Title 10
SOLID WASTE

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Chapters:

10.04 KING COUNTY SOLID WASTE CODE
10.08 SOLID WASTE SITES
10.10 DISPOSAL SITES - HOURS AND TYPES OF WASTE ACCEPTED
10.12 SOLID WASTE SITE DISPOSAL FEES
10.14 WASTE REDUCTION - RECYCLING AND RECOVERY
10.18 COLLECTION OF HOUSEHOLD RECYCLABLES AND YARD DEBRIS IN UNINCORPORATED KING COUNTY
10.24 SOLID WASTE MANAGEMENT PLAN
10.25 SOLID WASTE MANAGEMENT PLANNING
10.28 SOLID WASTE ADVISORY COMMITTEE
10.30 CONSTRUCTION AND DEMOLITION WASTE

10.04 KING COUNTY SOLID WASTE CODE

Sections:

10.04.010 Title of chapter.
10.04.020 Definitions.
10.04.030 Keeping and use of solid waste containers.
10.04.040 Construction, maintenance and placement of solid waste containers.
10.04.060 Separation of solid waste.
10.04.070 Removal or storage of swill.
10.04.080 Littering and unlawful dumping.
10.04.105 Reserve moneys required.

10.04.010 Title of chapter. This chapter shall be known as the "King County Solid Waste Code," and is necessary for the preservation and protection of public health, welfare and safety. The terms, provisions, rules and regulations incorporated herein shall be liberally construed for the aforementioned purpose. (Ord. 8891 § 2, 1989).

10.04.020 Definitions. The definitions in this section apply throughout this title unless the context clearly requires otherwise:

A. "Adjunct transfer station" means a privately owned and operated transfer facility authorized by the county to receive, consolidate and deposit municipal solid waste into larger transfer vehicles for transport to and disposal at county-authorized solid waste facilities.

B. "Asbestos-containing waste material" means any waste that contains or is contaminated with asbestos-containing material. "Asbestos-containing waste material" includes asbestos waste from control equipment, materials used to enclose the work area during an asbestos project, asbestos-containing material collected for disposal, asbestos-contaminated waste, waste, containers, bags, protective clothing or HEPA filters. Asbestos-containing waste material does not include samples of asbestos-containing material taken for testing or enforcement purposes.

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

D. "Biomedical waste" means and is limited to the following types of waste defined as "biomedical waste" in RCW 70.95K.010, as now or as hereafter amended: animal waste, biosafety level 4 disease waste, cultures and stocks, human blood and blood products, pathological waste, sharps waste and any other waste determined to be infectious by the generator's infection control staff or committee.

E. "C&D" means construction and demolition waste.

F. "C&D receiving facility" means any properly licensed or permitted facility that is designated by the county as the facility to which C&D waste, including residual C&D waste, is required to be delivered under this Code. A C&D receiving facility may be either a material recovery facility or a transfer facility, or both.

G. "C&D recycling facility" means any properly licensed or permitted facility at which recyclable C&D waste is removed from mixed C&D waste for reuse or remanufacture into a usable product.

H. "Certificated hauler" means any person engaged in the business of solid waste handling having a certificate of convenience and necessity granted by the Washington Utilities and Transportation Commission for that purpose.

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

J. "Clean mud and dirt" means mud and dirt that meet the definition of "natural background" in this title, as currently enacted and as hereafter amended.

K. "Clean wood" means stumps and branches over four inches in diameter and construction lumber free of paint, preservatives, metals, concrete and other nonwood additives or attachments.

L. "Clean wood collection area" means an area used by county residents, businesses and institutions to deposit source-separated clean wood.

M. "Closure" means those actions taken by the owner or operator of a solid waste facility to cease disposal operations or other solid waste handling activities, and to ensure that all such facilities are closed in conformance with applicable rules at the time of the closure and to prepare the site for the post-closure period.

N. "Commercial hauler" means any person, including, but not limited to, certificated haulers, contract haulers and others collecting or transporting solid waste for hire or consideration.

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

P. "Composted material means organic solid waste that has undergone biological degradation and transformation under controlled conditions designed to promote aerobic decomposition at a solid waste facility in compliance with the requirements of this title; Natural decay of organic solid waste under uncontrolled conditions does not result in composted material.

Q. "Composting" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition. Natural decay of organic solid waste under uncontrolled conditions is not composting.

