility of King County. As a financially self-supporting utility, the
771 solid waste system shall set aside reserve ((monies)) moneys for closure, postclosure

772 maintenance, new area development, facility relocation and the improvement,
773 replacement or extension of the life of capital facilities or the acquisition of landfill space
774 outside of King County.

775 B. ~~((ESTABLISHMENT.))~~ There is hereby created a ~~((L))~~landfill ~~((R))~~reserve
776 ~~((F))~~fund for the sole purpose of accumulating and disbursing financial resources for the
777 management and replacement of King County landfills as described in ~~((paragraph E))~~
778 subsection D of this section. The fund shall be a first tier fund. The department of
779 natural resources and parks shall be the fund manager.

780 C. ~~((RESPONSIBILITY. The executive shall be responsible for the~~
781 ~~administration of the Landfill Reserve Fund including the preparation and issuance of~~
782 ~~operating procedures deemed necessary to insure the proper administrative~~
783 ~~implementation of the policies governing the purpose and use of the fund.~~

784 D. ~~CLASSIFICATION. The Landfill Reserve Fund shall be classified as a~~
785 ~~capital fund. All amounts designated by the council within the rate structure of the solid~~
786 ~~waste system as earmarked for the Landfill Reserve Fund shall be collected as prescribed~~
787 ~~by the rate structure. These earmarked))~~ The executive's proposed annual budget shall
788 specify a per-ton amount, included within the solid waste disposal fees approved by
789 council, that shall be used to fund the landfill reserve fund and an associated transfer
790 from the solid waste fund to the landfill reserve fund. The funds shall be transferred and
791 credited to the ~~((L))~~landfill ~~((R))~~reserve ~~((F))~~fund within thirty-five days of the end of the
792 month in which the solid waste disposal action occurred.

793 ~~((E. USE OF FUND.))~~ D. All ~~((funds))~~ moneys deposited into the ~~((L))~~landfill
794 ~~((R))~~reserve ~~((F))~~fund ~~((pursuant to))~~ in accordance with this section shall be

795 appropriated and used only for the management and replacement of King County landfills
796 as follows:

- 797 1. Landfill closure and site restoration, including design work.
- 798 2. Reserve ~~((monies))~~ moneys for post~~((--))~~closure maintenance including but
799 not limited to environmental monitoring, leachate pretreatment, gas extraction~~((;))~~ and
800 site maintenance.
- 801 3. Facility relocation of existing support facilities as existing landfill disposal
802 areas are closed and new areas developed, including design work.
- 803 4. New area development to provide new disposal areas within a landfill,
804 including design work.
- 805 5. Facilities or programs to improve, replace or extend the life of system capital
806 facilities or to acquire additional landfill space outside of King County.

807 ~~((F. EARNINGS. All earnings derived from specific investment of funds
808 accumulated in the Landfill Reserve Fund shall be deposited and credited to the Landfill
809 Reserve Fund.~~

810 ~~G. ESTABLISH FUND. The executive is hereby authorized to establish and
811 activate a capital fund, entitled "Landfill Reserve," for the purpose described in paragraph
812 A of this section and in accordance with the specific policies contained in paragraphs B,
813 C, D, E, and F of this section.))~~

814 SECTION 8. Ordinance 8891, Section 3, as amended, and K.C.C.10.04.020 are
815 each hereby amended to read as follows:

816 **Definitions.** The ~~((following))~~ definitions ~~((shall apply in the interpretation and
817 enforcement of this title))~~ in this section apply throughout this title unless the context
818 clearly requires otherwise:

819 A. "Adjunct transfer station" means a privately owned and operated collection
820 and transportation facility authorized by the county to receive, consolidate and deposit
821 mixed municipal solid waste into larger transfer vehicles for transport to and disposal at
822 county-authorized disposal sites.

823 B. "Agricultural wastes" means nondangerous wastes on farms resulting from the
824 production of agricultural products including, but not limited to, manures and carcasses
825 of dead animals weighing each or collectively in excess of fifteen pounds.

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

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

833 E. "Biomedical waste" means carcasses of animals exposed to pathogens,
834 biosafety level 4 disease waste, cultures and stocks of etiologic agents, human blood and
835 blood products, pathological waste, sharps waste and other waste determined to be
836 infectious by the generator's infection control staff(~~/~~) or committee.

837 F. "Bulky waste" means large items of refuse, such as appliances, furniture and
838 other oversize wastes (~~which~~) that would typically not fit into reusable solid waste
839 containers.

840 G. "Burn ban area" means an area of King County that the Puget Sound Clean
841 Air Agency has designated as a carbon monoxide nonattainment area where the burning

842 of woody debris and other materials has been prohibited, except in limited circumstances,
843 to protect public health and the environment.

844 H. "CDL" means construction, demolition and land-clearing waste ~~((as defined in~~
845 ~~this chapter))~~.

846 I. "CDL receiving facility" means any properly licensed or permitted facility that
847 is designated by the county as the facility to which nonrecyclable CDL waste, including
848 residual CDL waste, is required to be delivered ~~((pursuant to))~~ under the King County
849 Code.

850 J. "CDL recycling facility" means any properly licensed or permitted facility at
851 which materials are removed from mixed CDL waste for the purpose of reuse or
852 remanufacture.

853 K. ~~((("CDL waste" means construction, demolition and land-clearing waste as~~
854 ~~defined in this chapter.~~

855 ~~L.))~~ "Certified hauler or certificated hauler" means any person engaged in the
856 business of solid waste handling having a certificate granted by the Washington Utilities
857 and Transportation Commission for that purpose.

858 ~~((M.))~~ L. "Charitable organization" means any organization ~~((which))~~ that meets
859 the following criteria: must be defined by the Internal Revenue Service as a 501(c)3
860 charitable organization; must be engaged as a primary form of business in the processing
861 of abandoned goods for resale or reuse; and must have an account with the solid waste
862 division.

863 ~~((N.))~~ M. "Clean mud and dirt" means mud and dirt that meet the soil cleanup
864 standards of ~~((the Washington Administrative Code ()))~~ WAC~~(())~~ 173-340-740 and
865 ~~((WAC))~~ 173-340-745 as currently enacted and as hereafter amended.

866 ~~((O.))~~ N. "Clean soils and clean dredge spoils" means soils and dredge spoils
867 ~~((which))~~ that are not dangerous wastes or problem wastes ~~((as defined in this chapter))~~.

868 ~~((P.))~~ O. "Clean wood" means stumps and branches over four inches in diameter
869 and construction lumber free of paint, preservatives, metals, concrete~~((;))~~ and other non~~((-~~
870 ~~))~~wood additives or attachments.

871 ~~((Q.))~~ P. "Clean wood collection area" means an area used by county residents,
872 businesses and institutions to deposit source-separated clean wood.

873 ~~((R.))~~ Q. "Closure" means those actions taken by the owner or operator of a solid
874 waste site or facility to cease disposal operations and to ensure that all such facilities are
875 closed in conformance with applicable regulations at the time of ~~((such))~~ the closure and
876 to prepare the site for the postclosure period.

877 ~~((S.))~~ R. "Commercial hauler" means any person, firm or corporation including,
878 but not limited to, certified hauler, collecting or transporting solid waste for hire or
879 consideration.

880 ~~((T.))~~ S. "Compacted waste" means any solid waste whose volume is less than in
881 the loose condition as a result of compression.

882 ~~((U.))~~ T.1. "Construction, demolition, and land-clearing (CDL) waste" means any
883 recyclable or nonrecyclable waste that results from construction, remodeling, repair or
884 demolition of buildings, roads or other structures, or from land-clearing for development,
885 and requires removal from the site of construction, demolition or land clearing. Except

886 where otherwise expressly provided, "CDL waste" or "county CDL waste" means CDL
887 waste generated in the county jurisdiction. CDL waste includes, but is not limited to, the
888 following listed materials:

889 a. "Construction waste," which includes: wood, concrete, drywall, masonry,
890 roofing, siding, structural metal, wire, insulation and other building material; and plastics,
891 styrofoam, twine, baling and strapping materials, cans, buckets and other packaging
892 materials and containers. ((#)) "Construction waste" also includes sand, rocks and dirt
893 that are used in construction and that do not meet the definitions of clean mud and dirt or
894 unacceptable waste;

895 b. "Demolition waste," which includes concrete, asphalt, wood, masonry,
896 roofing, siding, structural metal, wire, insulation and other materials found in demolished
897 buildings, roads and other structures. ((#)) "Demolition waste" also includes sand, rocks
898 and dirt that result from demolition and that do not meet the definitions of clean mud and
899 dirt or unacceptable waste; and

900 c. "Land-clearing waste," which includes natural vegetation and minerals such
901 as stumps, brush, blackberry vines, tree branches, associated dirt and sand, tree bark, sod
902 and rocks.

903 2. "CDL waste" does not include clean mud and dirt, contaminated soil,
904 asbestos-containing waste material containing more than one percent of asbestos by
905 weight, unacceptable waste or any other solid waste which does not meet the definition of
906 CDL waste.

907 ~~((V.))~~ U. "Contaminated soil" is any soil that does not meet the soil cleanup
908 standards of the Washington Administrative Code as currently enacted and as hereafter
909 amended.

910 ~~((W.))~~ ~~"Controlled solid waste" means all solid waste generated, collected or~~
911 ~~disposed within the unincorporated areas of King County and all solid waste generated,~~
912 ~~collected or disposed within any other jurisdiction with which a solid waste interlocal~~
913 ~~agreement exists.~~

914 ~~X.))~~ V. "County jurisdiction" means the geographic area for which King County
915 government has comprehensive planning authority for solid waste management either by
916 law, such as unincorporated areas, ((and/)) or by interlocal agreement, or both.

917 ~~((Y.))~~ W. "County solid waste" means all solid waste generated, collected or
918 disposed within the county jurisdiction.

919 X. "Curbside collection" means the pick-up of recyclables and garbage from a
920 household. This pick-up may be at a curb, end of driveway or alleyway from either a
921 single family or multifamily dwelling.

922 ~~((Z.))~~ Y. "Dangerous wastes" means any solid waste designated as dangerous
923 waste by the Washington state Department of Ecology under chapter 173-303 WAC.

924 ~~((AA.))~~ Z. "Designated interlocal forum" means a group of representatives of
925 unincorporated King County and of incorporated cities and towns within King County
926 designated by the King County council ~~((of King County))~~ and by interlocal agreement
927 with the cities in King County to discuss solid waste issues and facilitate regional
928 interlocal cooperation in solid waste management. ~~((Current i))~~ Interlocal agreements in
929 effect as of the effective date of this ordinance designate the regional policy committee of
930 the King County council as the solid waste interlocal forum.

931 AA. "Director" means the director of the department of natural resources and
932 parks or the director's designee.

933 BB. "Disposal" means the discharge, deposit, injection, dumping, leaking or
934 placing of any solid waste into or on any land or water.

935 CC. "Disposal facility" ~~((is))~~ means a disposal site or interim solid waste
936 handling facility. ~~((This))~~ "Disposal facility" includes, but is not limited to, transfer
937 stations included as part of the county disposal system, intermodal facilities, landfills,
938 incinerators, composting plants and facilities for the recycling or recovery of resources
939 from solid waste~~((s))~~ or the conversion of the energy from ~~((such))~~ solid waste~~((s))~~ to
940 more useful forms or combinations thereof.

941 DD. "Disposal site" means a site or sites approved by the council ~~((of King~~
942 County)) where any final treatment, utilization, processing or disposition of solid waste
943 occurs.

944 EE. "Disposal system" means the system of disposal facilities, rules and
945 procedures established ~~((pursuant to))~~ in accordance with this title.

946 FF. "Diversion rate" means a measure of the amount of waste materials being
947 diverted for recycling compared with the total amount that was previously thrown away.

948 GG. "Division" means the solid waste division of the King County department of
949 natural resources and parks.

950 HH. "Drop box facility" means a facility used for the placement of a detachable
951 solid waste container, such as a drop box, including the area adjacent for necessary
952 entrance and exit roads, unloading and turnaround areas. A ~~((D))~~drop box ~~((facilities))~~
953 facility normally serves the general public with loose loads and receives waste from off-

954 site. ~~A ((D))~~drop box ~~((facilities))~~ facility may also include containers for separated
955 recyclables.

956 ~~((HH. "Division" means the solid waste division of the King County department
957 of natural resources and parks.))~~

958 II. "Franchise area" means a solid waste hauler's territorial collection area, which
959 is delineated in the certificate of convenience and necessity issued by the Washington
960 Utilities and Transportation Commission.

961 JJ. "Garbage" means unwanted animal and vegetable wastes and animal and
962 vegetable wastes resulting from the handling, preparation, cooking and consumption of
963 food, swill and carcasses of dead animals and of such a character and proportion as to be
964 capable of attracting or providing food for vectors, except sewage and sewage sludge.

965 KK. "Hazardous waste((s))" ~~((means and))~~ includes, but is not limited to,
966 explosives, medical wastes, radioactive wastes, pesticides and chemicals which are
967 potentially harmful to the public health or the environment. Unless otherwise defined by
968 the Seattle-King County ~~((board))~~ department of public health, ~~((such))~~ "hazardous
969 waste" ~~((shall have))~~ has the same meaning as defined by the Washington state
970 Department of Ecology and the Washington Administrative Code.

971 LL. "Hazardous waste management plan" means a plan for managing moderate
972 risk wastes, ~~((pursuant to))~~ under RCW 70.105.220.

973 MM. "Health department" means ~~((public health-))~~ the Seattle ~~((&))-~~King
974 County department of public health.

975 NN. "Health officer" means the health department director ~~((,- public health-
976 Seattle & King County))~~ or his or her authorized agent.

977 OO. "Host city" means a city that has a county transfer facility within its
978 incorporated boundaries.

979 PP. "Household hazardous waste" means hazardous waste generated by
980 individuals rather than businesses and institutions.

981 QQ. "Illegal dumping" means disposing of solid waste in any manner other than
982 in a receptacle specifically provided for that purpose in any public place, public road,
983 public park or ~~((any))~~ private property or in the waters of King County, except as
984 authorized by King County or at the official solid waste disposal facility provided by the
985 county.

986 RR. "Industrial solid wastes" means waste byproducts from manufacturing and
987 fabricating operations such as scraps, trimmings, packing and other discarded materials
988 not otherwise designated as dangerous waste under chapter 173-303 WAC.

989 SS. "Interim solid waste handling facility" means any interim treatment,
990 utilization or processing site engaged in solid waste handling ~~((which))~~ that is not the
991 final disposal site. Transfer stations, drop boxes, baling and compaction sites, source
992 separation centers, intermediate processing facilities, mixed waste processing facilities
993 and treatment facilities are considered interim solid waste handling sites.

994 TT. "Intermediate processing facility" means any facility that sorts mixed
995 recyclables from source separation programs to divide them into individual component
996 recyclable materials or to process them for marketing.

997 UU. "King County solid waste advisory committee" means the committee formed
998 in accordance with ~~((King County Ordinance 6862))~~ K.C.C. chapter 10.28 and chapter
999 70.95 RCW to advise the county on solid waste management planning, assist in the

1000 development of programs and policies concerning solid waste management and review
1001 and comment on the plan and other proposed solid waste management rules, policies or
1002 ordinances before adoption.

1003 VV. "Landfill" means a disposal site or part of a site at which waste is placed in
1004 or on land and ~~((which))~~ that is not a landspreading disposal facility.

1005 WW. "Landfill gas" means gas produced by the microbial decomposition of
1006 municipal solid waste in a landfill. ~~((#))~~ Landfill gas is comprised of fifty to sixty
1007 percent methane, forty to fifty percent carbon monoxide and less than one percent
1008 hydrogen, oxygen, nitrogen and other trace gases.

1009 XX. "Landspreading disposal facility" means a facility that applies sludge or
1010 other solid wastes onto or incorporates solid waste into the soil surface at greater than
1011 vegetative utilization and soil conditioners~~((#))~~ or immobilization rates.

1012 YY. "Level of service" means the level and degree of service provided at
1013 facilities, including hours of operation, classes of customers served and recyclables
1014 collection available.

1015 ZZ. "Liquid" means a substance that flows readily and assumes the form of its
1016 container but retains its independent volume.

1017 AAA. "Littering" means to accumulate, or place, throw, deposit, put into or in
1018 any land or water or otherwise dispose of refuse including rubbish, ashes, garbage, dead
1019 animals, industrial refuse, commercial waste and all other waste material of every kind
1020 and description in any manner except as authorized by this chapter.

1021 BBB. "Manager" means the manager of the solid waste division of the
1022 department of natural resources and parks of King County or the manager's designee.

1023 CCC. "Medical waste" means all waste so defined by the ~~((Seattle King County~~
1024 ~~board of))~~ health department's rules and regulations.

1025 DDD. "Mixed CDL waste" means CDL waste containing both recyclable and
1026 non((-))recyclable CDL waste material that has not been separated.

1027 EEE. "Mixed municipal solid waste" means waste consisting of solid waste
1028 generated by residences, stores, offices and other generators of wastes that are not
1029 industrial, agricultural or CDL wastes.

1030 FFF. "Mixed waste processing" means sorting of solid waste after collection
1031 from the point of generation ~~((in order))~~ to remove recyclables from the solid waste to be
1032 disposed.

1033 GGG. "Mobile yard ~~((waste))~~ debris facility" means a yard ~~((waste))~~ debris
1034 facility requiring no above-grade construction and established on a temporary basis.
1035 ~~((For the purposes of K.C.C. 10.12.020, a mobile yard waste facility shall be considered~~
1036 ~~to be a disposal site without scales.))~~

1037 HHH. "Moderate risk waste" means:

1038 1. Any waste that exhibits any of the properties of hazardous waste but is
1039 exempt from regulation under chapter 70.105 RCW solely because the waste is generated
1040 in quantities below the threshold for regulation; and

1041 2. Any household wastes which are generated from the disposal of substances
1042 identified by the Washington state Department of Ecology as hazardous household
1043 substances.