R. "Comprehensive solid waste management plan" means the King County plan prepared in accordance with chapter 70.95 RCW, as enacted or hereafter amended.

S.1. "Construction and demolition (C&D) waste" means any nonputrescible recyclable or nonrecyclable waste that results from construction, remodeling, repair or demolition of buildings, roads or other structures and requires removal from the site of construction or demolition. Except where otherwise expressly provided, "C&D waste" means C&D waste generated in the county jurisdiction.

2. "C&D waste" does not include land clearing materials such as soil, rock, vegetation or contaminated soil, friable asbestos-containing waste material as defined under Regulation III, Article 4 of the Puget Sound Clean Air Agency, unacceptable waste, garbage, sewerage, animal carcasses or any other solid waste that does not meet the definition of C&D waste.

T. "Container" means a portable device used for the collection, storage and/or transportation of solid waste including, but not limited to, reusable containers, disposable containers and detachable containers.

U. "Contaminated soil" means any soil that does not meet the definition of "natural background" in the soil cleanup standards of the chapter 173-340 WAC, as currently enacted and as hereafter amended.

V. "Contract hauler" means any person engaged in the business of solid waste handling having a contract with a city or town for that purpose.

W. "County jurisdiction" means the geographic area for which King County government has comprehensive planning authority for solid waste management either by law, such as unincorporated areas, or by interlocal agreement, or both.

X. "County solid waste" means all solid waste generated, collected or disposed within the county jurisdiction.

Y. "Curbside collection" means the pick-up of recyclable materials and solid waste from a household. This pick-up may be at a curb, end of driveway or alleyway from either a single family or multifamily dwelling.

Z. "Dangerous wastes" means any solid waste designated as dangerous waste by the Washington state Department of Ecology under chapter 173-303 WAC, Dangerous waste regulations.

AA. "Department" means any executive department and administrative office as defined by King County ordinance or other applicable law and includes, but is not limited to, all county agencies not associated with a department, such as the prosecuting attorney, the assessor, the sheriff and the council.

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

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

DD. "Disposal facility" means a facility or facilities where any final treatment, utilization, processing or disposal of solid waste occurs.

EE. "Disposal system" means the system of solid waste facilities, rules and procedures established in accordance with this title.

FF. "Diversion rate" means a measure of the amount of waste materials being diverted for recycling compared with the total amount that would otherwise be thrown away.

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

HH. "Division director" means the manager of the solid waste division of the department of natural resources and parks of King County, or the division manager's designee.

II. "Drop box facility" means a facility used for the placement of a detachable solid waste container, such as a drop box, including the area adjacent for necessary entrance and exit roads, unloading and turnaround areas. A drop box facility normally serves self-haulers with loose loads and receives waste from off-site. A drop box facility may also include containers for separated recyclable materials.

JJ. "Environmentally preferable products" means products that have fewer or reduced negative impacts on human health or the environment compared to competing products that serve the same purpose. This comparison may consider raw materials

acquisition, production, manufacturing, packaging, distribution, operation, maintenance, reuse and disposal of the product.

KK. "Facility" means all contiguous land and structures, other appurtenances, and improvements on the land used for the management of solid waste.

LL. "Federal guidance" means guidelines provided by the United States Environmental Protection Agency, the Offices of the Federal Environmental Executive, federal executive orders or other guidelines offered by federal agencies.

MM. "Fixed-rate vehicle" means an enclosed automobile having two or four doors such as a hatchback or sedan (all without trailers). The definition of Fixed-rate vehicles does not include minivans, vans, station wagons, sport utility vehicles, trucks or pick-up trucks.

NN. "Franchise area" means a certificated hauler's territorial collection area, which is delineated in the certificate of convenience and necessity issued by the Washington Utilities and Transportation Commission.

OO. "Garbage" means all putrescible wastes, except the following:

1. Organics that have been source separated for the purpose of recycling,
2. Sewage; and
3. Sewage sludge.

PP. "Hazardous waste" includes, but is not limited to, explosives, medical wastes, radioactive wastes, pesticides and chemicals that are potentially harmful to the public health or the environment. Unless otherwise defined by the health department, "hazardous waste" has the same meaning as defined by the Washington state Department of Ecology in the Washington Administrative Code.

QQ. "Hazardous waste management plan" means a plan for managing moderate risk wastes, under RCW 70.105.220.

RR. "Health department" means the Seattle-King County department of public health.