1044 III. "Noncommercial user" means any person who uses King County solid waste
1045 facilities but is not engaged in the business of solid waste handling.

1046 JJJ. "Non((-)recyclable CDL waste" means any CDL waste that is not recyclable
1047 CDL waste.

1048 KKK. "OMP" means operational master plan.

1049 LLL. "Operating hours" means those times during which disposal facilities are
1050 normally open and available for the delivery of solid waste.

1051 MMM. "Organic materials" means any carbonaceous materials, consisting of
1052 hydrocarbons and their derivatives((-Examples)), including food waste, yard debris,
1053 soiled paper, ((wood waste)) woodwaste, biosolids and manures.

1054 ~~((LLL. "Operating hours" means those times during which disposal facilities are~~
1055 ~~normally open and available for the delivery of solid wastes.~~

1056 ~~MMM. "OMP" means Operational Master Plan.))~~

1057 NNN. "Organics" means yard debris, organic food waste, and paper products,
1058 including paper products that contain food waste, determined by the manager to be
1059 acceptable for composting.

1060 OOO. "Person" means any individual, association, firm, corporation, partnership,
1061 political subdivision, municipality, government agency, industry, public or private
1062 corporation or any other entity.

1063 ~~((OOO.))~~ PPP. "Plan" means the coordinated comprehensive solid waste
1064 management plan for the county as required under chapter 70.95 RCW.

1065 ~~((PPP.))~~ QQQ. "Planning area or jurisdiction" means the geographical location
1066 designated by a local solid waste management plan as the plan's legal boundaries.

1067 ~~((QQQ.))~~ RRR. "Post((-)closure" means the requirements placed upon disposal
1068 facilities after closure to ensure their environmental safety for a number of years after
1069 closure.

1070 (~~RRR~~) SSS. "Primary recyclables" means recyclable materials that are
1071 commonly collected and are included under the minimum service levels for recycling
1072 collection programs. These include paper, cardboard, glass, tin and aluminum beverage
1073 containers, High Density Poly-Ethylene (HDPE) and Polyethylene terephthalate (PET)
1074 bottles and yard (~~waste~~) debris less than three inches in diameter.

1075 (~~SSS~~) TTT. "Problem wastes" means:

1076 1. Soils removed during the cleanup of a remedial action site, or a dangerous
1077 waste site closure or other cleanup efforts and actions (~~and which~~) that contain harmful
1078 substances but are not designated dangerous wastes; or

1079 2. Dredge spoils resulting from the dredging of surface waters of the state where
1080 contaminants are present in the dredge spoils at concentrations not suitable for open
1081 water disposal and the dredge spoils are not dangerous wastes and are not regulated by
1082 the Federal Clean Water Act.

1083 (~~TTT~~) UUU. "Procurement policy" means the development and
1084 implementation of a policy which achieves the purchase of products made from recycled
1085 (~~and~~) or recyclable goods, or both.

1086 (~~UUU~~) VVV. "Product stewardship" means taking measures to minimize the
1087 impacts of a product on the environment during its life cycle. The principle of product
1088 stewardship applies to designers, suppliers, manufacturers, distributors, retailers,
1089 consumers, recyclers and disposers.

1090 (~~VVV~~) WWW. "Receivers" means persons who will reuse recyclables and to
1091 whom source-separated recyclables for which a market does not presently exist can be

1092 delivered at little or no cost (~~(in order)~~) to avoid landfilling the materials pending
1093 development of economic markets.

1094 ~~((WWW.))~~ XXX. "Reclamation site" means a location used for the processing or
1095 the storage of recycled waste.

1096 ~~((XXX.))~~ YYY. "Recyclable CDL waste" means CDL waste material that can be
1097 kept out of or recovered from CDL waste and reused or transformed into a reusable
1098 product. Recyclable CDL waste may consist of a single type of recyclable material or a
1099 mixture of two or more types of recyclable material. Material used to produce hog fuel is
1100 recyclable CDL waste.

1101 ~~((YYY.))~~ ZZZ. "Recyclables" means any material that can be kept out of or
1102 recovered from solid waste and the resources therein be either transformed or reused, or
1103 both, including, but not limited to ~~((;))~~; mixed paper ~~((;))~~; newsprint ~~((;))~~; cardboard ~~((;))~~;
1104 aluminum ~~((;))~~; glass ~~((;))~~; plastics ~~((;))~~; chemicals ~~((;))~~; oil ~~((;))~~; wood ~~((;))~~; compostable
1105 organics ~~((;))~~, such as food and yard debris ~~((;))~~; CDL ~~((;))~~; ferrous metal; and inorganics
1106 ~~((;))~~, such as rubble and inert material ~~((;))~~.

1107 ~~((ZZZ.))~~ AAAA. "Recycling" means either source separation or the processing of
1108 solid waste mechanically or by hand to segregate materials for sale or reuse. Materials
1109 ~~((which))~~ that can be removed through recycling include, but are not limited to: mixed
1110 paper ~~((;))~~; newsprint ~~((;))~~; cardboard ~~((;))~~; aluminum ~~((;))~~; glass ~~((;))~~; plastics ~~((;))~~;
1111 chemicals ~~((;))~~; oil ~~((;))~~; wood, ~~((;))~~; compostable organics ~~((;))~~, such as food and yard
1112 debris ~~((;))~~; ferrous metal ~~((;))~~; and inorganics ~~((;))~~, such as rubble and inert material ~~((;))~~.
1113 "Recycling" does not include combustion of solid waste or preparation of a fuel from
1114 solid waste.

1115 (~~AAAA.~~) BBBB. "Refuse" means garbage, rubbish, ashes, swill and all other
1116 putrescible and nonputrescible wastes, except sewage, from all public and private
1117 establishments and residences.

1118 (~~BBBB.~~) CCCC. "Region" means the area encompassing those cities with
1119 signed interlocal agreements and unincorporated areas of King County that are included
1120 in the comprehensive solid waste management plan. (~~(This)~~) "Region" includes all of
1121 King County except the cities of Seattle and Milton.

1122 (~~CCCC.~~) DDDD. "Regional approach" means the development and
1123 implementation of a solid waste management program in cooperation with municipalities
1124 in King County and with other counties within the Puget Sound area.

1125 (~~DDDD.~~) EEEE. "Regional direct" means any solid waste generated and
1126 collected in King County and transported to Cedar Hills disposal site by conventional
1127 long haul transfer vehicles from privately owned solid waste transfer stations or
1128 intermediate processing facilities permitted by (~~(public health-Seattle & King County)~~)
1129 the health department as provided for in K.C.C. 10.08.090 and the (~~(Seattle-King County~~
1130 ~~board of health's)~~) health department's regulations.

1131 (~~EEEE.~~) FFFF. "Regulated refrigerant" means a class I or class II substance as
1132 listed in Title VI of the Federal Clean Air Act Amendments of 1990.

1133 (~~FFFF.~~) GGGG. "Residual CDL waste" means the non(~~(-)~~)recyclable waste
1134 remaining after recycling processes have removed recyclable waste.

1135 (~~GGGG.~~) HHHH. "Reuse" means the return of a commodity into the economic
1136 stream for use.

1137 ~~((HHHH.))~~ IIII. "Rubbish" means all nonputrescible wastes from all public and
1138 private establishments and from all residences.

1139 ~~((HH.))~~ JJJJ. "Rural transfer facilities" means the Vashon and Enumclaw transfer
1140 stations, the Cedar Falls and Skykomish drop box facilities and such other facilities as the
1141 manager designates as rural transfer facilities.

1142 KKKK. "Secondary recyclables" means those recyclables that have not been
1143 designated ~~((for collection for recycling pursuant to RCW 70.95.090))~~ as being included
1144 in the county's minimum service levels for recyclables collection. ~~((These))~~ "Secondary
1145 recyclables" are those with generally limited markets, a lack of collection systems or a
1146 limited number of generators of the material. ~~((They include polycoated paperboard, all~~
1147 ~~plastics except PET and HDPE bottles, bulky yard waste greater than three inches in~~
1148 ~~diameter, wood, food waste, compostable paper, appliances (white goods), or other~~
1149 ~~ferrous and nonferrous metals, textiles, stable wastes, motor oil, oil filters, latex paint,~~
1150 ~~antifreeze, brake fluid, carpet, electronics, reusable household and office goods, reusable~~
1151 ~~building materials, concrete, toilets, tires and batteries.))~~

1152 ~~((JJJ.))~~ LLLL. "Secured load" means a load of solid waste ~~((which))~~ that has
1153 been secured or covered in the vehicle in a manner that will prevent any part of the solid
1154 waste from leaving the vehicle while the vehicle is moving.

1155 ~~((KKKK.))~~ MMMM. "Self-hauler" means residential and nonresidential
1156 customers who choose to bring their garbage and recyclables to the transfer facilities
1157 themselves.

1158 ~~((LLL.))~~ NNNN. "Shall" and "will" in a policy mean that it is mandatory to
1159 carry out the policy. "Should" in a policy provides noncompulsory guidance and

1160 establishes some discretion in making decisions. "May" in a policy means that it is in the
1161 interest of the county or other named entity to carry out the policy but there is a total
1162 discretion in making decisions.

1163 ~~((MMMM.))~~ OOOO. "Solid waste" means all putrescible and nonputrescible
1164 solid and semisolid wastes, except wastes identified in WAC 173-304-015, including, but
1165 not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and
1166 construction wastes, abandoned vehicles or parts thereof, discarded commodities, sludge
1167 from wastewater treatment plants and septage from septic tanks, woodwaste, dangerous
1168 waste and problem wastes. ~~((This))~~ "Solid waste" includes all liquid, solid and semisolid
1169 materials ~~((which))~~ that are not the primary products of public, private, industrial,
1170 commercial, mining and agricultural operations. Unrecovered residue from recycling
1171 operations ~~((shall be considered))~~ is solid waste.

1172 ~~((NNNN.))~~ PPPP. "Solid waste collection entity" means every person or his or
1173 her lessees, receivers or trustees or agents, owning, controlling, operating or managing
1174 vehicles used in the business of transporting solid waste for collection ~~((and/))~~ or disposal,
1175 or both, for compensation including all certified haulers, any city using its own
1176 employees or any company operating pursuant to a contract with or franchise from a city
1177 performing solid waste collection services within the city.

1178 ~~((OOOO.))~~ QQQQ. "Solid waste interlocal agreement" means an agreement
1179 between a city and the county for use of the King County ~~((disposal))~~ solid waste system
1180 for disposal of solid waste generated or collected within the city.

1181 ~~((PPPP.))~~ RRRR. "Solid waste management" means the systematic
1182 administration of activities ~~((which))~~ that provide for the reduction in generated volume,

1183 source separation, collection, storage, transportation, transfer, recycling, processing,
1184 treatment and disposal of solid waste. ((This)) "Solid waste management" includes
1185 public education and marketing activities.

1186 ((QQQQ-)) SSSS. "Solid waste system" means King County's system of solid
1187 waste ((transfer stations, rural and regional landfills)) disposal facilities and processing
1188 facilities as authorized under RCW 36.58.040 and as established in accordance with the
1189 approved King County Comprehensive Solid Waste Management Plan.

1190 ((RRRR-)) TTTT. "Source separation" means the process of separating recyclable
1191 materials from material ((which)) that will become solid waste at its source.

1192 ((SSSS-)) UUUU. "Special waste" means all ((non-hazardous)) nonhazardous
1193 wastes that have special handling needs or have specific waste properties that require
1194 waste clearance by either the solid waste division of the department of natural resources
1195 and parks or ((public)) the health-((Seattle & King County)) department, or both. Such
1196 wastes are specified in the Waste Acceptance Policy (P.U.T. 4-1-4 or future amendments
1197 of that rule), and include contaminated soil, asbestos-containing materials, treated
1198 biomedical wastes, treatment plant grit and vector wastes, industrial wastes, tires and
1199 other wastes.

1200 ((TTTT-)) VVVV. "Suspect waste" means any waste the manager suspects may
1201 be unauthorized waste.

1202 ((UUUU-)) WWWW. "Sustainable building principles" means the use of energy-
1203 and resource-efficient site and building design, construction, operations and management.

1204 (~~(VVVV.)~~) XXXX. "Swill" means every refuse accumulation of animal, fruit or
1205 vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing
1206 in or storing of meat, fish, fowl, fruit and vegetables, except coffee grounds.

1207 (~~(WWW. "Trailer waste area" means a dedicated area where disposal vehicles~~
1208 ~~shall utilize for hosing their containers, truck beds and trailers following tipping of~~
1209 ~~wastes.~~

1210 ~~XXXX.)~~ YYYY. "Transfer station" means a (~~(staffed,)~~) fixed, supplemental
1211 collection and transportation facility used by persons and route collection vehicles to
1212 deposit collected solid waste from off-site into a larger transfer vehicle for transport to a
1213 permanent disposal site or intermodal facility. (~~(It)~~) "Transfer station" may also include
1214 recycling facilities.

1215 (~~(YYYY.)~~) ZZZZ. "Unacceptable waste" means any material for which the
1216 transportation or disposal would constitute a violation of any governmental requirement
1217 pertaining to health, safety or the environment. (~~(Such)~~) The material may include, but is
1218 not limited to, hazardous, extremely hazardous or dangerous waste as designated under
1219 Washington state or federal law, including, but not limited to, regulations contained in the
1220 Washington Administrative Code, now in effect or hereafter amended, or in the Code of
1221 Federal regulations, now in effect or hereafter amended.

1222 (~~(ZZZZ.)~~) AAAA. "Unauthorized waste" means waste (~~(which)~~) that is waste
1223 not acceptable for disposal at any or a specific disposal facility according to applicable
1224 rules and regulations or a determination of the manager.

1225 (~~(AAAAA.)~~) BBBBB. "Uncompacted waste" means any solid waste in an
1226 uncompressed or loose condition.

1227 (~~BBBBB~~) CCCCC. "Unincorporated service area" means a geographical area
1228 of unincorporated King County designated to receive solid waste, recyclables and yard
1229 (~~waste~~) debris collection services.

1230 (~~CCCCC~~) DDDDD. "Unsecured load" means a load on a vehicle that is not
1231 securely fastened and protected by safety chains or other fastening devices, covered, tied
1232 down or otherwise secured (~~so as~~) to prevent the material from spilling, escaping or
1233 being deposited outside the vehicle while vehicle is in motion.

1234 (~~DDDDD~~) EEEE. "Urban collection service levels" means the availability of
1235 regularly scheduled collection services for residential garbage and primary recyclables at
1236 residents' homes.

1237 (~~EEEE~~) FFFF. "Urban transfer stations" means the county's Algona, Bow
1238 Lake, Factoria, First Northeast, Houghton and Renton transfer stations and such other
1239 transfer stations as the manager designates as urban transfer stations.

1240 GGGGG. "Waste export" means the act of sending waste to a landfill out of the
1241 region.

1242 (~~FFFF~~) HHHHH. "Waste reduction" means reducing the amount or type of
1243 waste generated.

1244 (~~GGGGG~~) IIII. "Waste stream" means the total flow of solid waste from
1245 homes, businesses, institutions and manufacturing plants that must be recycled or
1246 disposed in landfills, or any segment thereof, such as the "residential waste stream" or the
1247 "recyclable waste stream."

1248 (~~HHHHH~~) JJJJ. "White goods" means major appliances, including
1249 refrigerators, freezers, heat pumps, air conditioners, stoves, ranges, dishwashers, washers,
1250 dryers, trash compactors, dehumidifiers and other appliances specified by the manager.

1251 (~~HHH~~) KKKKK. "White goods collection area" means an area used by county
1252 residents to deposit source-separated white goods.

1253 (~~JJJJ~~) LLLLL. "Woodwaste" means solid waste consisting of wood pieces or
1254 particles generated as a byproduct resulting from the handling and processing of wood,
1255 including, but not limited to, hog fuel, sawdust, shavings, chips, bark, small pieces of
1256 wood, stumps, limbs and any other material composed largely of wood (~~(which)~~) that has
1257 no significant commercial value at the time in question, (~~(f)~~)but shall not include slash
1258 developed from logging operations unless disposed of on a different site), and does not
1259 include wood pieces or particles containing chemical preservatives such as creosote,
1260 pentachlorophenol or copper-chrome-arsenate.

1261 (~~KKKKK~~) MMMMM. "Woody debris" means natural vegetation greater than
1262 four inches in diameter, such as stumps, fallen tree branches or limbs, resulting from land
1263 clearing activity, storms or natural disasters.

1264 (~~LLLLL~~) NNNNN. "Yard (~~(waste)~~) debris" means a compostable organic
1265 material generated in yards or gardens, including but not limited to, leaves, grass,
1266 branches, prunings and clippings of woody and fleshy plants and unflocked (~~(Christmas)~~)
1267 holiday trees, but shall not include rocks, dirt or sod, concrete, asphalt, bricks, land-
1268 clearing wastes, demolition wastes, woodwaste or food waste.

1269 ~~((MMMMM.))~~ OOOOO. "Yard ~~((waste))~~ debris collection area" means an area
1270 used by county residents, businesses, and institutions to deposit source-separated yard
1271 ~~((waste))~~ debris.

1272 SECTION 9. Ordinance 7708, Section 1 (part), as amended, and
1273 K.C.C.10.08.020 are each hereby amended to read as follows:

1274 **System of disposal.**

1275 A. Under the authority provided by the King County ~~((Home-Rule))~~ Charter and
1276 RCW 36.58.040, a system is hereby established for disposal of all solid waste either
1277 generated ~~((and/))~~ collected or disposed, in unincorporated King County. Additionally,
1278 this system shall include all solid waste either generated ~~((and/))~~ or collected, or both, in
1279 any other jurisdictions with which an interlocal agreement exists ~~((pursuant to))~~ under
1280 K.C.C. 10.08.130.

1281 B. ~~((Disposal in King County.))~~ It is unlawful for any person to dispose of
1282 ~~((controlled))~~ county solid waste except at disposal ~~((sites))~~ facilities and in a manner
1283 authorized ~~((by King County))~~ under this title.

1284 C. ~~((Disposal outside King County.))~~ Unless ~~((specifically permitted by state law~~
1285 ~~or))~~ specifically authorized by a King County ordinance, it is unlawful for any
1286 commercial hauler or other person or entity to deliver ~~((or deposit any controlled))~~ any
1287 county solid waste ~~((outside the borders of King County unless it is authorized by the~~
1288 ~~adopted King County comprehensive solid waste management plan))~~ to a place other than
1289 a disposal facility designated by the county to receive the particular waste.

1290 D. It is unlawful for any person to deliver county solid waste other than
1291 unauthorized waste as determined by the manager to any facility for final disposal other

1292 than the county-owned Cedar Hills regional landfill, unless the manager has provided
1293 prior written authorization for the disposal for public health, safety, welfare or planning
1294 purposes and the disposal is consistent with the adopted King County Solid Waste
1295 Comprehensive Plan.

1296 SECTION 10. Ordinance 7708, Section 1 (part), as amended, and
1297 K.C.C.10.08.040 are each hereby amended to read as follows:

1298 **Operation of solid waste disposal facilities by county.**

1299 A. The division shall be the operating authority for all solid waste disposal
1300 facilities owned or operated by King County. Nothing ~~((herein shall))~~ in this chapter
1301 prohibits the county by ordinance from contracting with another entity, public or private,
1302 to own, construct ~~((and/))~~ or operate a disposal facility.

1303 B. The council ~~((of King County))~~ shall establish by ordinance the ~~((hours of~~
1304 ~~operation of disposal facilities,))~~ disposal fees charged~~((,))~~ at county solid waste facilities
1305 and types of waste for which each facility is intended.

1306 C. The ~~((manager))~~ division shall ~~((prepare operating regulations))~~ adopt public
1307 and administrative rules for solid waste disposal facilities, which shall govern all other
1308 matters necessary to assure compliance with federal, state and local regulations
1309 applicable to ~~((such))~~ the facilities. The ~~((county reserves the right to provide in said~~
1310 ~~operating))~~ rules may require that certain solid wastes, such as bulky wastes, problem
1311 wastes and ~~((wood waste))~~ woodwaste, based on source, type or volume, shall not be
1312 accepted, or only conditionally accepted, at facilities owned or operated ~~((only))~~ by the
1313 county. ~~((The operating rules for such facilities shall be consistent with this chapter and~~
1314 ~~no less stringent than regulations promulgated by the board of health.))~~

1315 SECTION 11. Ordinance 7708, Section 1 (part), and K.C.C.10.08.080 are each
1316 hereby amended to read as follows:

1317 **Recycling.** A goal for King County’s solid waste management shall be to achieve
1318 maximum feasible cost-effective reduction of solid waste going to landfills and to other
1319 processing facilities, conservation of energy and natural resources((;)) and environmental
1320 protection. The division shall develop plans and incentives for waste reduction through
1321 source separation, recycling, ((packaging changes,)) product stewardship, resource
1322 conservation and other methods deemed effective by the division. Reclamation sites for
1323 recycling operations shall be designated as part of the county’s disposal system and shall
1324 be subject to permit requirements of the health department.

1325 NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter 10.08
1326 a new section to read as follows:

1327 **Reporting by solid waste division.**

1328 A. The division shall provide a written report to the council at least four times
1329 each year, by March 15, June 15, September 15 and December 15, and more frequently if
1330 directed by the council by motion, regarding the expenditures, revenues and operations of
1331 disposal facilities. The report shall be filed with the clerk of the council for distribution
1332 to all councilmembers and the lead staff of the utilities committee, or its successor
1333 committee. Following the transmittal of each written report, the division shall also make
1334 an oral presentation to the council. The written reports and oral presentations shall
1335 include, but shall not be limited to, information on:

- 1336 1. Expenditures and revenues resulting from any changes, as the result of an
1337 ordinance, in expenditures, revenues and operations;

1338 2. The amount of waste that is handled at the county's transfer facilities and the
1339 Cedar Hills landfill;

1340 3. The amount of regional direct tonnage;

1341 4. The status of staffing at the county's disposal facilities, including the amount
1342 of overtime that has been used in the preceding three months, any increase in the number
1343 of customer trips to county transfer stations and the need and scheduling for any new
1344 staffing required from increase in regional direct tonnage to county transfer stations;

1345 5. The number of customer trips to the county's transfer stations, compared to
1346 the same quarter in the previous year, and a summary of customers' complaints;

1347 6. Evaluation of any trends in illegal dumping; and

1348 7. Community outreach and involvement.

1349 B. In addition to the information specified in subsection A.1 through 7, in the
1350 report due to the council on June 15, 2004, the division shall make a detailed and
1351 comprehensive report of the status of implementing efficiencies and changes in
1352 operations as suggested by the division employees and an accounting of the operational
1353 savings that result from these operational changes and efficiencies. The division shall
1354 distinguish between changes that result in additional revenue to the division and those
1355 changes that decrease operating expenses.

1356 SECTION 13. Ordinance 8108, Section 3, as amended, and K.C.C.10.10.020 are
1357 each hereby amended to read as follows:

1358 **Operating hours.** Operating hours at King County solid waste disposal facilities
1359 shall be ~~((as follows))~~ determined by the director, consistent with the following policies
1360 and in accordance with the process in section 14 of this ordinance:

1361 A. (~~Transfer stations shall be open from 8:00 a.m. to 5:30 p.m. Sundays through~~
1362 ~~Saturdays. The Factoria transfer station shall be open from 6:15 a.m. to 11:30 p.m.~~
1363 ~~Monday through Friday and 8:00 a.m. to 5:30 p.m. Saturday and Sunday.~~

1364 1. ~~Yard waste collection areas shall be located at the following transfer stations~~
1365 ~~and shall be open at the hours here specified:~~

1366 Factoria transfer station — ~~5:30 p.m. to 11:30 p.m. Monday through Friday~~

1367 Enumclaw transfer station — ~~8:00 a.m. to 5:30 p.m. Sunday through Saturday.~~

1368 2. ~~White goods collection areas shall be located at the following transfer stations~~
1369 ~~and shall be open at the hours here specified:~~

1370 Enumclaw transfer station — ~~8:00 a.m. to 5:30 p.m. Sunday through Saturday.~~

1371 Washon transfer station — ~~8:00 a.m. to 5:30 p.m. Sunday through Saturday.~~

1372 3. ~~Clean wood collection areas shall be located at the following transfer stations~~
1373 ~~and shall be open at the hours here specified:~~

1374 Enumclaw transfer station — ~~8:00 a.m. to 5:30 p.m. Sunday through Saturday.))~~

1375 The director shall set facility operating hours, taking into consideration stakeholder input
1376 and the goals of reducing average system-wide transfer costs and maintaining high levels
1377 of customer satisfaction and environmental stewardship, among other relevant factors.

1378 B. (~~The Cedar Hills landfill shall be open from 6:00 a.m. to 4:30 p.m. Mondays~~
1379 ~~through Fridays, 6:30 a.m. to 4:30 p.m. Saturdays and Sundays. Cedar Hills shall not be~~
1380 ~~open for use by the general public.)) 1. Notwithstanding subsection A of this section, the
1381 following facilities shall have the following minimum hours, not including holidays:~~

1382 a. Urban transfer stations shall be open to the public at least between 9:00 a.m.
1383 and 4:00 p.m., seven days per week.

1384 b. Rural transfer facilities shall be open to the public at least between 9:00 a.m.
1385 and 4:00 p.m., four days per week, including at least one weekend day.

1386 2. All services offered at particular facilities shall be available during the
1387 minimum hours, but portions of facilities may be closed during any hours in excess of the
1388 minimum hours.

1389 C. All King County solid waste disposal facilities shall be closed on January 1,
1390 Thanksgiving Day((~~Christmas Day and New Years Day~~)) and December 25. At the
1391 discretion of the director, King County solid waste disposal facilities may be closed on
1392 other recognized King County holidays by following the procedures for modifying
1393 operating hours.

1394 D. ~~((King County drop boxes shall be open from 8:00 a.m. to 5:00 p.m., seven~~
1395 ~~days per week during Pacific Standard Time and from 9:00 a.m. to 6:00 p.m., seven days~~
1396 ~~per week during Pacific Daylight Time.)) Yard debris and clean wood collection areas~~
1397 shall be located at the Enumclaw transfer station. White goods collection areas shall be
1398 located at the Enumclaw and Vashon transfer stations.

1399 E. ~~((Operating hours, dates of operation, and sites for mobile yard waste facilities~~
1400 ~~shall be determined and publicized by the manager.)) The Cedar Hills landfill shall not~~
1401 be open for use by the general public.

1402 NEW SECTION. SECTION 14. There is hereby added to K.C. C. chapter 10.10
1403 a new section to read as follows:

1404 **Notice – change of operating hours.**

1405 A. The director shall set operating hours for particular facilities in accordance
1406 with K.C.C. 10.10.020. The director shall give at least thirty days' notice of the intention
1407 to change operating hours at any facilities by filing the notice with the clerk of the

1408 council for distribution to all council members, with the mayors of any cities in which the
1409 affected facilities are located and with all persons who have made a timely request for
1410 advance notice of changes in operating hours. In addition, the notice of the proposed
1411 changes in hours shall be posted at affected facilities.

1412 B. The notice shall be at least in writing by electronic format and shall include:

- 1413 1. A reference to this chapter;
- 1414 2. The current and proposed operating hours;
- 1415 3. Contact information for receiving comments regarding the proposed hours
1416 and the date by which comments must be received; and
- 1417 4. An explanation of the basis for the proposed change.

1418 C. After considering all comments received by the prescribed time, the director
1419 may change operating hours, consistent with K.C.C. 10.10.020. New hours shall be
1420 posted at affected facilities ten days before they take effect. In addition, the director shall
1421 provide notice of the new hours by filing the hours with the clerk of the council for
1422 distribution to all council members and by distributing notice of the new hours to all
1423 cities in which the affected facilities are located.

1424 SECTION 15. Ordinance 8108, Section 4, as amended, and K.C.C.10.10.030 are
1425 each hereby amended to read as follows:

1426 **Types of waste accepted.** Types of waste accepted at King County solid waste
1427 disposal facilities shall be limited to the following:

1428 A. Cedar Hills landfill shall accept mixed municipal solid waste from transfer
1429 stations and other sources in King County, and demolition waste in small quantities
1430 incidental to jurisdictional activities((-));

1431 B. Transfer stations shall accept mixed municipal solid waste, demolition waste
1432 in small quantities incidental to jurisdictional activities and of a size and density capable
1433 of being handled by transfer station equipment((;)) and waste from the general public,
1434 businesses and route collection vehicles collecting waste in King County((;));

1435 C. Drop box facilities shall accept mixed municipal solid waste in loads not to
1436 exceed either five cubic yards or one ton, or both((;));

1437 D. Yard ((waste)) debris collection areas located at county transfer stations shall
1438 accept source-separated yard ((waste)) debris from county residents, businesses and
1439 institutions((;));

1440 E. Mobile yard ((waste)) debris facilities shall accept source-separated residential
1441 yard ((waste)) debris from noncommercial users in loads not to exceed either five cubic
1442 yards or one ton, or both((;));

1443 F. White goods collection areas located at county transfer stations shall accept
1444 source-separated white goods from county residents((;));

1445 G. Clean wood collection areas located at county transfer stations shall accept
1446 source-separated clean wood from county residents, businesses and institutions((;));

1447 H. Other wastes, such as industrial waste, semisolid, or liquid waste, and
1448 asbestos-containing waste material, may be accepted at sites as designated and approved
1449 by the manager((;)); and

1450 I. Acceptance of any suspect waste may be denied pending the health officer's
1451 approval.

1452 SECTION 16. Ordinance 12564, Section 2, and K.C.C.10.12.021 are each hereby
1453 amended to read as follows:

1454 **Fees for use of disposal sites ((beginning January 1, 1999)). ((Effective**
1455 ~~January 1, 1999, a))~~All persons using county-operated solid waste disposal facilities shall
1456 pay the service fees ~~((set forth))~~ in the following schedules:

1457 A. Service fees for the use of disposal sites with scales, excluding Cedar Hills,
1458 shall be:

1459 1. Solid waste disposal:

1460	Passenger cars	\$13.72 per entry
1461	Other vehicles	\$82.50 per ton
1462	Charitable organizations	\$63.50 per ton
1463	Minimum	\$13.72 per vehicle
1464	Charitable organizations, minimum charge	\$10.58 per entry
1465	((Use of trailer wash area	1.00 per token))

1466 2. Deposit of source-separated yard ~~((waste))~~ debris at yard ~~((waste))~~ debris
1467 collection areas and deposit of clean wood at clean wood collection areas:

1468	Passenger cars	\$12.75 per entry
1469	Other vehicles	\$75.00 per ton
1470	Minimum charge	\$12.75 per vehicle

1471 3. Deposit of white goods at white goods collection areas:

1472	White goods without regulated refrigerants	\$10.00 per unit
1473	White goods with regulated refrigerants	\$24.00 per unit

1474 B. Service fees for the use of disposal sites without scales, such as mobile yard
1475 debris facilities, shall be based upon the cubic yard or fraction thereof as follows:

1476 1. Solid waste disposal:

Ordinance 14811

1477	Passenger cars	\$13.72 per entry
1478	Other vehicles	
1479	Compacted <u>wastes</u>	<u>\$23.86</u> per cubic yard
1480	Uncompacted <u>wastes</u>	<u>\$13.72</u> per cubic yard
1481	Minimum charge	<u>\$13.72</u> per vehicle

1482 2. Deposit of source-separated yard ((waste)) debris at yard ((waste)) debris
1483 collection areas:

1484	Passenger cars	<u>\$12.75</u> per entry
1485	Other vehicles	
1486	Compacted wastes	<u>\$21.50</u> per cubic yard
1487	Uncompacted wastes	<u>\$12.75</u> per cubic yard
1488	Minimum charge	<u>\$12.75</u> per vehicle

1489 C. Service fees at the Cedar Hills ((~~£~~)) landfill shall be:

1490	Cedar Hills Regional Direct	((\$9.50)) <u>\$69.50</u> per
1491		ton
1492	Other vehicles	<u>\$82.50</u> per ton

1493 Disposal by other vehicles is at the discretion of the solid waste manager.

1494 D. A moderate-risk waste surcharge shall be added to all solid waste disposed by
1495 non((-))solid waste collection entities using county operated disposal facilities. The fee
1496 schedule is as follows:

1497 1. For sites with scales:

1498	Self-haulers	\$2.61 per ton
1499	Minimum charge	<u>\$1.00</u> per entry

1500	Passenger cars	\$1.00 per entry
1501	2. For sites without scales:	
1502	Compacted	\$0.76 per cubic yard
1503	Uncompacted	\$0.44 per cubic yard
1504	Minimum charge	\$1.00 per entry
1505	Passenger cars	\$1.00 per entry

1506 E. ~~A (\$)~~special waste fee shall be charged for special waste including infectious
1507 waste treated and handled ~~((pursuant to))~~ in accordance with King County Board of
1508 Health Code 10.28.070, asbestos-containing waste material, ~~((bulky waste,))~~ problem
1509 wastes~~((;))~~ and other additional wastes requiring clearances ~~((pursuant to the))~~ in
1510 accordance with King County Board of Health Code Title 10 or ~~((pursuant to))~~ rules
1511 promulgated by the department.

1512	Special waste fee	\$132.00
1513	Minimum charge	\$22.20

1514 F. In the absence of exact weights or measurements, the estimate of the manager
1515 ~~((shall be))~~ is binding upon the user.

1516 G. ~~((Special Service Fee.))~~ Solid waste either generated ~~((and/))~~ or collected, or
1517 both, within the boundaries of a jurisdiction ~~((which))~~ that has not entered into an
1518 agreement with King County for use of King County solid waste disposal facilities as
1519 provided by this chapter may only be disposed of in a King County facility upon payment
1520 of a special service fee of ~~((3))~~ three times the applicable per ton rate for facilities with
1521 scales and ~~((3))~~ three times the applicable cubic yard rate for compacted or uncompacted
1522 wastes for facilities without scales. Payment of the special service fee in this subsection

1523 shall be in lieu of payment of the fees in subsections ~~((A-E))~~ A through E of this section.
1524 Nothing in this subsection authorizes the use of King County facilities by any municipal
1525 corporation or agent thereof or any commercial hauler for disposal of solid waste either
1526 or both generated and~~((/or))~~ collected outside King County.

1527 **SECTION 17. Notice.** Within ten days of the effective date of this section, the
1528 division shall provide written notice of the increase in the regional direct rate under
1529 section 16 of this ordinance to any commercial hauler that has paid the Cedar Hills
1530 regional direct rate in the previous twelve-month period. The rate takes effect ninety
1531 days after the provision of the notice.