SS. "Health officer" means the health department director or designee.

TT. "Host city" means a city that has a county transfer facility within its incorporated boundaries.

UU. "Household hazardous waste" means any waste that exhibits any of the properties of dangerous wastes that is exempt from regulation under chapter 70.105 RCW, Hazardous waste management, solely because the waste is generated by households. Household hazardous waste can also include other solid waste identified in the local hazardous waste management plan.

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

WW. "Industrial solid wastes" means solid waste generated from manufacturing operations, food processing, or other industrial processes.

XX. "Interlocal forum" means representatives of the metropolitan King County council and representatives of incorporated cities and towns within King County designated by the Suburban Cities Associated and by interlocal agreement to discuss solid waste issues and facilitate regional cooperation in solid waste management. The regional policy committee of the council is designated by interlocal agreements between suburban cities and the county as the solid waste interlocal forum.

YY. "Intermediate solid waste handling facility" means any intermediate use or processing site engaged in solid waste handling that is not the final site of disposal. This includes material recover facilities, transfer stations, drop boxes, baling and compaction sites.

ZZ. "Intermodal facility" means any facility operated for the purpose of transporting closed containers of waste from one mode of transportation to another and the containers are not opened for further treatment, processing or consolidation of the waste.

AAA. "King County solid waste advisory committee" means the committee formed in accordance with K.C.C. chapter 10.28 and chapter 70.95 RCW to advise the county on solid waste management planning, assist in the development of programs and policies concerning solid waste management and review and comment on the comprehensive solid waste management plan and other proposed solid waste management rules, policies or ordinances before adoption.

BBB. "Landfill" means a disposal facility or part of a facility at which solid waste is permanently placed in or on land including facilities that use solid waste as a component of fill.

CCC. "Landfill gas" means gas produced by the microbial decomposition of municipal solid waste in a landfill.

DDD. "Level of service" means the level and degree of service provided at facilities, including hours of operation, classes of customers served and recyclable materials collection available.

EEE. "Liquid waste" means any solid waste that is deemed to contain free liquids as determined by the Paint Filter Liquids Test, Method 9095, in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846.31.

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

GGG. "Material recovery facility" or "MRF" means any facility that processes for transport mixed C&D waste [or]* source separated solid waste for the purpose of recycling.

HHH. "Mixed C&D waste" means C&D waste containing both recyclable and nonrecyclable C&D waste material that has not been separated.

III. "Mixed waste processing" means sorting of solid waste after collection from the point of generation to remove recyclable materials from the solid waste to be disposed.

JJJ. "Moderate risk waste" means solid waste that is limited to conditionally exempt small quantity generator (CESQG) waste and household hazardous waste (HHW) as defined in chapter 173-350 WAC.

KKK. "Municipal solid waste" or "MSW" means a subset of solid waste that includes unsegregated garbage, rubbish and similar solid waste material discarded from residential, commercial, institutional and industrial sources and community activities, including residue after recyclable materials have been separated. Solid waste that has been segregated by source and characteristic may qualify for management as a non-MSW solid waste, at a facility designed and operated to address the waste's characteristics and potential environmental impacts. "MSW" does not include:

1. Dangerous wastes other than wastes excluded from the requirements of chapter 173-303 WAC in WAC 173-303-071, such as household hazardous wastes;

2. Any solid waste, including contaminated soil and debris, resulting from response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601), chapter 70.105D RCW, chapter 173-340 WAC or a remedial action taken under those rules; or

3. Mixed or segregated recyclable material that has been source-separated from garbage, rubbish and similar solid waste. The residual from source separated recyclable materials is MSW.

LLL. "Natural background" means the concentration of a hazardous substance consistently present in the environment that has not been influenced by localized human activities.

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

NNN. "Nonrecyclable C&D waste" means any C&D waste that is not recyclable C&D waste. C&D waste used as alternative daily cover for landfills or as a waste stabilizer is considered nonrecyclable C&D waste.

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

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

QQQ. "Organics" means yard waste, food waste and soiled paper products determined by the division director to be acceptable for composting.

RRR. "Person" means any individual, association, business, firm, corporation, limited liability corporation, copartnership, marital community, political subdivision, municipality, government agency, industry, public or private corporation or any other entity whatever.