1532 **SECTION 18.** Ordinance 800, Section 3, as amended, and K.C.C.10.12.030 are
1533 each hereby amended to read as follows:

1534 **Collection of fees.**

1535 A. Except as expressly provided otherwise in this chapter, ~~((A))~~ all service fees
1536 collected ~~((pursuant to))~~ under this chapter shall be collected in cash or check or by credit
1537 or debit cards by site cashiers at the time of use~~((; provided, that))~~. Consistent with the
1538 requirements of this chapter, the manager ~~((of the King County solid waste division,~~
1539 ~~department of natural resources and parks))~~ may authorize a ~~((commercial or~~
1540 ~~noncommercial))~~ facility user to be billed monthly for all solid waste delivered to either
1541 the transfer stations or the final disposal site, or both.

1542 B. The ~~((solid waste))~~ manager is authorized to adjust any solid waste service fee
1543 for purposes of minimizing cash holding requirements at solid waste facilities. The
1544 adjustment to the calculated fee shall not exceed twenty-five cents nor shall it have a
1545 significant impact on the revenue collected in the proposed rate period.

1546 C. ~~((Authorization of a commercial or noncommercial user's monthly billing~~
1547 ~~shall result))~~ The manager may authorize monthly billing only ~~((from a request))~~ if users
1548 request and receive authorization in advance ~~((for such service by the commercial or~~
1549 ~~noncommercial user))~~, subject to the following provisions:

1550 1. ~~((No authorization shall be granted without the posting of))~~ The manager
1551 shall not authorize billing unless the user posts an irrevocable payment bond ~~((secured by~~
1552 ~~the commercial or noncommercial user in the name))~~ for the benefit of the solid waste
1553 division ~~((and))~~ in an amount ~~((which is))~~ equal to the ~~((larger amount of))~~ greater of: the
1554 ~~((peak))~~ sum of the user's three highest consecutive months of ~~((user))~~ service fees
1555 ~~((charges))~~ from the prior twelve months', adjusted for rate changes ~~((or))~~; three
1556 thousand five hundred dollars; or such other amount as the manager reasonably
1557 determines will cover the user's anticipated disposal charges over a three-month period.

1558 Within thirty days of determining that the posted irrevocable payment bond is insufficient
1559 based on the criteria in this section, the manager shall give written notice to the user that
1560 a bond increase is required, except that ~~((no))~~ a bond increase ~~((should))~~ shall not be
1561 required if the change ~~((is))~~ would be less than ~~((one thousand dollars))~~ twenty percent of
1562 the amount of the original bond or deposit and the commercial or noncommercial user's
1563 payments have not been delinquent in the preceding twelve months. The manager may
1564 limit billing authorization to facility users whose typical monthly use exceeds a minimum
1565 amount determined by the manager;

1566 2. ~~((In the absence of the peak three consecutive months of user fee charges~~
1567 ~~from the prior twelve months adjusted for rate changes, the irrevocable payment bond~~

1568 will be the greater of the commercial or noncommercial user of three months of user
1569 charges or three thousand five hundred dollars.

1570 3-) The manager, having given notice to a commercial or noncommercial
1571 monthly ((billing)) user that ((their)) its bond is ((inadequate based on actual usage))
1572 insufficient, may suspend use privileges for a commercial or noncommercial user who
1573 fails to tender ((an increased)) a sufficient bond within thirty days ((of)) after the date of
1574 the manager's notice((-);

1575 ((4-)) 3. The manager shall, upon request, relieve a ((commercial user certified
1576 pursuant to chapter 81.77 RCW)) certificated hauler of the requirement for an irrevocable
1577 payment bond if it has not been delinquent in the preceding ((12)) twelve months. If an
1578 ((monthly bill becomes)) invoice is delinquent ((by)) for more than five days, the ((user))
1579 certificated hauler shall post within thirty days of the delinquency an irrevocable payment
1580 bond ((equal to the larger of the peak three consecutive months of user fee charges from
1581 the prior twelve months adjusted for rate changes or three thousand five hundred
1582 dollars.)) meeting the requirements of K.C.C. 10.12.030; and

1583 ((5-)) 4. The ((manager shall waive the irrevocable payment bond for the
1584 following governmental noncommercial users: A municipal corporation, governmental
1585 department, agency or commission or political subdivision when he or she approves its
1586 monthly billing request)) requirements for posting payments bonds under this section do
1587 not apply to governmental users.

1588 D. Except as otherwise provided in this section, ((A))all ((invoiced)) invoices for
1589 solid waste service fees ((shall be received, payable to King County finance and business
1590 operations division, in monthly installments on or before the twenty fifth day following

1591 ~~the billing date as listed on the invoice. A late payment penalty equal to one and one-half~~
1592 ~~percent of the delinquent unpaid balance compounded monthly, shall be assessed on the~~
1593 ~~delinquent unpaid balance of these nongovernmental commercial and noncommercial~~
1594 ~~accounts in arrears)) are due upon receipt and become delinquent twenty calendar days~~
1595 ~~after the date of the invoice. Invoices shall be paid in accordance with payment~~
1596 ~~instructions provided with the invoice including, without limitation, the form of payment.~~
1597 ~~All delinquent invoices owed by nongovernmental entities shall accrue interest on the~~
1598 ~~delinquent unpaid balance from and after the date of delinquency at the rate of one and~~
1599 ~~one half percent per month or the highest rate allowed by law, whichever is less. The~~
1600 ~~manager, having given at least seven days' written notice following the delinquency of an~~
1601 ~~invoice, may suspend use privileges for a ((commercial or noncommercial)) user ((who~~
1602 ~~fails to tender payment by the end of the billing month. Any invoiced fee or other service~~
1603 ~~fee which remains unpaid ninety days after its due date may be remitted to a collection~~
1604 ~~service agency which will exercise their best, prudent and lawful efforts to secure~~
1605 ~~collection. An administrative fee of fifteen dollars will be added to all such unpaid~~
1606 ~~account totals. This fee will be in addition to any late payment penalty or fee imposed by~~
1607 ~~county ordinance)). In addition, after an invoice is delinquent for ninety days, the~~
1608 ~~manager may make a claim against any payment bond for the full amount of any amounts~~
1609 ~~due, whether or not the amounts are delinquent. Any amounts that are delinquent for~~
1610 ~~more than ninety days may be referred to collection agencies or attorneys, for collection~~
1611 ~~consistent with applicable law. A user whose account becomes delinquent shall pay all~~
1612 ~~costs associated with collection including, without limitation, an administrative fee set by~~
1613 ~~the manager for referring accounts to attorneys or collection agencies.~~

1614 E. ~~((Effective July 1, 1991, u))~~ Users ((not having charging privileges)) who do
1615 not have accounts with the county and are unable to pay disposal charges ((assessed at
1616 the disposal facility shall)) at the time of disposal may, at the discretion of the manager,
1617 be allowed to use disposal facilities on the following conditions:

1618 1. Users shall be required to provide contact information including, without
1619 limitation, driver's license and license plate information, to disposal facility personnel and
1620 shall be issued a one-time payment invoice of dumping fees charged plus ((a)) the
1621 applicable handling fee ((of ten dollars)) determined by the manager((-);

1622 2. Payment on this invoice shall be due ((within 7)) immediately and shall
1623 become delinquent seven days ((of issue and late payment penalties shall be charged
1624 consistent with subsection D of this section)) after the date of the invoice; and

1625 3. Subsection D of this section applies to invoices issued under this subsection.

1626 F. ~~((A noncommercial user may be authorized by the manager to be billed~~
1627 ~~monthly for all solid waste delivered to the transfer stations and for final disposal sites;~~
1628 ~~provided, that such noncommercial user is either: 1. A municipal corporation,~~
1629 ~~governmental department, agency or commission or political subdivision; or 2. A person~~
1630 ~~whose monthly service charges exceed one hundred dollars.~~

1631 G.)) Persons authorized for monthly billings shall receive one or more
1632 identification cards or badges for the purpose of ~~((crediting))~~ accounting for charges. A
1633 fee of twenty-five dollars shall be charged ~~((the person to replace))~~ for replacing a lost or
1634 damaged card. ~~((No))~~ A fee ((with)) shall not be charged for replacement due to normal
1635 wear, as determined by the division.

1636 SECTION 19. Ordinance 7012, Section 7, as amended, and K.C.C.10.12.055 are
1637 each hereby amended to read as follows:

1638 **Other fees.**

1639 A. Persons shall be charged a handling fee of ~~((fifteen))~~ twenty-five dollars for
1640 each dishonored check ~~((returned due to non-sufficient funds))~~ or unpaid bank draft.

1641 B. ~~((Persons lacking cash at the time of disposal shall be billed for the amount
1642 due. A one dollar charge for handling and processing shall be added to the original fee.))~~

1643 The director may set fees for miscellaneous ancillary services, other than disposal fees,
1644 that the division provides to facility users. The services may include, but are not limited
1645 to, fixing flat tires, providing weight certifications, and use of the division's brake tester
1646 and trailer wash areas. Fees for miscellaneous ancillary services shall be based on the
1647 division's actual costs for providing the services. The director shall post notice of new or
1648 increased miscellaneous ancillary fees at the sites at which the fees are charged. The
1649 director shall also provide written notice to the clerk of the county council and all
1650 councilmembers. The fees for miscellaneous ancillary services take effect thirty days
1651 after the date notice is provided consistent with this section.

1652 SECTION 20. Ordinance 800, Section 3 (part), as amended, and
1653 K.C.C.10.12.060 are each hereby amended to read as follows:

1654 **Enforcement.** The director ~~((of the department of natural resources and parks is
1655 authorized to))~~ may enforce ~~((the provision of))~~ this chapter~~((, the ordinances and
1656 resolutions codified in it,))~~ and any rules and regulations promulgated ~~((thereunder
1657 pursuant to))~~ under this chapter in accordance with the enforcement and penalty
1658 provisions of K.C.C. Title 23.

1659 NEW SECTION. SECTION 21. There is hereby added to K.C. C. chapter 10.14
1660 a new section to read as follows:

1661 **Grants program.**

1662 A. The division shall establish a program for waste reduction and recycling
1663 grants for cities. Cities that participate in the county's solid waste system are eligible for
1664 grants, which may be used for the purposes described in subsection B of this section.

1665 Grants shall be distributed annually, consistent with approved funding for such purposes
1666 in the division budget. The division shall determine the amount of grant funding based
1667 on each city's percentage of King County's residential and employment populations
1668 obtained from the Washington state Office of Financial Management and the Puget
1669 Sound Regional Council, though the division may set a minimum grant amount.

1670 B. The funds distributed under the grants program established under subsection A
1671 of this section must be used for one or more of the following purposes:

- 1672 1. Promoting waste reduction and recycling;
- 1673 2. Implementing and improving general recycling programs;
- 1674 3. Encouraging curbside collection of recyclable materials;
- 1675 4. Preventing toxic materials from entering the waste stream;
- 1676 5. Improving opportunities for curbside collection and recycling of organic
1677 materials;
- 1678 6. Encouraging sustainable development through the promotion of sustainable
1679 building principles in construction projects; and
- 1680 7. Broadening resource conservation programs that integrate with waste
1681 reduction and recycling education efforts.

1682 SECTION 22. Ordinance 7786, Section 2, and K.C.C.10.14.020 are each hereby
1683 amended to read as follows:

1684 **County goals.** It is King County's goal to achieve zero waste of resources by 2030
1685 through maximum feasible and cost-effective prevention, reuse and reduction of solid
1686 wastes going into its landfills and other processing facilities (~~(by diverting as much as~~
1687 ~~possible from the waste stream)~~). It is recognized that waste reduction and recycling are
1688 the highest priority of the viable solid waste management options, and the county hereby
1689 adopts this (~~(policy)~~) goal, which will be aggressively pursued.

1690 SECTION 23. Ordinance 7786, Section 5, and K.C.C.10.14.040 are each hereby
1691 amended to read as follows:

1692 **Development of recovery facilities.** The county policy in the development of
1693 future (~~(energy)~~) recovery facilities, such as organics and CDL recycling, shall complement
1694 its waste reduction program. The county shall take its waste reduction and recycling goals
1695 and objectives into account in determining the size of any (~~(energy)~~) recovery facilities.
1696 Waste reduction shall have first priority(~~(:)~~) and (~~(energy)~~) recovery second priority, as a
1697 means of reducing the amount of solid waste disposed in landfills.

1698 SECTION 24. Ordinance 7786, Section 3, and K.C.C.10.14.050 are each hereby
1699 amended to read as follows:

1700 **County intent – (~~(R)~~)reduce and divert waste from landfills.** It is the intent of
1701 King County to fulfill the following objectives (~~(in order)~~) to reach its goals to reduce and
1702 divert waste from landfills(~~(:)~~):

1703 A. Adopt an aggressive and regional approach to finding solutions to solid waste
1704 problems by working cooperatively with other cities and counties whenever it is
1705 appropriate((-));

1706 B. Target areas of the waste stream that are resources and have the greatest
1707 potential for resource and beneficial use. Targets should change over time as additional
1708 diversion occurs and efforts move closer to zero waste of resources;

1709 C. Provide technical assistance and support to municipalities within King County
1710 ((whø)) that are interested in developing waste reduction and recycling programs((-));

1711 ((€)) D. Educate and encourage county agencies, citizens, businesses, schools and
1712 other institutions to reduce, reuse, source separate((-)) and recycle solid waste((-));

1713 ((D)) E. Encourage volunteer participation through outreach and coordination of
1714 waste reduction and recycling efforts((-));

1715 ((E)) F. Encourage the private sector to increase recycling, such as collection,
1716 processing and marketing of recyclables((-)) through volunteer efforts and mandates to
1717 facilitate diversion, as appropriate;

1718 ((F)) G. Implement an in-house King County recycling and waste reduction
1719 program, including the adoption of a procurement policy for county purchase of recycled
1720 products((by June 1987)), green building practices in new construction and ongoing
1721 operations and maintenance and other actions to encourage recycling and waste reduction
1722 by county government((-));

1723 ((G)) H. Incorporate capital improvements, recycling infrastructure and
1724 programs that maximize recycling at county facilities;

1725 I. Encourage green building and sustainable design in private development in
1726 cooperation with county development agencies;

1727 J. Encourage the development of markets for and encourage purchase and use of
1728 products made from recyclables((-)) through education and technical assistance;

1729 K. Develop, implement and support product stewardship approaches and
1730 legislation to divert material from disposal where the costs of handling materials are
1731 borne by those responsible, including manufacturers, retailers, government and
1732 consumers;

1733 L. Support resource conservation programs in which success in waste reduction
1734 and recycling directly protects the environment, such as soil quality improvement and
1735 toxic waste minimization;

1736 ~~((H.))~~ M. Annually project the amounts of waste being diverted from county
1737 landfills; and

1738 N. Measure program results through a variety of performance measures such as
1739 cost effectiveness, waste characterization data, recycling data, customer surveying,
1740 customer communication and participation in recycling and resource conservation
1741 programs.

1742 SECTION 25. Ordinance 7786, Section 7, and K.C.C. 10.14.080 are each hereby
1743 amended to read as follows:

1744 **Annual evaluation.** ~~((It is t))~~The council((’s intent to)) will annually evaluate
1745 annually((, in September of each year,)) the effectiveness of the waste recycling and
1746 reduction program in a programmatic and quantitative manner, to ensure the program is
1747 responsive and is meeting the solid waste management needs of the people of King County.

1748 By April 1 of each year, ((F))the division shall ((submit to)) file with the clerk of the
1749 council ((by September 1, of each year an annual)), for distribution to all councilmembers,
1750 a report of its progress toward the ((of)) goal of zero waste of resources through maximum
1751 feasible, cost effective reduction of waste going to the landfills and other processing
1752 facilities. ((This)) The report shall include annual projections of the amounts diverted from
1753 landfills and shall describe progress toward the work program ((outline)) outlined in
1754 ((Section 10.14.050 of this chapter)) K.C.C. 10.14.060.

1755 SECTION 26. Ordinance 9240, Section 1, and K.C.C. 10.16.010 are each hereby
1756 amended to read as follows:

1757 **Purpose.** ~~((This chapter shall be known as the "King County Recycled Product~~
1758 ~~Procurement Policy." Its)) The purpose of this chapter is to ((market development of))
1759 ensure that King County agencies purchase recycled ((products)) and ((recyclable
1760 products by establishing preferential purchase programs applicable to county departments
1761 and contractors, thereby diverting materials from the solid waste stream and reducing
1762 King County's purchase of environmentally harmful materials)) other environmentally
1763 preferable products whenever the products meet the price and performance requirements
1764 of the county.~~

1765 SECTION 27. Ordinance 9240, Section 2, and K.C.C. 10.16.020 are each hereby
1766 amended to read as follows:

1767 **Policies.**

1768 A. ~~((All d))~~Departments shall ~~((whenever practicable use))~~ purchase recycled and
1769 ~~((recyclable products to meet their needs))~~ other environmentally preferable products
1770 whenever practicable.

1771 B. The county shall ~~((whenever practicable))~~ require its contractors and
1772 consultants to use recycled and other environmentally preferable products whenever
1773 practicable.

1774 C. ~~((In procuring designated products pursuant to this chapter, the county shall~~
1775 ~~require recovered material and/or post-consumer material content to be factors in~~
1776 ~~determining the lowest responsive and responsible bid in any competitive bidding~~
1777 ~~procurement process initiated pursuant to state and county law.~~

1778 D.) The county shall promote the use of recycled ~~((products))~~ and ~~((recyclable))~~
1779 other environmentally preferable products by publicizing its ((procurement program and
1780 by disseminating information about recycled products)) environmental purchasing policy
1781 and its implementation, consistent with this chapter.

1782 SECTION 28. Sections 29 through 34 of this ordinance take effect January 1,
1783 2004.

1784 SECTION 29. Ordinance 9240, Section 3, and K.C.C. 10.16.030 are each hereby
1785 amended to read as follows:

1786 **Definitions.** The ~~((following terms shall have the assigned definitions for all~~
1787 ~~purposes under this chapter)) definitions in this section apply throughout this chapter~~
1788 unless the context clearly requires otherwise:

1789 A. ~~(("Building insulation" means a material, primarily designed to resist heat~~
1790 ~~flow, which is installed between the conditioned volume of a building and adjacent~~
1791 ~~unconditioned volumes or the outside. This term includes but is not limited to insulation~~
1792 ~~products such as blanket, board, spray in place, and loose fill that are used as ceiling,~~
1793 ~~floor, foundation, and wall insulation.~~

1794 B. ~~"Cement" means a powder like manufactured mineral product, often referred~~
1795 ~~to as "Portland cement," used in the manufacture of cement concrete.~~

1796 C. ~~"Cement concrete" means concrete which contains cement.~~

1797 D. ~~"Cement with fly ash or cement concrete with fly ash" means cement or~~
1798 ~~ement concrete containing any amount of fly ash.~~

1799 E. ~~"Contractor" means any person, group of persons, consultant, designing~~
1800 ~~architect, association, partnership, corporation, or other type of business entity which has~~
1801 ~~a contract with King County (including suppliers) or which serves in a subcontracting~~
1802 ~~capacity with an entity having a contract with King County for the provision of goods~~
1803 ~~and/or services.~~

1804 F.) "Department((s))" ~~((shall refer to))~~ means any department as defined by King
1805 county ordinance or other applicable law and ~~((shall))~~ includes, but is not limited to, all
1806 county agencies not associated with a department, such as the King County prosecuting
1807 attorney, the King County assessor, the King County sheriff and the King County
1808 council.

1809 ~~((G. "Designated products" means all products that have been or may be~~
1810 ~~identified pursuant to Section 10.16.040 of this chapter as products that can be procured~~
1811 ~~with significant levels of recovered materials.~~

1812 H.) B. "Designing architect" means any architect or engineer performing
1813 architectural or engineering services for the county in connection with a county
1814 construction project and who is chiefly responsible for the project's design.

1815 ~~((I. "Director" means the director of the department of executive administration~~
1816 ~~or the director's designee.~~

1817 J. ~~"End use" means an intended final use of a product by a consumer which will~~
1818 ~~not result in additional value being added to the product.~~

1819 K. ~~"Fly ash" means the component of coal which results from the combustion of~~
1820 ~~coal and is the finely divided mineral residue which is typically collected from boiler~~
1821 ~~stack gases by electrostatic precipitator or mechanical collection devices.~~

1822 L. ~~"Lubricating oils" means engine lubricating oils, hydraulic fluids, and gear~~
1823 ~~oils, excluding marine and aviation oils.~~

1824 M. ~~"Minimum content standards" means standards set by the county specifying~~
1825 ~~the minimum level of recovered material and/or post-consumer material necessary for~~
1826 ~~designated products to qualify as recycled products.~~

1827 N. ~~"Mixed municipal solid waste" means waste consisting of solid waste~~
1828 ~~generated by residences, stores, offices, and other generators of wastes that are not~~
1829 ~~industrial, agricultural, or demolition wastes.~~

1830 O. ~~"Paper and paper products" means all items manufactured from paper or~~
1831 ~~paperboard.~~

1832 P.)) C. "Environmentally preferable products" means products that have fewer or
1833 reduced negative impacts on human health or the environment compared to competing
1834 products that serve the same purpose. This comparison may consider raw materials
1835 acquisition, production, manufacturing, packaging, distribution, operation, maintenance,
1836 reuse and disposal of the product.

1837 D. "Federal guidance" means guidelines provided by the United States
1838 Environmental Protection Agency, the Office of the Federal Environmental Executive,
1839 Federal executive orders or other guidelines offered by federal agencies.

1840 E. "Oil" means engine lubricating, gear, hydraulic, fuel, and other types of oil.

1841 F. "Post((-)consumer material" means ~~((only those products generated by a~~
1842 ~~business or consumer which have served their intended end uses, and which have been~~
1843 ~~separated or))~~ material that has been previously used by consumers that is diverted from
1844 the solid waste stream ((for the purposes of collection, recycling and disposition)).

1845 ((Q. "Post-consumer paper material" means:

1846 1. ~~Paper, paperboard and fibrous wastes including corrugated boxes,~~
1847 ~~newspapers, magazines, mixed waste paper, tabulating cards and used cordage from~~
1848 ~~places like retail stores, office buildings and homes after the point at which they have~~
1849 ~~passed through their end use as consumer items; and~~

1850 2. ~~All paper, paperboard and fibrous wastes that enter and are collected as~~
1851 ~~mixed municipal solid waste.~~

1852 R. ~~"Purchasing contract" means any contract which is awarded by the county for~~
1853 ~~the purchase of tangible goods.~~

1854 S-)) G. "Practicable" means satisfactory in performance and available at a fair and
1855 reasonable price.

1856 H. "Recovered material" means waste material ~~((and byproducts which have))~~
1857 that has been recovered ~~((or diverted))~~ from the solid waste stream, but does not include
1858 ~~((these)) material((s and byproducts)) generated from((;)) and commonly reused~~
1859 ~~((within;)) on site in an original manufacturing process ((such as mill broke or home~~
1860 ~~scrap)).~~

1861 ((T. "Recovered paper material" means paper waste generated after the
1862 completion of a papermaking process, such as post-consumer material, envelope cuttings,

1863 bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill
1864 wrappers, obsolete inventories, and rejected unused stock. Recovered paper material,
1865 however, shall not include fibrous waste generated during the manufacturing process
1866 such as fibers recovered from waste water or trimmings of paper machine rolls (mill
1867 broke), or fibrous byproducts of harvesting, extractive or woodcutting processes, or forest
1868 residue such as bark.

1869 U. ~~"Recyclable product" means a product which, after its intended end use, can~~
1870 ~~demonstrably and economically be diverted from the King County solid waste stream for~~
1871 ~~use as a raw material in the manufacture of another product.~~

1872 V. ~~"Recycled designated product" means a product designated in or pursuant to~~
1873 ~~Section 10.16.040 of this chapter that meets or surpasses (1) county minimum content~~
1874 ~~standards, and (2) all other criteria for qualification as specified in this chapter.~~

1875 W. ~~"Retread tire" means a worn automobile, truck, or other motor vehicle tire,~~
1876 ~~excluding airplane tires, whose tread has been replaced.~~

1877 X. ~~"Reusable product" means a product that can be used several times for an~~
1878 ~~intended end use before being discarded, such as a washable food or beverage container~~
1879 ~~or a refillable ball point pen.~~

1880 Y.) I. "Recycled paper" means paper meeting recycled content standards in federal
1881 guidance.

1882 J. "Recycled product" means a product manufactured with the maximum
1883 practicable amount of recovered material, especially postconsumer material.

1884 K. "Rerefined lubricating oil" means engine lubricating oil meeting rerefined
1885 content standards set forth in federal guidance.

1886 L. "Solid waste" means all putrescible and nonputrescible solid and semisolid
1887 wastes, except wastes identified in WAC 173-304-015((;)) including, but not limited to,
1888 garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes,
1889 abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater
1890 treatment plants and septage from septic tanks, woodwaste, dangerous waste((;)) and
1891 problem wastes. ((This)) "Solid waste" includes all liquid, solid and semi-solid materials
1892 that are not the primary products of public, private, industrial, commercial mining and
1893 agricultural operations. Unrecovered residue from recycling operations ((shall be
1894 considered)) is "solid waste."

1895 ((Z. "User department" means a department that purchases any amount of a given
1896 designated product, except when the department has made no purchase within the current
1897 or preceding calendar year.))

1898 SECTION 30. Ordinance 9240, Section 6, as amended, and K.C.C.10.16.060 are
1899 each hereby amended to read as follows:

1900 **Rules and regulations for procurement of paper and paper products.**

1901 A. ((King County's recycled paper procurement goal for user departments
1902 (expressed as a percentage of the total volume of paper purchased) shall be:

- 1903 1. ~~Not less than ten percent by 1990;~~
1904 2. ~~Not less than thirty percent by 1992;~~
1905 3. ~~Not less than sixty percent by 1995.~~

1906 Each department shall be responsible for making its best effort to meet or surpass
1907 these goals.

1908 ~~B. The solid waste division manager and the director, or their designees, shall~~
1909 ~~jointly adopt minimum content standards for recycled paper products by January 31,~~
1910 ~~1990. The minimum content standards shall, at a minimum, be consistent with standards~~
1911 ~~promulgated by the United States Environmental Protection Agency and found in 40 CFR~~
1912 ~~Part 250.21, unless the solid waste division manager and the director, or their designees,~~
1913 ~~determine that a different standard would significantly increase recycled product~~
1914 ~~availability or competition or would increase recycled content without adversely affecting~~
1915 ~~availability.~~

1916 C. The director or his designee shall use a percentage factor of fifteen percent in
1917 the process of determining the lowest responsive and responsible bidder for paper and
1918 paper products, except for paper to be used for county letterhead.) Departments shall
1919 purchase recycled or other environmentally preferable paper whenever practicable.

1920 ~~((D.))~~ B. Departments shall use recycled paper for ((A))all imprinted letterhead
1921 paper and business cards ((used by county departments shall be recycled paper)).

1922 ~~((E.))~~ C. Departments shall publicize the county's use of recycled paper by
1923 ~~((printing the words "Printed on Recycled Paper" and a recycling logo as specified by the~~
1924 ~~solid waste division on all letterhead paper and on the title page of all reports printed on~~
1925 ~~recycled paper))~~ including a recycling logo and an indication of recycled content on all
1926 printed material, to the extent practicable.

1927 ~~((F. To reduce the volume of paper purchased,))~~ D. ((d))Departments shall use
1928 both sides of ((paper)) sheets of paper whenever practicable.

1929 ~~((G. Requests for proposal or qualifications issued by the county after the~~
1930 ~~effective date of Ordinance 9830 (March 18, 1991))~~) E. Departments shall require all

1931 ~~((proposed)) contractors or consultants submitting proposals to ((agree to the following as~~
1932 ~~a precondition to contract award:~~

1933 ~~1. All reports submitted to the county by a contractor in fulfillment of contract~~
1934 ~~obligations, excluding invoices and routine correspondence, shall use recycled paper~~
1935 ~~when it is available at a reasonable price. For purposes of this paragraph, the price of~~
1936 ~~recycled paper shall be considered "reasonable" if its cost is no more than 15% higher~~
1937 ~~than the lowest price offered for non-recycled paper.~~

1938 ~~2. Reports submitted to the county by contractors shall use both sides of paper~~
1939 ~~sheets whenever practicable.~~

1940 ~~3. Contractors who submit over ten reams of printed or copied materials to the~~
1941 ~~county in any given month shall keep records of paper purchased for the county's~~
1942 ~~purposes and shall justify to the county any use of non-recycled paper. Contractors shall~~
1943 ~~submit such records to the county according to procedures to be established jointly by the~~
1944 ~~solid waste division and the purchasing agency by the effective date of Ordinance 9830~~
1945 ~~(March 18, 1991). Contractors shall be responsible for maintaining and submitting these~~
1946 ~~records for all of their subcontractors)) use recycled paper and use both sides of sheets of~~
1947 ~~paper whenever practicable, as determined by the department.~~

1948 SECTION 31. Ordinance 9240, Section 9, and K.C.C. 10.16.090 are each hereby
1949 amended to read as follows:

1950 **Rules and regulations for procurement of lubricating and fuel oils.**

1951 A. ~~((Lubricating oil with re-refined oil content shall contain the maximum~~
1952 ~~practicable amount of re-refined oil, but not less than twenty-five percent of total product~~
1953 ~~weight.~~

1954 ~~B. The director or his designee shall use a percentage factor of ten percent in the~~
1955 ~~process of determining the lowest responsive and responsible bidder for lubricating oil.~~

1956 ~~C. Each department that purchases lubricating oil is responsible for ensuring that~~
1957 ~~all invitations to bid issued by the county after March 31, 1990 contain specifications that~~
1958 ~~allow lubricating oil with re-refined content. If lubricating oil with re-refined content~~
1959 ~~does not satisfy warranty or performance standards, the affected departments shall submit~~
1960 ~~documentation to the purchasing agency.))~~ Departments shall purchase environmentally
1961 preferable oils whenever practicable.

1962 B. When departments specify rerefined lubricating oil in procurements, they shall
1963 purchase rerefined oil if the price is no more than ten percent higher than the price of
1964 nonrerefined oil.

1965 SECTION 32. Ordinance 9240, Section 16, and K.C.C. 10.16.160 are each
1966 hereby amended to read as follows:

1967 **Responsibilities ((and reporting requirements)) of departments.** All ((user))
1968 departments are responsible for:

1969 A. Assigning appropriate personnel to evaluate opportunities for the purchase of
1970 recycled and other environmentally preferable products reflected in federal guidance or
1971 determined by the procurement and contract services section.

1972 B. Purchasing ((and using)) recycled and other environmentally preferable
1973 products whenever practicable; and

1974 ((B. Documenting any technical problems that preclude the use of recycled
1975 products;

1976 ~~C. Providing written explanations to the director or the director's designee for not~~
1977 ~~purchasing recycled products;~~

1978 ~~D. Conducting comparative tests of the performance of recycled products and~~
1979 ~~non-recycled products, as specified by the solid waste division and the purchasing~~
1980 ~~agency;~~

1981 ~~E. Transmitting to contractors, upon their request, recycled product and vendor~~
1982 ~~lists prepared by the purchasing agency and solid waste division;~~

1983 ~~F. Collecting information from contractors about their designated product~~
1984 ~~purchases before contract expiration dates according to procedures established by the~~
1985 ~~solid waste division;~~

1986 ~~G. Submitting a report on the purchase of designated products by contractors to~~
1987 ~~the solid waste division by July 31 each year, beginning in 1991~~

1988 ~~H. Informing the Procurement and Contract Services Section of potential uses of~~
1989 ~~recycled products by contractors.)) C. Reporting evaluation results and purchases of~~
1990 ~~recycled and other environmentally preferable products to the procurement and contract~~
1991 ~~services section by January 31 of each year.~~

1992 SECTION 33. Ordinance 9240, Section 17, and K.C.C. 10.16.170 are each
1993 hereby amended to read as follows:

1994 **Responsibilities of the solid waste division.**

1995 The solid waste division is responsible for:

1996 A. Providing information and technical assistance to local governments, schools,
1997 colleges((;)) and other public and private organizations interested in purchasing recycled
1998 and other environmentally preferable products;

1999 B. ~~((Assisting departments in resolving problems and complaints concerning~~
2000 ~~recycled product performance or availability;~~

2001 C.) Preparing press releases and fact sheets publicizing the successes of the
2002 program;

2003 ~~((D. Preparing a report evaluating the procurement program to be submitted to~~
2004 ~~the county council each year in September, beginning in 1990; and))~~

2005 C. Assisting the procurement and contract services section in submitting the
2006 annual report to the council, which is due in April of each year; and

2007 ~~((E.))~~ D. Assisting the ((purchasing agency)) procurement and contract services
2008 section in fulfilling its responsibilities ((in connection with)) under this chapter.

2009 SECTION 34. Ordinance 9240, Section 18, and K.C.C. 10.16.180 are each
2010 hereby amended to read as follows:

2011 **Responsibilities of the ((purchasing agency)) procurement and contract**
2012 **services section.** The ~~((purchasing agency))~~ procurement and contract services section is
2013 responsible for:

2014 A. ~~((Revising or amending standard bid documents and contract language where~~
2015 ~~necessary to implement this chapter.))~~ Assigning appropriate personnel to fulfill the
2016 requirements of this policy;

2017 B. ~~((Collecting data on purchases by departments of designated products on~~
2018 ~~county purchase orders, to be compiled by the solid waste division))~~ Preparing or
2019 revising bid documents and contract language where necessary to implement this chapter;

2020 C. ~~((Preparing bid invitations for recycled, products))~~ Researching opportunities
2021 for procurement of recycled and other environmentally preferable products and
2022 communicating these to appropriate county departments for evaluation and purchase;

2023 D. ~~((Maintaining a directory of recycled products and local vendors))~~ Collecting
2024 data on purchases by departments of recycled and other environmentally preferable
2025 products; and

2026 E. ~~((Disseminating recycled product information to departments;~~

2027 ~~F. Assisting the solid waste division in fulfilling its responsibilities in connection~~
2028 ~~with this chapter.))~~ Preparing and submitting a report to the solid waste division each
2029 year by March 31, describing the progress of departments in implementation of the
2030 environmental purchasing policy, including the following elements:

2031 1. Quantities, costs and types of recycled and other environmentally preferable
2032 products purchased;

2033 2. A summary of savings achieved through the purchase of recycled and other
2034 environmentally preferable products;

2035 3. A summary of program promotional efforts; and

2036 4. Recommendations for changes in procurement policies.