SSS. "Per-ton-rate vehicle" means any vehicle that is not a fixed-rate vehicle. "Per-ton-rate vehicles" include, but are not limited to, minivans, vans, station wagons, sport utility vehicles, vehicles with trailers, trucks, pick-up trucks, motorhomes, buses and commercial vehicles.

TTT. "Post-closure" means the requirements placed upon disposal facilities after closure to ensure their environmental safety for at least a thirty-year period or until the site becomes stabilized, which means there is little or no settlement, gas production or leachate generation.

UUU. "Postconsumer material" means material has been previously used by consumers that is diverted from the solid waste stream.

VVV. "Practicable" means satisfactory in performance and available at a fair and reasonable price.

WWW. "Primary recyclable materials" means recyclable materials that are commonly collected and are included under the minimum service levels for recycling collection programs. These include paper, cardboard, glass, tin and aluminum beverage containers, high density polyethylene (HDPE) and polyethylene terephthalate (PET) bottles and yard waste less than four inches in diameter, four feet long, or both.

XXX. "Product stewardship" means taking measures to minimize the impacts of a product on the environment during its life cycle. The principle of product stewardship applies to designers, suppliers, manufacturers, distributors, retailers, consumers, recyclers and disposers.

YYY. "Putrescible waste" means solid waste that contains material capable of being readily decomposed by microorganisms and which is likely to produce offensive odors.

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

AAAA. "Recovered material" means waste material that has been recovered from the solid waste stream, but does not include material generated from and commonly reused on site in an original manufacturing process.

BBBB. "Recyclable C&D waste" means C&D waste material that can be kept out of or recovered from C&D waste and reused or transformed into a usable product. Recyclable C&D waste may consist of a single type of recyclable material or a mixture of two or more types of recyclable material. Material used to produce hog fuel is recyclable C&D waste.

CCCC. "Recyclable materials" means those solid wastes that are separated for reuse, recycling or composting, including, but not limited to, papers, cardboard, metals, glass, plastic bottles and containers, plastic bags, yard waste, food waste, wood waste, chemicals, oil, textiles, white goods and other materials that are identified as recyclable material under the King County comprehensive solid waste management plan.

DDDD. "Recycled paper" means paper meeting recycled content standards in federal guidance.

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

FFFF. "Recycling" means transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration. "Recycling" does not include collection, compacting, repackaging, and/or sorting for the purpose of transport. "Recycling" does not include combustion of solid waste or preparation of a fuel from solid waste.

GGGG. "Region" means the area encompassing those cities with solid waste signed interlocal agreements and unincorporated areas of King County that are included in the comprehensive solid waste management plan. "Region" includes all of King County except the cities of Seattle and Milton.

HHHH. "Regional direct" means any solid waste generated and collected in King County and transported to Cedar Hills regional landfill by conventional long haul transfer vehicles from privately owned solid waste transfer stations or intermediate handling facilities permitted by the health department as provided for in King County board of health regulations.

IIII. "Regulated refrigerant" means a class I or class II substance as listed in Title VI of the Federal Clean Air Act Amendments of 1990.

JJJJ. "Residual C&D waste" means the nonrecyclable waste remaining after recycling processes have removed recyclable waste.

KKKK. "Reuse" means the return of a commodity into the economic stream for use.

LLLL. "Rubbish" means all nonputrescible wastes, except materials that have been source separated for the purpose of recycling.

MMMM. "Rural transfer facilities" means the Vashon and Enumclaw transfer stations, the Cedar Falls and Skykomish drop box facilities and other facilities the division director designates as rural transfer facilities.

NNNN. "Salvaging" or "scavenging" means the removal of materials from a solid waste facility without the authorization of the division director and the health officer.

OOOO. "Secondary recyclable materials" means those recyclable materials that have not been designated as being included in the county's minimum service levels for recyclable materials collection. "Secondary recyclable" are those with generally limited markets, a lack of collection systems or a limited number of generators of the material.

PPPP. "Secured load" means a load of solid waste that has been securely fastened, covered, or both in a manner that will prevent the covering or any part of the load from becoming loose, detached or leaving the vehicle while the vehicle is moving except sand may be dropped for the purpose of securing traction.

QQQQ. "Self-hauler" means county residents, business and institutions who choose to bring their municipal solid waste and recyclable materials to the transfer facilities themselves.

RRRR. "Shall" and "will" in a policy mean that it is mandatory to carry out the policy. "Should" in a policy provides noncompulsory guidance and establishes some discretion in making decisions. "May" in a policy means that it is in the interest of the county or other named entity to carry out the policy but there is a total discretion in making decisions.