2037 SECTION 35. Ordinance 9928, Section 2, as amended, and K.C.C.10.18.010 are
2038 each hereby amended to read as follows:

2039 **Minimum levels of residential recyclables collection.** ~~((The minimum levels of~~
2040 ~~service and WUTC regulation of certificated haulers, pursuant to RCW 81.77, shall~~
2041 ~~continue for five years from the effective date of Ordinance 9928 (May 30, 1991).))~~ The
2042 minimum level of service for residential recycling programs in unincorporated service

2043 areas of King County, as defined in Attachment B, dated March 30, 1993, to Ordinance
2044 10942, shall include the following:

2045 A. Single-family recyclables collection((-));

2046 1. Recyclables collection services shall, at a minimum, be available to all single-
2047 family dwellings in unincorporated service areas of the county((-);

2048 2. Participation in these programs shall be voluntary((-);

2049 3. ~~((Materials.))~~ The following recyclable materials, at a minimum, shall be
2050 collected from single-family dwellings((-);

2051 a. Newspaper ((-)); printed groundwood newsprint including glossy
2052 advertisements and supplemental magazines that are delivered with the newspaper((-);

2053 b. Clear, amber((-) and green empty, clean glass containers. Plate glass,
2054 ceramics((-) or mirror glass ~~((will))~~ shall not be collected((-);

2055 c. Clean tin-coated steel cans((-);

2056 d. Clean aluminum cans and foil((-);

2057 e. Mixed waste paper, including most types of clean and dry paper ~~((which))~~
2058 that fall into high and low grade categories including glossy papers, magazines, catalogs,
2059 phone books, cards, laser-printed white ledger paper, windowed envelopes, paper with
2060 adhesive labels, paper bags, wrapping paper, packing paper, chipboard such as cereal
2061 boxes and shoe boxes((-) and glossy advertising paper.

2062 f. Cardboard ((-)); clean corrugated cardboard and kraft paper, including
2063 unbleached, unwaxed paper with a ruffled ~~((("))~~ or corrugated~~((("))~~ inner liner. Cardboard
2064 does not include chipboard such as cereal boxes and shoe boxes((-);

2065 g. ~~((PET Plastics—clean and empty))~~ All rigid plastic containers including, but
2066 not limited to, high-density polyethylene ((terephthalate)) (HDPE) bottles ((f))(Society of
2067 Plastics Industry ("SPI") code ((1)2((1))) ((including clear 1— and 2—litre soda bottles, as
2068 well as some bottles for liquor, liquid cleaners and detergents.)) and Polyethylene
2069 terephthalate (PET) bottles (SPI code 1), plastic jars, jugs and dairy tubs, but excluding
2070 polystyrene plastics (SPI code 6), plastic trays and plastic clamshell containers, plastic
2071 cups, plates or utensils, lids or bottle caps and containers that contained hazardous
2072 products;

2073 h. ~~((HDPE plastics—clean and empty high-density polyethylene bottles [Society~~
2074 ~~of Plastics Industry (SPI) code 2] including milk, juice, and water jugs, as well as bottles~~
2075 ~~for laundry detergent, fabric softener, and lotion.)) Polycoated paperboard and aseptic
2076 packaging including milk cartons, juice boxes and frozen food boxes; and~~

2077 i. Scrap metal, not greater than two feet-by-two feet or thirty-five pounds and
2078 free of contaminants such as wood, plastic or rubber;

2079 4. ~~((Collection schedule.))~~ The recyclable materials listed in ((S))subsection A.3
2080 of this section shall be collected at least twice a month on the same day of the week as solid
2081 waste collection.

2082 a. The certificated hauler may request an exception to this requirement for all or
2083 part of ~~((their))~~ its service area.

2084 b. The request must be submitted in writing to the division and include, at a
2085 minimum, the following information: the location of the area affected; the number of
2086 customers affected; the alternative collection schedule; and the reasons supporting the
2087 request.

2088 c. The division will determine whether to allow the hauler's request based on
2089 demonstration that: the number of customers affected is minimized; program participation
2090 will not be adversely affected; substantial cost savings will accrue due to the alternative
2091 collection schedule; ~~((and))~~ or undue hardship with otherwise occur as evidenced by other
2092 information presented in the request~~((:))~~; and

2093 5. ~~((Collection Containers.))~~ Containers for recyclables storage shall be provided
2094 by certificated haulers to all single-family dwellings that receive solid waste collection
2095 service or request recyclables collection. The containers ~~((may))~~ shall be provided by the
2096 certificated hauler by delivering containers to all single-family dwelling units in
2097 unincorporated service areas that receive solid waste collection service or request
2098 recyclables collection. ~~((Alternatively, collection containers may be provided on a sign-up~~
2099 ~~basis according to the notification requirements defined in K.C.C. 10.18.040A. Delivery of~~
2100 ~~containers to all single family dwellings is preferable to a sign-up system.))~~

2101 a. The containers shall be sufficient in number and type to hold all reasonable
2102 amounts of recyclables accumulated between collections.

2103 b. The containers must be made of durable materials that will last a minimum
2104 of seven years under normal use. Plastic materials used in the construction of recycling
2105 containers shall be durable, ultraviolet-light-stabilized and manufactured using recycled
2106 or post~~((:))~~consumer materials. Collection containers shall contain a minimum of at least
2107 ten percent postconsumer material unless the certificated hauler can demonstrate
2108 ~~((evidence))~~ to the division that ~~((such))~~ the material is unavailable. Plastic bags, or bags
2109 made of other material, shall not be used as containers.

2110 c. All containers shall contain information about the proper preparation of
2111 materials and include the telephone number and name of the certificated hauler.
2112 Certificated haulers shall reapply instructions to containers when the instructions become
2113 illegible.

2114 d. A container delivery schedule shall be provided to the county ~~((at the~~
2115 ~~initiation of the project))~~ to allow for coordination of its promotional and educational
2116 efforts. Containers ~~((will))~~ shall be delivered to program participants at least seven
2117 ~~((7))~~ days ~~((prior to))~~ before the initiation of collection ~~((—As new areas of service for~~
2118 ~~the collection of single family recyclables and yard waste are established, the container~~
2119 ~~delivery schedule and actual container delivery requirements described herein shall be~~
2120 ~~adhered to by the certificated haulers.))~~;

2121 B. Multi~~((-))~~family recyclables collection~~((-))~~

2122 1. Recyclables collection services shall, at a minimum, be available to all multi~~((-~~
2123 ~~))~~family structures or complexes in unincorporated service areas of the county~~((-))~~;

2124 2. Participation in these programs ~~((shall be))~~ is voluntary~~((-))~~;

2125 3. ~~((Materials-))~~ At a minimum, all of the recyclable materials listed in
2126 ~~((S))~~subsection A.3 of this section shall be collected from multi~~((-))~~family structures~~((-))~~,
2127 though the manager may authorize exemptions from the collection of certain materials
2128 from multifamily residences if space constraints or other unique circumstances warrant an
2129 exemption;

2130 4. ~~((Collection schedule-))~~ The recyclable materials listed in Subsection A.3 shall
2131 be collected at least twice a month on a regular schedule~~((-))~~; and

2132 5. (~~Collection containers.~~) Certificated haulers shall provide on-site collection
2133 containers for recyclables to multi((-))family structures or complexes on a sign-up basis
2134 (~~according to~~) consistent with the notification requirements defined in K.C.C.

2135 10.18.040_B.

2136 a. The containers shall be sufficient in number and type to hold all reasonable
2137 amounts of recyclables accumulated between collections.

2138 b. On-site containers must be made of durable materials that will last a minimum
2139 of seven years under normal use. Plastic bags, or bags made of other material, shall not be
2140 used as on-site containers.

2141 c. All containers shall contain information about the proper preparation of
2142 materials and include the telephone number and name of the certificated hauler.

2143 Certificated haulers shall reapply instructions to containers when the instructions become
2144 illegible.

2145 d. Containers (~~will~~) shall be delivered to multi((-))family structures signed-up
2146 for service at least seven (~~(7)~~) days (~~prior to~~) before the initiation of collection((-));

2147 C. Single-family and multi((-))family (~~yard-waste~~) organics collection((-);

2148 1. Yard (~~waste~~) debris collection services shall, at a minimum, be available to
2149 all single-family dwellings and multi((-))family structures or complexes in
2150 unincorporated service areas of the county. If organics collection is deemed feasible by
2151 the manager, certificated haulers shall also collect food waste and soiled paper for
2152 composting;

2153 2. Participation in these programs (~~shall be~~) is voluntary((-);

2154 3. ~~((Materials. Yard waste))~~ Organics collected from single-family dwellings
2155 and multi((-)family structures or complexes shall meet the following specifications:

2156 a. With the exception of unflocked ~~((Christmas))~~ holiday trees, materials larger
2157 than two inches in diameter and three feet in length ~~((will not be considered))~~ are not yard
2158 ~~((waste))~~ debris. Unflocked Christmas trees shall be accepted in three-foot lengths with
2159 no diameter restrictions((-); and

2160 b. The following organics are acceptable for collection, provided that they are
2161 not commingled with nonorganics:

2162 (1) all organic food waste, such as, meat, fish, bones, fruits and vegetable
2163 matter and coffee grounds; and

2164 (2) paper products, including those that contain food residue, such as tea
2165 bags, coffee filters, pizza boxes and frozen food containers. Paper products that contain
2166 plastic or aluminum coatings are not acceptable for organics collection;

2167 4. ~~((Collection schedule.))~~ In any area in which organics collection is not
2168 offered, ((¥))yard ((waste)) debris shall be collected from participating single-family
2169 dwelling units and multi((-)family structures or complexes at least twice a month during
2170 ((the months of)) March through November, and at least once a month from December
2171 through February. In areas in which organics collection is offered, yard debris and other
2172 organics shall be collected from single-family dwelling units and multifamily structures
2173 or complexes once per week throughout the year, unless the manager determines that
2174 collection less frequently is feasible. Single-family ((yard waste shall be collected))
2175 organics collection shall occur on the same day of the week as solid waste collection.

2176 a. The certificated hauler may request an exception to ~~((this))~~ these
2177 requirements for all or part of ~~((their))~~ its service area.

2178 b. The request for an exception must be submitted in writing to the division
2179 and include, at a minimum, the following information: the location of the area affected;
2180 the number of customers affected; the alternative collection schedule; and the reasons
2181 supporting the request.

2182 c. The division will determine whether to allow the hauler's request for an
2183 exception based on demonstration that: the number of customers affected is minimized;
2184 program participation will not be adversely affected; substantial cost savings will accrue;
2185 ~~((and))~~ or undue hardship would otherwise occur as evidenced by other information
2186 presented in the request((-)); and

2187 5. ~~((Collection containers.))~~ Certificated haulers shall offer to provide ~~((yard~~
2188 ~~waste))~~ collection containers to single-family dwellings and multi~~((-))~~family structures or
2189 complexes on a sign-up basis, ~~((according to))~~ consistent with the notification
2190 requirements in K.C.C. 10.18.040.C.

2191 a. Certificated haulers may require that customers use containers provided by
2192 the certificated hauler or allow customers to provide their own containers. An additional
2193 fee may be charged to the customers electing to lease a ~~((yard-waste))~~ container from a
2194 certificated hauler.

2195 b. Plastic bags shall not be used as containers.

2196 c. Certificated haulers may establish a maximum volume of ~~((and/))~~ or weight
2197 of, or volume and weight of, yard ((waste)) debris or other organics that will be accepted
2198 for each collection((-)), and shall notify the manager of the amount;

2199 D. Requirements for separation of yard ((waste)) debris from refuse((-):

2200 1. ~~((Effective October 1, 1993, e))~~ Containers set out at single-family dwellings
2201 and multi((-)family structures or complexes in unincorporated service areas for
2202 collection of refuse by certificated haulers shall not contain yard ((waste)) debris.

2203 However, if the manager determines that collection of organics is feasible, organics may
2204 be commingled with yard debris to be collected for composting.

2205 2. ~~((For the period beginning on August 1, 1993, and ending on September 30,~~
2206 ~~1993, certificated haulers in unincorporated service areas shall attach a tag on any refuse~~
2207 ~~container set out at a single family dwelling or multi family structure or complex if yard~~
2208 ~~waste is visible within the container. The tag shall cite the requirements for separating~~
2209 ~~yard waste from refuse contained in this chapter and provide information about how to~~
2210 ~~obtain yard waste collection service.~~

2211 3. ~~Beginning October 1, 1993, e))~~ Certificated haulers in unincorporated service
2212 areas shall not collect any refuse container set out at a single-family dwelling or multi((-
2213))family structure if yard ((waste)) debris that is commingled with nonorganics is visible
2214 within the container and shall attach a tag to the container citing the yard ((waste)) debris
2215 source separation requirements contained in this chapter and providing information about
2216 how to obtain yard ((waste)) debris collection service. Haulers shall also attach a tag to
2217 any refuse container from which yard ((waste)) debris commingled with nonorganics
2218 becomes visible while the container is being emptied into a collection vehicle((-); and

2219 E. Additional minimum level of service provisions. The following provisions
2220 ((shall)) apply to the collection services described in Subsection A., B.((;)) and C. of this
2221 section:

2222 1. If access to potential program participants is restricted, due to impassable
2223 road conditions, alternatives to curbside recyclables collection, such as drop site
2224 collection, or modified curbside collection services, which, at a minimum, ~~((will))~~ shall
2225 include collection from the nearest roadway ~~((which))~~ that is accessible by the hauler's
2226 collection vehicle, ~~((will))~~ shall be provided by the certificated hauler. If the certificated
2227 hauler deems the road conditions are impassable by collection vehicles, the hauler ~~((will))~~
2228 shall work with customers to determine a mutually agreed upon location for the
2229 collection of recyclables and yard ~~((waste))~~ debris or organics. If mutual agreement
2230 cannot be reached, collection ~~((will))~~ shall occur from the nearest roadway which is
2231 accessible by the hauler's collection vehicle. This exception ~~((shall))~~ does not apply to
2232 impassable road conditions due to severe weather situations. The certificated hauler
2233 ~~((will))~~ shall report to the county those areas receiving alternative or modified curbside
2234 collection services~~((:))~~;

2235 2. The certificated hauler~~((s))~~ shall designate and inform the county and
2236 program participants of the holidays that it will observe and the schedule that will be used
2237 when a holiday falls on a regular collection day. The certificated hauler shall designate a
2238 process for responding to missed collections as a result of inclement or adverse weather
2239 conditions~~((:))~~;

2240 3. Special recyclables collection services shall be provided for those households
2241 where there are handicapped or elderly people who cannot move their ~~((recycling or yard~~
2242 ~~waste))~~ collection containers to the curb. Households that qualify for this service ~~((will))~~
2243 shall be determined by the certificated hauler~~((:))~~;

2244 4. The certificated haulers shall retain ownership of all containers distributed to
2245 program participants. Replacement necessitated by normal use or by container damage
2246 due to the certificated hauler's negligence shall be the responsibility of the certificated
2247 hauler. Replacement necessitated by container damage due to program participant
2248 negligence shall be at the program participant's expense((-));

2249 5. The certificated haulers shall use intermediate processing facilities that have
2250 obtained all applicable local, state and federal permits. Whenever possible, local markets
2251 shall be used to receive recyclables and(~~/or~~) yard (~~waste~~) debris for purposes of
2252 processing, handling or remanufacturing the materials into new products((-));

2253 6. The certificated haulers shall not under any circumstances dispose of
2254 marketable recyclables or yard (~~waste~~) debris by landfilling or incineration. In addition,
2255 in no instance shall unmarketable materials be disposed of at a landfill or other disposal
2256 facility (~~outside of King County~~) other than the county-owned Cedar Hills regional
2257 landfill, unless the director has provided prior written authorization for such a disposal
2258 for public health, safety, environmental or planning purposes and the disposal is
2259 consistent with the adopted comprehensive solid waste management plan; and

2260 7. To address changes in recyclable materials collection and processing
2261 technologies, the director may require that certificated haulers collect materials for
2262 recycling in addition to those specified in K.C.C. 10.18.010 after consultation with and
2263 with the consent of the certificated haulers. The division (~~will~~) shall discuss any
2264 proposed changes with the certificated haulers (~~prior to~~) before proposing any
2265 amendments to the (~~list of materials to be collected and/or the~~) unincorporated service
2266 area boundaries or modifying the materials required to be collected. However, nothing in

2267 this chapter ((shall)) prohibits a certificated hauler from exceeding the minimum
2268 requirements by collecting additional materials or providing collection services to a
2269 larger portion of their franchise area.

2270 SECTION 36. Ordinance 9928, Section 3, as amended, and K.C.C.10.18.020 are
2271 each hereby amended to read as follows:

2272 **Solid waste collection and recycling rates.** Certificate holders under chapter
2273 ((RCW)) 81.77 RCW shall use rate structures and billing systems consistent with the
2274 solid waste management priorities set forth under RCW 70.95.010 and the minimum
2275 levels of solid waste collection and recycling services pursuant to the local
2276 comprehensive solid waste management plan, as required by ((RCW)) chapter 81.77
2277 RCW.

2278 A. It is the county's policy that the certificated haulers include the following
2279 elements in the tariffs submitted to the ((WUTC)) Washington Utilities and
2280 Transportation Commission:

2281 1. A mini-can ((~~10-20~~)), which is a ten- to twenty-gallon container(??), rate to
2282 reward people who reduce their level of solid waste collection service((-));

2283 2. A recycling-only rate for program participants who decline solid waste
2284 collection service, but participate in recycling programs. Certificated haulers may
2285 include a fee to administer billing for this service((-);

2286 3. A yard ((~~waste~~)) debris-only rate for program participants who decline solid
2287 waste collection service, but participate in a yard ((~~waste~~)) debris collection program.
2288 Haulers may include a fee to administer billing for this service((-);

2289 4. Billing that includes the cost of solid waste and recycling collection services
2290 on the same statement, as provided by chapter 81.77 RCW((-);

2291 5. A rate structure designed to provide customers with adequate options and
2292 incentives to reduce their level of solid waste collection service as a result of their
2293 participation in waste reduction and recycling programs((-);

2294 6. A rate structure that distributes the cost of the single-family and multi((-
2295))family recyclables collection programs among all rate payers in the franchise area
2296 where recycling and yard ((waste)) debris services are available((-);

2297 7. A rate structure for single-family yard ((waste)) debris collection services that
2298 charges only those customers subscribing to the service. To encourage recycling, the cost
2299 of yard ((waste)) debris collection shall be less than the cost of collection for a
2300 comparable unit of solid waste((-);

2301 8. The cost to produce and distribute program promotion and educational
2302 materials to customers, in accordance with K.C.C. 10.18.040((-);

2303 9. A monthly administrative fee to compensate the division for the costs of
2304 program management and promotional and educational programs. The monthly
2305 administrative fee is specified in K.C.C. 10.18.070((-); and

2306 10. Reduced solid waste and recyclables collection rates for eligible elderly and
2307 low-income program participants, as permitted by the ((WUTC)) Washington Utilities
2308 and Transportation Commission.

2309 B. ~~((Certificated haulers shall file tariffs, with the Washington Utilities and~~
2310 ~~Transportation Commission (WUTC), with an effective date no later than July 31, 1991,~~
2311 ~~for services related to household recyclables and yard waste collection in the~~

2312 unincorporated service areas as defined in Attachment A, dated April 24, 1991, to
2313 Ordinance 10942. ~~Certificated haulers shall also file tariffs with the WUTC, with an~~
2314 ~~effective date no later than October 1, 1993, for services related to household recyclables~~
2315 ~~and yard waste collection in the unincorporated service areas as defined in Attachment B,~~
2316 ~~dated March 30, 1993 to Ordinance 10942. It is the county's policy that the rates include~~
2317 ~~all elements specified in Subsection A. of this section and be designed to encourage~~
2318 ~~participation in recyclables and yard waste collection programs, in accordance with the~~
2319 ~~plan.~~

2320 C. ~~Whenever certificated haulers file tariffs with the Washington Utilities and~~
2321 ~~Transportation Commission (WUTC), it is the county's policy that the certificated haulers~~
2322 ~~include all elements specified in Subsection A. of this section in the tariffs and that an~~
2323 ~~incentive solid waste collection rate structure be used rather than a strict cost of service~~
2324 ~~rate structure. An incentive solid waste collection rate structure is one that rewards~~
2325 ~~customers who recycle and includes substantial cost differentials between solid waste~~
2326 ~~collection service levels. The tariffs filed shall include the following percentages of~~
2327 ~~increases between levels of service: a minimum of sixty percent between mini and one~~
2328 ~~can; a minimum of forty percent between one and two cans or equivalent; and a~~
2329 ~~minimum of twenty five percent between two and three cans or equivalent. These~~
2330 ~~percentages should apply to the combined charge to the customer for both solid waste and~~
2331 ~~recyclable materials collection. The WUTC is strongly encouraged to approve tariffs that~~
2332 ~~are consistent with the policies set forth in this chapter, and that meet the minimum~~
2333 ~~percentages specified in this section.)) To the extent organics collection is implemented~~

2334 in the county, it is the county's policy that certificated haulers shall include the following
2335 elements in tariffs submitted to the Washington Utilities and Transportation Commission:

2336 1. A base rate for single family organics collection that applies to all single
2337 family solid waste collection customers in the franchise area;

2338 2. Additional rates based on additional volume of organics to be collected;

2339 3. A rate structure designed to provide customers with adequate options and
2340 incentives to reduce the customers' collection rate for solid waste collection as their
2341 volume of organics collection increases;

2342 4. The cost to produce and distribute program promotion and educational
2343 materials to customers, in accordance with K.C.C. 10.18.040; and

2344 5. Reduced solid waste and recyclables collection rates for eligible elderly and
2345 low-income program participants, as permitted by the Washington Utilities and
2346 Transportation Commission.

2347 SECTION 37. Ordinance 9928, Section 4, and K.C.C.10.18.030 are each hereby
2348 amended to read as follows:

2349 **County notification of ((WUTC)) Washington Utilities and Transportation**
2350 **Commission tariff filings.** Whenever a certificated hauler files a proposed tariff revision
2351 for solid waste, recyclables ~~((and/))~~ ~~((yard waste))~~ organics collection rates with the
2352 ~~((WUTC))~~ Washington Utilities and Transportation Commission, the certificated hauler
2353 shall simultaneously provide the ~~((division))~~ manager with copies of the proposed tariff
2354 and all nonproprietary supporting materials submitted to the ~~((WUTC))~~ Washington
2355 Utilities and Transportation Commission.

2356 A. The certificated hauler shall transmit the proposed tariff to the ~~((division))~~
2357 manager at least thirty ~~((30))~~ days ~~((prior to))~~ before action by the ~~((WUTC))~~
2358 Washington Utilities and Transportation Commission.

2359 B. The division ~~((will))~~ shall review the proposed tariffs to determine their
2360 compliance with the plan and ~~((the provisions of))~~ this chapter.

2361 C. The certificated haulers shall notify the division within one week after their
2362 tariffs are approved by the ~~((WUTC))~~ Washington Utilities and Transportation
2363 Commission. The notification shall specify the rates approved by the ~~((WUTC))~~
2364 Washington Utilities and Transportation Commission and the effective dates for the rates.

2365 SECTION 38. Ordinance 9928, Section 5, as amended, and K.C.C. 10.18.040 are
2366 each hereby amended to read as follows:

2367 **Program promotion and education requirements.** Certificated haulers shall be
2368 responsible for distributing promotional and educational materials for their franchise area
2369 and for initial as well as subsequent program promotion as new programs, customers
2370 ~~((and))~~ or areas of service are established. Promotional and educational materials are
2371 those materials prepared for the purpose of encouraging participation and educating
2372 residents about the county's recycling collection programs. Materials ~~((shall))~~ may
2373 include, but are not ~~((be))~~ limited to, ~~((any or all of))~~ the following: internet web pages;
2374 brochures~~((;))~~; mailings~~((;))~~; advertisements~~((;))~~; radio and television commercials or
2375 public service announcements~~((;))~~; and displays.

2376 A. ~~((Single family recyclables collection.))~~ The certificated hauler shall provide,
2377 at a minimum, the following notifications to ~~((all))~~ any single-family dwellings within the

2378 portion of their franchise area lying within an unincorporated service area((-)) at which
2379 new services will be provided:

2380 1. The first notification shall announce availability of service, provide a
2381 description of the program, container delivery schedule, a recycling hotline phone
2382 number(((s;))) or numbers and an explanation of the solid waste and recyclables
2383 collection rate structure and how program participants can reduce their level of solid
2384 waste collection service by participating in recyclables collection programs((- ~~An~~
2385 ~~optional program sign-up card may be included in the first notification.~~));

2386 2. A second notification shall include a schedule of collection days and shall
2387 explain materials preparation requirements detailing the required care and handling of
2388 recyclables to make them acceptable for collection by the certificated hauler ((~~including,~~
2389 ~~but not limited to~~)), such as cleaning, sorting((-)) and properly locating recyclables for
2390 collection. A ((R))recycling hotline phone number(((s;))) or numbers must also be
2391 provided. This notification may be included with delivered containers((-));

2392 3. ~~((Certificated haulers offering collection services on a sign-up basis must~~
2393 ~~continue to notify non-participants of the availability of service at least twice a year until~~
2394 ~~80 percent or more of all single family dwellings are signed up for service.~~

2395 4.) The division may also promote the program to residents of single-family
2396 dwellings((-); and

2397 ~~((S.)) 4. The certificated haulers shall ((follow the notification requirements listed~~
2398 ~~in this subsection whenever new areas of service and/or new services are added to the~~
2399 ~~single family recyclables collection program)) also provide advance notice to single-~~

2400 family customers of any changes in recyclables collection services, such as changes in
2401 collection days, materials collected or preparation requirements.

2402 B. (~~Multi-family recyclables collection.~~) The certificated hauler shall provide,
2403 at a minimum, the (~~following~~) notification(~~s~~) in subsection B.1 of this section, at least
2404 two times per year to (~~all multi-family building~~) the owners and managers (~~for the~~
2405 portion of their franchise area lying within an unincorporated service area) of
2406 multifamily buildings located within unincorporated areas of the hauler's franchise area
2407 that do not participate in recyclables collection, until seventy-five percent or more of all
2408 multifamily buildings within the hauler's unincorporated franchise area have signed up
2409 for recyclables collection service.

2410 1. The (~~first notification~~) hauler shall announce the availability of service(~~s~~)
2411 and shall provide a description of the program, (~~and~~) a sign-up card or phone number to
2412 call for service(~~s~~) and an explanation of the solid waste and recyclables collection rate
2413 structure and how program participants can reduce their level of solid waste collection
2414 service by participating in collection programs.

2415 2. When multifamily buildings sign up for service, (~~A~~)a second notification,
2416 included with container delivery, shall include a schedule of collection days and shall
2417 explain materials preparation requirements detailing the required care and handling of
2418 recyclables to make them acceptable for collection by the certificated hauler, including,
2419 but not limited to, cleaning, sorting(~~s~~) and properly locating recyclables for collection.
2420 A (~~R~~)recycling hotline phone number(~~s~~) or numbers must also be provided.

2421 3. ~~((Certificated haulers offering collection services shall notify non-~~
2422 ~~participating building owners and managers of the availability of service at least twice a~~
2423 ~~year until 50 percent or more of all multi-family dwellings are signed up for service.~~

2424 4.) The division may promote the program to both tenants and building
2425 managers.

2426 ~~((5.))~~ 4. The certificated haulers shall follow the notification requirements listed
2427 in this subsection whenever new areas of service ~~((and/))~~ or new services are added to the
2428 multi~~((-))~~ family recyclables collection program.

2429 5. The certificated hauler shall also provide advance notice to multifamily
2430 building owners and managers of any applicable changes in recyclables collection
2431 services, such as changes in collection days, materials collected or preparation
2432 requirements.

2433 C. ~~((Single family and multi-family yard waste collection.))~~ 1. The certificated
2434 hauler shall provide, at a minimum, the following notifications to ~~((all))~~ any single-family
2435 dwellings ~~((and multi-family structures or complexes))~~ within the portion of their
2436 franchise area lying within an unincorporated service area~~((-))~~:

2437 ~~((1.))~~ a. The ~~((hauler first notification shall announce))~~ availability of service,
2438 ~~((provide))~~ a description of the program and requirements for separation of yard ~~((waste))~~
2439 debris from nonorganic refuse~~((;))~~ and a sign-up card or phone number to call for service,
2440 and an explanation of the solid waste and recyclables collection rate structure and how
2441 program participants can reduce their level of solid waste collection service by
2442 participating in collection programs. The hauler shall provide this notice at least twice a

2443 year until sixty percent or more of all single-family dwellings within the hauler's
2444 unincorporated service area have signed up for yard debris collection service; and
2445 ~~((2:))~~ b. When single-family dwellings sign up for service, the hauler shall
2446 provide ((A))a second notification((, included with container delivery if the hauler
2447 requires the use of their containers)), which shall include a schedule of collection days
2448 and shall explain materials preparation requirements detailing the required care and
2449 handling of yard ((waste)) debris to make it acceptable for collection by the certificated
2450 hauler. A ((R))recycling hotline phone number((s)) or numbers must also be provided.

2451 ~~((3. Certificated haulers shall continue to notify non-participants of the~~
2452 ~~availability of single family yard waste collection services and requirements for~~
2453 ~~separating yard waste from refuse at least twice a year until 60 percent or more of all~~
2454 ~~single family dwellings are signed up for service.~~

2455 ~~4.)~~ 2. The division may also promote the program to residents of single-family
2456 dwellings and multifamily structures or complexes.

2457 ~~((5:))~~ 3. The certificated haulers shall follow the notification requirements listed
2458 in this subsection whenever new areas of either or both service ~~((and/))~~ or services are
2459 added to the single-family and multi~~((-))~~family yard ~~((waste))~~ debris collection program.

2460 4. The certificated hauler shall also provide advance notice to single-family
2461 dwellings of any applicable changes in yard debris collection services, such as changes in
2462 collection days, materials collected or preparation requirements.

2463 D. ~~((Initial notification requirements for separation of yard waste from refuse.~~

2464 ~~1. A notification of the requirements for separating yard waste from refuse~~
2465 ~~contained in this ordinance shall be provided no later than August 31, 1993. For non-~~

2466 participants in yard waste collection programs, the notification shall also announce
2467 availability of yard waste collection service and shall provide a description of the
2468 program, a sign-up card or phone number to call for service, and an explanation of the
2469 solid waste and recyclables collection rate structure and how program participants can
2470 reduce their level of solid waste collection service by participating in collection
2471 programs.

2472 ~~2. Before August 1, 1993, the division shall promulgate promotional materials~~
2473 ~~pertaining to the source separation requirements contained in 10.18.010. Promotion may~~
2474 ~~include press releases, direct mailings to affected residents, and distribution of~~
2475 ~~information at county solid waste facilities.))~~ 1. In areas in which collection of organics,
2476 in addition to yard debris, is implemented, the certificated hauler shall provide, at a
2477 minimum, the following notifications to all single-family dwellings and multifamily
2478 structures or complexes within the portion of its franchise area lying within an
2479 unincorporated service area:

2480 a. A first notification, which shall announce availability of service, and shall
2481 provide a description of the program and requirements for separation of yard debris from
2482 refuse, a sign-up card or telephone number to call for service and an explanation of the
2483 solid waste and recyclables collection rate structure and how program participants can
2484 reduce their level of solid waste collection service by participating in organics collection
2485 programs;

2486 b. A second notification, which shall include a schedule of collection days and
2487 shall explain materials preparation requirements detailing the required care and handling of

2488 organics and yard debris to make them acceptable for collection by the certificated hauler.

2489 A recycling hotline phone number or numbers must also be provided.

2490 2. The division may also promote the organics collection program to residents of
2491 single-family dwellings and multifamily structures or complexes.

2492 3. The certificated hauler shall also provide advance notice of any applicable
2493 changes in organics collection services, such as changes in collection days, materials
2494 collected or preparation requirements.

2495 E. All notifications provided by the certificated hauler must be approved by the
2496 division. The division shall review notifications for content and accuracy of
2497 information((;)) and consistency with materials prepared by the county. Copies of the
2498 notifications must be submitted to the division for its review at least three weeks ((prior
2499 to)) before their ((printing)) production, and the division shall return comments within
2500 that three-week period.

2501 F. King County ((shall)) may periodically provide the certificated haulers with
2502 educational materials to be included with a hauler's mailing or bill. These materials will
2503 be designed to encourage participation in the collection programs and to familiarize
2504 participants with general waste reduction and recycling concepts. The division and the
2505 certificated hauler shall mutually agree upon the number and format of materials to be
2506 included in the hauler's mailings. Any material prepared by the division that will be
2507 distributed by haulers will be distributed to the haulers for their review three weeks
2508 ((prior to)) before their printing. The hauler shall return any comments on the materials
2509 to the division within that three-week period.

2510 SECTION 39. Ordinance 9928, Section 6, and K.C.C. 10.18.050 are each hereby
2511 amended to read as follows:

2512 **Certificated haulers' customer service responsibilities.** Certificated haulers
2513 shall be responsible for all aspects of customer service. The ((€))customer service
2514 responsibilities shall include, but not be limited to:

2515 A. General program information provided by telephone, brochures((;)) and
2516 advertisements((:));

2517 B. Program sign-up, container delivery and replacement information((:));

2518 C. Written notification, which shall be distributed at the point of collection when
2519 collection is refused. The notification shall include, at a minimum, an explanation of the
2520 reasons collection was refused((:));

2521 D. Response to complaints of missed collection. The certificated hauler shall
2522 collect the uncollected recyclables within one business day after the complaint is received
2523 and verified((:)); and

2524 E. Telephone and written response to service complaints. The certificated
2525 haulers shall maintain an adequately staffed telephone hotline for their franchise area
2526 served by the programs. This number shall be accessible to residents for the purpose of
2527 providing program information((,)) and accepting service comments and complaints.

2528 ~~((1. The hotline must be capable of responding to a large volume of phone calls.
2529 Callers must be able to talk to hotline staff or obtain information through recorded
2530 message or an interactive communications system when the hotline phone is not staffed.
2531 The callers must also have the option of speaking to hotline staff in less than three (3)~~

2532 minutes during normal business hours. The hotline shall have the capability of recording
2533 all calls received when the hotline is not staffed.

2534 2. The hotline phone number(s) shall be clearly shown on the collection
2535 equipment and all recyclables and yard waste containers provided by the certificated
2536 hauler, included in all mailings, and other publicity materials.

2537 3. The county may publish the hotline phone number(s) on other county
2538 materials as part of its education and promotion of the collection programs with prior
2539 notification of the certificated hauler.))

2540 SECTION 40. Ordinance 9928, Section 7, as amended, and K.C.C. 10.18.060 are
2541 each hereby amended to read as follows:

2542 **Reporting requirements.**

2543 A. The certificated hauler shall submit a report to the division ((on the fifth day
2544 of each month beginning May 1991 through July 1991)) quarterly, documenting
2545 participation for the household recyclables and yard ((waste)) debris collection programs
2546 established for the service area identified in Attachment A, dated April 24, 1991, to
2547 Ordinance 10942. ((The certificated hauler shall also submit a report to the division on
2548 the fifth day of each month, for a period of three months, beginning with the first month
2549 of service following the provision of services to the service area identified in Attachment
2550 B, dated March 30, 1993, to Ordinance 10942, and any subsequent expansion of services
2551 to new areas and/or the provision of new services. The reports will include an
2552 implementation schedule for the program and a written summary of progress made to
2553 implement the collection programs for the portion of their franchise area lying within an
2554 unincorporated service area. The implementation schedule and report will address but

2555 ~~not be limited to: a description of container type, status of container and equipment order~~
2556 ~~and delivery; container delivery to program participants; status and content of tariff~~
2557 ~~submittals to the WUTC; and progress made in program promotion.))~~

2558 B. Each month, ~~((€))~~certificated haulers shall~~((, on a monthly basis,))~~ provide the
2559 ~~((county))~~ manager with information to evaluate the effectiveness of the programs. The
2560 reports ~~((will))~~ shall contain monthly, quarterly~~((;))~~ and annual data in a format and
2561 medium determined by the division. At a minimum, the monthly service reports shall
2562 include the following information for each service area and for each service:

2563 1. Weekly and monthly set-out counts by routes, programs and service area.