SSSS. "Solid waste" or "wastes" means all putrescible and nonputrescible solid and semisolid wastes, except wastes identified in WAC 173-350-020, including, but not limited to, garbage, rubbish, ashes, industrial wastes, commercial waste, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, discarded commodities and recyclable materials.

TTTT. "Solid waste collection entity" means every person owning, controlling, operating or managing vehicles used in the business of transporting solid waste for

collection or disposal, or both, for compensation including all certificated haulers, any city using its own employees or any person operating under a contract with or franchise from a city or town performing solid waste collection services within the jurisdiction.

UUUU. "Solid waste facility" means a disposal facility or intermediate solid waste handling facility. "Solid waste facility" includes, but is not limited to, transfer stations, intermodal facilities, landfills, incinerators, composting plants and facilities for the recycling or recovery of resources from solid waste or the conversion of the energy from solid waste to more useful forms or combinations thereof. "Solid waste facility" includes all contiguous land, including buffers and setbacks, and structures, other appurtenances and improvements on the land used for solid waste handling.

VVVV. "Solid waste interlocal agreement" means an agreement between a city and the county for use of the King County solid waste system for disposal of solid waste generated or collected within the city.

WWWW. "Solid waste management" means the systematic administration of activities that provide for the reduction in generated volume, source separation, collection, storage, transportation, transfer, recycling, processing, treatment and disposal of solid waste. "Solid waste management" includes public education and marketing activities.

XXXX. "Solid waste system" means King County's system of solid waste facilities as authorized under RCW 36.58.040 as here enacted or otherwise amended and as established in accordance with the approved King County comprehensive solid waste management plan.

YYYY. "Source separation" means the separation of recyclable materials from other solid waste at the place where the waste originates.

ZZZZ. "Special waste" means all nonhazardous wastes that have special handling needs or have specific waste properties that require waste clearance by either the division or the health department, or both. These wastes are specified in the waste acceptance rule (P.U.T. 7-1-5 (PR) or future amendments of that rule), and include contaminated soil, asbestos-containing materials, wastewater treatment plant grit, industrial wastes and other wastes.

AAAAA. "Suspect waste" means any waste the division director suspects may be unauthorized waste.

BBBBB. "Sustainable building principles" means the use of energy- and resource-efficient site and building design, construction, operations and management.

CCCCC. "Transfer facility" means a permanent fixed, supplemental collection and transportation facility used by either persons or route collection vehicles, or both to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a solid waste handling facility. "Transfer facility" may also include recycling operations.

DDDDD. "Unacceptable waste" means any material for which the transportation or disposal would constitute a violation of any governmental requirement pertaining to health, safety or the environment. The material may include, but is not limited to, hazardous, extremely hazardous or dangerous waste as designated under Washington state or federal law, including, but not limited to, regulations contained in the Washington Administrative Code, now in effect or as may be hereafter amended, or in the Code of Federal regulations, now in effect or as may be hereafter amended.

EEEEE. "Unauthorized waste" means waste that is not acceptable for disposal at any or a specific solid waste facility according to applicable rules or a determination of the division director.

FFFFF. "Uncompacted waste" means any solid waste in an uncompressed or loose condition.

GGGGG. "Unincorporated service area" means the geographical area of unincorporated King County designated to receive the solid waste, recyclable material and

organics collection services defined in this chapter. The unincorporated service area does not include:

1. Vashon Island (served under Certificate No. G-87, Tariff No. 7);
2. Snoqualmie pass (served under Certificate No. G-237, Tariff No. 10); and
3. Areas where residential garbage collection service is not provided by a certificated hauler.

HHHHH. "Unsecured load" means a load of solid waste that has not been securely fastened, covered, or both to prevent the covering or any part of the load from becoming loose, detached or leaving the vehicle while the vehicle is moving.

IIIII. "Urban transfer facilities" means the county's Algona, Bow Lake, Factoria, Houghton, Shoreline, and Renton transfer facilities and other transfer facilities the division director designates as urban transfer facilities.

JJJJJ. "Washington Utilities and Transportation Commission" means the state commission created under chapter 80.01 RCW, as now enacted or hereafter amended.

KKKKK. "Waste export" means the act of sending waste to a disposal facility out of the region.

LLLLL. "Waste reduction" means reducing the amount or type of waste generated.

MMMMM. "Waste stream" means the total flow of solid waste from homes, businesses, institutions and manufacturing plants that must be recycled or disposed in landfills, or any segment thereof, such as the "residential waste stream" or the "recyclable waste stream."

NNNNN. "White goods" means major appliances, including refrigerators, freezers, heat pumps, air conditioners, stoves, ranges, dishwashers, washers, dryers, trash compactors, dehumidifiers and other appliances specified by the division director.

OOOOO. "White goods collection area" means an area used by county residents to deposit source separated white goods.

PPPPP. "Wood waste" means solid waste consisting of wood pieces or particles generated as a byproduct resulting from the handling and processing of wood, including, but not limited to, hog fuel, sawdust, shavings, chips, bark, small pieces of wood, stumps, limbs and any other material composed largely of wood that has no significant commercial value, but does not include slash developed from logging operations unless disposed of on a different site, and does not include wood pieces or particles containing chemical preservatives such as creosote, pentachlorophenol or copper-chrome-arsenate.

QQQQQ. "Woody debris" means natural vegetation greater than four inches in diameter, four feet in length, or both, such as stumps, fallen tree branches or limbs, resulting from land clearing activity, storms or natural disasters.

RRRRR. "Yard waste" means a compostable organic material generated in yards or gardens, including but not limited to, leaves, grass, branches, prunings and clippings of woody and fleshy plants and unflocked holiday trees, but does not include rocks, dirt or sod, concrete, asphalt, bricks, land-clearing wastes, demolition wastes, wood waste or food waste.

SSSSS. "Yard waste collection area" means an area used by county residents, businesses and institutions to deposit source-separated yard waste.

TTTTT. "Zero waste of resources" is a planning principle and framework designated to eliminate the disposal of materials with economic value through reuse, recycling, or both. (Ord. 18784 § 2, 2018: Ord. 18670 § 4, 2018: Ord. 18166 § 1, 2015: Ord. 15912 § 1, 2007: Ord. 14811 § 8, 2003: Ord. 14236 § 2, 2001: Ord. 14199 § 139, 2001: Ord. 12217 § 1, 1996: Ord. 11196 § 1, 1994: Ord. 10984 § 1, 1993: Ord. 10942 § 1, 1993: Ord. 10916 § 2, 1993: Ord. 10018 § 1, 1991: Ord. 9928 § 1, 1991: Ord. 9599 § 1, 1990: Ord. 9484 § 1, 1990: Ord. 9271 § 16, 1989: Ord. 8891 § 3, 1989).

Reviser's note: Language not underlined in Ordinance 18166. See K.C.C. 1.24.075.

10.04.030 Keeping and use of solid waste containers. Each person in possession, charge or control of any dwelling, hospital, school, place of business or manufacturing establishment, or any place where solid waste is created or accumulated shall at all times, keep or cause to be kept portable solid waste containers, for the deposit therein of garbage and rubbish, and to deposit, or cause to be deposited the same therein. (Ord. 15912 § 2, 2007: Ord. 8891 § 4, 1989).

10.04.040 Construction, maintenance and placement of solid waste containers. Solid waste containers shall be constructed in such a manner as to be strong, watertight, not easily corroded, rodent proof, insect proof, and shall have adequate handles and tight fitting lids. The containers shall be kept in a sanitary condition with the outside thereof clean and free from accumulative grease and decomposing material. Each container shall be kept in a place accessible to the solid waste collection entity on scheduled collection days. The standards for receptacles for separated recyclable materials may be established to meet the requirements of the applicable recycling programs. (Ord. 15912 § 3, 2007: Ord. 8891 § 5, 1989: Res. 8778 § 5, 1943).

10.04.060 Separation of solid waste. The county may by ordinance require the separation of paper, yard and garden waste or other component parts of solid waste and may require the deposit thereof in separate cans or receptacles and may prescribe the methods of handling thereof. (Ord. 8891 § 6, 1989).

10.04.070 Removal or storage of swill. Swill may be eliminated by use or may be sold by the person producing the same or may be removed by persons; provided they receive the approval of the health officer, and that the removal or storage of the swill is carried out according to good sanitary practice. (Ord. 8891 § 7, 1989).