2564 "Set-out count" ~~((is))~~ means the number of dwelling units that make the contents of their
2565 recyclables and~~((/or))~~ yard ~~((waste))~~ debris collection containers available for
2566 collection~~((;))~~;

2567 2. Average pounds of recyclables and yard ~~((waste))~~ debris collected per set-
2568 out~~((;))~~;

2569 3. Summaries of tons of all recyclables and yard ~~((waste))~~ debris collected, by
2570 material~~((;))~~;

2571 4. Location of an intermediate processing facility~~((ies))~~ or facilities and
2572 materials types delivered to these facilities~~((;))~~;

2573 5. Summaries of tons of all recyclables sold, by material~~((;))~~;

2574 6. Summary of tons of contaminated recyclables and yard ~~((waste))~~debris
2575 disposed of at a county solid waste facility, and which solid waste facility received it~~((;))~~;

2576 7. For each franchise area located within the unincorporated service areas~~((, as~~
2577 ~~defined by this chapter))~~:

- 2578 a. The total number of single-family solid waste collection customers;
- 2579 b. The total number of multi((-)family complexes receiving solid waste
2580 collection service((-)) and the number of units within those complexes;
- 2581 c. The total number of single-family dwellings receiving collection services
2582 for:
- 2583 (1) recyclables((-and/or));
- 2584 (2) yard ((waste collection services)) debris; or
- 2585 (3) organics collection in addition to yard debris; and
- 2586 d. The total number of multi((-)family complexes receiving recyclables
2587 collection services and the location of these complexes((-));
- 2588 8. Summaries of tons of all solid waste collected from all single-family
2589 dwellings and multifamily structures and which King County solid waste facilities
2590 received it((-));
- 2591 9. Any significant changes in patterns of usage of King County solid waste
2592 facilities, to be reported to the manager of the division ((30)) thirty days in advance of the
2593 change((-));
- 2594 10. A ((E))log of service complaints received by certificated haulers((-));
- 2595 11. Upon the request of the division, the number of households and geographic
2596 location of areas receiving alternatives to or modified curbside recyclables collection due
2597 to inaccessibility as permitted in K.C.C. 10.18.010.D.1((-));
- 2598 12. A map at a scale of one ((4)) inch equals two hundred ((200)) feet,
2599 indicating the areas served and the collection days for each program((-));

2600 13. Upon the request of the division, the number of customers that received
2601 notification tags on refuse containers because they contained yard ~~((waste-))~~ debris; and

2602 14. Upon the request of the division, the number of customers whose refuse
2603 containers were not collected because they contained yard ~~((waste))~~ debris.

2604 C. Reports shall be submitted to the division by the fifteenth ~~((15th))~~ of each
2605 month and ~~((will))~~ shall be based on the operation of the programs for the previous
2606 month. In addition, annual service reports shall be due within ~~((30))~~ thirty days after the
2607 end of the calendar year. In addition to the year-end summary of the monthly reporting
2608 information, the annual report shall include a summary of program highlights, the effects
2609 of changes in services and areas served, problems and measures taken to resolve
2610 problems and increase efficiency and participation, an analysis of each program's
2611 effectiveness~~((,))~~ and an annual tonnage forecast ~~((which))~~ that estimates the total amount
2612 of solid waste tonnage for the current year.

2613 ~~((D. The certificated haulers shall meet with a representative of the solid waste
2614 division at a minimum of once per month, beginning in May 1991. All meetings shall be
2615 at the discretion of the division.))~~

2616 SECTION 41. Ordinance 7737, Section 2, as amended, and K.C.C.10.24.020 are
2617 each hereby amended to read as follows:

2618 **Responsibilities.**

2619 A. ~~((The division shall prepare the plan and submit it to the council of King
2620 County on or before March 1, 1989, for adoption.~~

2621 B-)) The division shall maintain the plan in a current condition and shall propose
2622 necessary plan revisions to the council at least once every three years.

2623 ~~((C.))~~ B. The King County ~~((S))~~solid ~~((W))~~waste ~~((A))~~advisory ~~((C))~~committee
2624 shall review and comment upon the proposed plan prior to its submittal to the council for
2625 adoption.

2626 ~~((D.))~~ C. The designated interlocal forum shall have the following
2627 responsibilities:

2628 1. Advise the King County council and executive and other jurisdictions as
2629 appropriate on all policy aspects of solid waste management and planning~~((:))~~, and
2630 ~~((C))~~consult with and advise the King County solid waste division on technical
2631 issues~~((:))~~;

2632 2. Review and comment on alternatives and recommendations for the county
2633 comprehensive solid waste management plan and facilitate approval of plan by each
2634 jurisdiction~~((:))~~;

2635 3. Review proposed interlocal agreements between King County and cities for
2636 planning, recycling~~((:))~~ and waste stream control~~((:))~~;

2637 4. Review disposal rate proposals~~((:))~~;

2638 5. Review status reports on: waste stream reduction, recycling, energy~~((/))~~ and
2639 resource recovery~~((:))~~; and solid waste operations with interjurisdictional impact~~((:))~~;

2640 6. Promote information exchange and interaction between waste generators,
2641 local governments with collection authority, recyclers~~((:))~~ and county-planned and
2642 operated disposal system~~((:))~~;

2643 7. Provide coordination opportunities between King County solid waste
2644 division, local governments, private operators and recyclers~~((:))~~; and

2645 8. Aid cities in recognizing municipal solid waste responsibilities, including
2646 collection and recycling, and effectively carrying out those responsibilities.

2647 E. The council shall hold a public hearing on the draft plan and another public
2648 hearing on the final plan ~~((prior to))~~ before adoption of the plan. Any city using county
2649 disposal sites shall be notified of these public hearings and shall be requested to comment
2650 on the plan.

2651 F. ~~((Until adoption of the plan by ordinance of King County, the 1982
2652 Comprehensive Solid Waste Management Plan prepared by the Puget Sound Council of
2653 Governments shall be used as the solid waste management plan for King County.))~~

2654 ~~G. Beginning in 1989, t))~~ The division shall submit to the council by September 1
2655 of each year an annual report of its progress toward objectives identified in the plan.

2656 ~~((H.))~~ G. Interlocal agreements between the county and cities wishing to plan
2657 jointly with the county or to authorize the county to plan for it shall identify which party
2658 is responsible for city solid waste operational plans, tonnage forecasts, and recycling
2659 goals.

2660 SECTION 42. Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015,
2661 each as amended, are each hereby amended to read as follows:

2662 **First tier funds and designated fund managers.**

2663 A. First tier funds and fund managers are as follows:

2664	<u>Fund No.</u>	<u>Fund Title</u>	<u>Fund Manager</u>
2665	103	County Road	Dept. of Transportation
2666	104	Solid Waste Landfill Post Closure	Dept. of Natural Resources and
2667		Maintenance	Parks

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2668	109	Recorder's O & M	Dept. of Executive Services
2669	111	Enhanced-911 Emergency Tel System	Dept. of Executive Services
2670	112	Mental Health	Dept. of Community ((&)) <u>and</u>
2671			Human Services
2672	115	Road Improvement Guaranty	Dept. of Transportation
2673	117	Arts and Cultural Development	Dept. of Executive Services
2674	119	Emergency Medical Services	Dept. of Public Health
2675	121	Surface Water Management	Dept. of Natural Resources and
2676			Parks
2677	122	Automated Fingerprint Ident. System	Dept. of Public Safety
2678	128	Local Hazardous Waste	Dept. of Public Health
2679	129	Youth Sports Facilities Grant	Dept. of Natural Resources and
2680			Parks
2681	131	Noxious Weed Control Fund	Dept. of Natural Resources and
2682			Parks
2683	134	Development and Environmental Services	Dept. of Development ((&)) <u>and</u>
2684			Environmental Services
2685	137	Clark Contract Administration	Office of Management and Budget
2686	138	Parks Trust and Contribution	Dept. of Natural Resources and
2687			Parks
2688	139	Risk Abatement	Office of Management and Budget
2689	145	Parks and Recreation	Dept. of Natural Resources and
2690			Parks

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2691	164	Two-Tenths Sales Tax Revenue Receiving	Dept. of Transportation
2692	165	Public Transit Self Insurance	Dept. of Transportation
2693	215	Grants Tier 1 Fund	Dept. of Executive Services
2694	309	Neighborhood Parks ((&)) <u>and</u> Open Space	Dept. of Executive Services
2695	312	HMC Long Range CIP	Dept. of Executive Services
2696	313	Health Department Clinic Projects Const	Dept. of Executive Services
2697	315	Conservation Futures	Dept. of Natural Resources and
2698			Parks
2699	316	Parks, Rec. ((&)) <u>and</u> Open Space	Dept. of Executive Services
2700	318	Surface ((&)) <u>and</u> Storm Water Mgmt Const	Dept. of Natural Resources and
2701			Parks
2702	319	Youth Svcs Detention Facility Const	Dept. of Executive Services
2703	320	Public Art Fund	Dept. of Executive Services
2704	322	Housing Opportunity Acquisition	Dept. of Community ((&)) <u>and</u>
2705			Human Services
2706	326	1990 Series B Youth Detention Facility	Dept. of Executive Services
2707	327	Equipment and Building Acquisition	Dept. of Executive Services
2708	329	SWM CIP Construction 1992-1997	Dept. of Natural Resources and
2709			Parks
2710	331	Long-term Leases	Dept. of Executive Services
2711	333	Health Centers Construction	Dept. of Executive Services
2712	334	Capital Acqn and County Fac Renovation	Office of Management and Budget
2713	335	Youth Services Facilities Construction	Dept. of Executive Services

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2714	338	Airport Construction	Dept. of Transportation
2715	339	Working Forest 1995 B	Dept. of Natural Resources and
2716			Parks
2717	340	Parks CIP	Dept. of Natural Resources and
2718			Parks
2719	340-3	Urban Reforestation ((&)) <u>and</u>	Dept. of Natural Resources and
2720		Habitat Restoration	Parks
2721	341	Arts and Historic Preservation Capital	Dept. of Executive Services
2722	342	Major Maintenance Reserve	Dept. of Executive Services
2723	343	Core GIS Capital Project	Dept. of Natural Resources and
2724			Parks
2725	346	Regional Justice Center Construction	Dept. of Executive Services
2726	347	Emergency Communications System	Dept. of Executive Services
2727	349	Parks Facilities Rehabilitation	Dept. of Executive Services
2728	350	Open Space Acquisition	Dept. of Natural Resources and
2729			Parks
2730	364-3	Transit Cross-border Lease Financing Fund	Dept. of Executive Services
2731	369	Transfer of Development Credits Program	Dept. of Natural Resources and
2732		(TDC) Fund	Parks
2733	377-1	OIRM Capital Fund	Office of Information Resource
2734			Management
2735	378	Information and Telecommunications	Dept. of Executive Services
2736		Capital Improvement Fund	

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2737	381	Solid Waste Cap Equip Recovery	Dept. of Natural Resources and
2738			Parks
2739	383	Solid Waste Environmental Reserve	Dept. of Natural Resources and
2740			Parks
2741	384	Farmland and Open Space Acquisition	Dept. of Natural Resources and
2742			Parks
2743	385	Renton Maintenance Fac. Const	Dept. of Transportation
2744	386	County Road Construction	Dept. of Transportation
2745	387	HMC Construction	Dept. of Executive Services
2746	388	Jail Renovation ((&)) and Construction	Dept. of Executive Services
2747	390	Solid Waste Construction	Dept. of Natural Resources and
2748			Parks
2749	391	((Solid Waste)) Landfill Reserve	Dept. of Natural Resources and
2750			Parks
2751	394	Kingdome CIP	Dept. of Executive Services
2752	395	Building Capital Improvement	Dept. of Executive Services
2753	396	HMC Building Repair and Replacement	Dept. of Executive Services
2754	404	Solid Waste Operating	Dept. of Natural Resources and
2755			Parks
2756	429	Airport Operating	Dept. of Transportation
2757	448	Stadium Management	Dept. of Executive Services
2758	453-1	Institutional Network Operating Fund	Dept. of Executive Services
2759	461	Water Quality	Dept. of Natural Resources and

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2760			Parks
2761	464	Public Transportation	Dept. of Transportation
2762	542	Safety ((&)) <u>and</u> Workers' Compensation	Dept. of Executive Services
2763	544	Wastewater Equipment Rental and	Dept. of Transportation
2764		Revolving Fund	
2765	547	Office of Information Resource	Dept. of Executive Services
2766		Management Operating Fund	
2767	550	Employee Benefits Program	Dept. of Executive Services
2768	551	Facilities Management	Dept. of Executive Services
2769	552	Insurance	Dept. of Executive Services
2770	557	Public Works Equipment Rental	Dept. of Transportation
2771	558	Motor Pool Equipment Rental	Dept. of Transportation
2772	559	Purchasing Stores	Dept. of Executive Services
2773	560	Printing/Graphic Arts Services	Dept. of Executive Services
2774	603	Cultural Resources Endowment	Dept. of Executive Services
2775	622	Judicial Administration Trust and Agency	Dept. of Judicial Administration
2776	624	School District Impact Fee	Office of Management and Budget
2777	674	Refunded Ltd GO Bond Rdmp.	Dept. of Executive Services
2778	675	Refunded Unltd GO Bond	Dept. of Executive Services
2779	676	H&CD Escrow	Dept. of Executive Services
2780	693	Deferred Compensation	Dept. of Executive Services
2781	696	Mitigation Payment System	Dept. of Transportation
2782	843	DMS Limited GO Bonds	Dept. of Executive Services

2783 B. The following shall also be first tier funds:

2784 1. All funds now or hereafter established by ordinance for capital construction
2785 through specific road improvement districts, utility local improvement districts or local
2786 improvement districts. The director of the department of transportation shall be the fund
2787 manager for transportation-related funds. The director of the department of natural
2788 resources and parks shall be the fund manager for utility-related funds.

2789 2. All county funds that receive original proceeds of borrowings made pursuant
2790 to Chapter 216, Washington laws of 1982, as now existing or hereafter amended, to the
2791 extent of the amounts then outstanding for such borrowings for that fund. For purposes
2792 of this subsection, the director of the county department or office primarily responsible
2793 for expenditures from that fund shall be the fund manager.

2794 3. Any other fund as the council may hereinafter prescribe by ordinance to be
2795 invested for its own benefit. County funds shall be treated as provided in K.C.C.

2796 4.10.110 unless a designation is made by the council.

2797 **SECTION 43. Repealer.** Ordinance 6177, Section 2, as amended, and K.C.C.
2798 10.12.020, Ordinance 9271, Section 14, and K.C.C. 10.12.022, Ordinance 6177, Section
2799 4, as amended, and K.C.C.10.12.025, Ordinance 7786, Section 4, and K.C.C. 10.14.060,
2800 Ordinance 7786, Section 6, and K.C.C. 10.14.070, Ordinance 9240, Section 4, and
2801 K.C.C. 10.16.040, Ordinance 9240, Section 5, as amended, and K.C.C. 10.16.050,
2802 Ordinance 9240, Section 7, as amended, and K.C.C. 10.16.070, Ordinance 9240, Section
2803 8, and K.C.C. 10.16.080, Ordinance 9240, Section 10, and K.C.C. 10.16.100, Ordinance
2804 9240, Section 11, and K.C.C. 10.16.110, Ordinance 9240, Section 12, and K.C.C.
2805 10.16.120, Ordinance 9240, Section 13, and K.C.C. 10.16.130, Ordinance 9240, Section

2806 14, and K.C.C. 10.16.140, Ordinance 9240, Section 15, and K.C.C. 10.16.150, Ordinance
2807 9928, Section 9, and K.C.C. 10.18.080, Ordinance 9928, Section 10, and K.C.C.
2808 10.18.090, Ordinance 11949, Section 2, and K.C.C. 10.22.005, Ordinance 11949, Section
2809 3, and K.C.C. 10.22.015, Ordinance 11949, Section 4, as amended, and K.C.C.
2810 10.22.025, Ordinance 11949, Section 5, as amended, and K.C.C. 10.22.035, Ordinance
2811 11949, Section 6, and K.C.C. 10.22.045, Ordinance 11949, Section 7, and K.C.C.
2812 10.22.055, Ordinance 11949, Section 8, and K.C.C. 10.22.065 and Ordinance 11949,
2813 Section 9, and K.C.C. 10.22.075 are each hereby repealed.

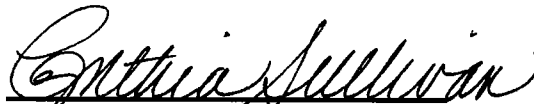
2814 **SECTION 44. Severability.** If any provision of this ordinance or its application

2815 to any person or circumstance is held invalid, the remainder of the ordinance or the
2816 application of the provision to other persons or circumstances is not affected.
2817


Ordinance 14811 was introduced on 10/13/2003 and passed as amended by the Metropolitan King County Council on 12/8/2003, by the following vote:

Yes: 7 - Ms. Sullivan, Ms. Edmonds, Mr. Phillips, Mr. Pelz, Mr. Gossett, Ms. Patterson and Mr. Constantine
No: 4 - Mr. von Reichbauer, Ms. Lambert, Mr. Hammond and Ms. Hague
Excused: 2 - Mr. McKenna and Mr. Irons


KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 11 day of December, 2003.


Ron Sims, County Executive

Attachments None

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KING COUNTY COUNCIL
CLERK