10.04.080 Littering and unlawful dumping.

A. It is unlawful to place, throw, deposit or otherwise dispose of solid waste other than in a receptacle provided for that purpose, in any public place, public road, public park, on any private property or in the waters within King County, except as specifically authorized by this title or at the official solid waste facilities provided for that purpose by King County.

B. It is unlawful for the owners or occupants of private property to deposit or accumulate, or to permit the deposit or accumulation of solid waste upon the private property. However, this shall not prohibit the storage of solid waste or recyclable materials in public or private receptacles, in solid waste containers or other approved receptacle or in securely tied bundles when the receptacles or bundles are for immediate or approved periodic disposal. Additionally:

1. The use of a compost pile or bin shall not be prohibited if the use and maintenance thereof is in such a manner as to prevent the attraction, breeding, harboring, or any combination thereof, of insects and rodents; and

2. Any recycling operation shall not be affected if it is operating in accordance with all applicable rules, laws or other permit requirements. Any such use permitted under this subsection B.2. shall not be construed to permit a nuisance as defined by state law.

C.1. It is unlawful for any person to haul solid waste on publicly maintained streets, roads or highways in King County unless the load is secured.

2. Fees for a person arriving at a staffed solid waste facility with an unsecured load are in K.C.C. 10.12.040. (Ord. 15912 § 4, 2007: Ord. 8891 § 8, 1989).

10.04.105 Reserve moneys required. Public necessity requires that the existing system of the county for the disposal of solid waste, together with such extensions, additions or betterments thereto as may from time to time be authorized, maintained, conducted, operated and accounted for as a utility of King County. As a financially self-supporting utility, the solid waste system shall set aside reserve moneys for closure, postclosure maintenance, new area development, facility relocation and the improvement, replacement or extension of the life of capital facilities or the acquisition of landfill space outside of King County. (Ord. 17527 § 17, 2013).

10.08 SOLID WASTE SITES

Sections:

10.08.020 System of disposal.
10.08.030 Acquisition of solid waste disposal facilities.
10.08.040 Operation of solid waste disposal facilities by county.
10.08.050 Use of county disposal facilities.
10.08.060 Establishment and operation of solid waste disposal.
10.08.080 Recycling.
10.08.100 Enforcement.
10.08.110 Penalties.
10.08.140 Reporting.
10.08.150 Annual solid waste landfill report.

***Reviser's note: For statutory provisions regarding garbage disposal sites, see chapter 36.58 RCW.**

10.08.020 System of disposal.

A. Under the authority provided by the King County Charter and RCW 36.58.040, a system is hereby established for disposal of all solid waste either generated, collected or disposed, in unincorporated King County. Additionally, this system shall include all solid waste either generated or collected, or both, in any other jurisdictions with which a solid waste interlocal agreement exists.

B. It is unlawful for any person to dispose of county solid waste except at solid waste facilities and in a manner authorized under this title.

C. Unless specifically authorized by a King County ordinance, it is unlawful for any person to deliver any county solid waste to a place other than a disposal facility designated by the county to receive the particular waste.

D. It is unlawful for any person to deliver county solid waste other than unauthorized waste as determined by the division director to any facility for final disposal other than the county-designated disposal facility, unless the division director has provided prior written authorization for the disposal for public health, safety, welfare or planning purposes and the disposal is consistent with the adopted King County comprehensive solid waste management plan.

E. King county solid waste facilities are intended to serve King County residents, and businesses located within incorporated jurisdictions with which the county has an interlocal agreement for solid waste disposal and in unincorporated King County. Disposal of solid waste generated or collected outside of King County's jurisdiction is not authorized and such solid waste may only be disposed at county facilities upon prior written authorization by the division director and payment of the appropriate fee. (Ord. 15912 § 5, 2007: Ord. 14811 § 9, 2003: Ord. 8891 § 13, 1989: Ord. 7708 § 1 (part), 1986).

10.08.030 Acquisition of solid waste disposal facilities. The county may acquire by purchase, lease, contract with private parties or other necessary means, solid waste facilities that are needed for disposal of solid waste generated and collected in King County and other jurisdictions with which a solid waste interlocal agreement exists. Selection of the solid waste facilities shall be consistent with the King County Comprehensive Plan and all federal, state and local requirements, including, but not limited to, comprehensive land use planning, fire protection, water quality, air quality and the consideration of aesthetics. To the extent practicable, solid waste facilities shall be located in a manner that equalizes their distribution around the county, so that no single area of the county will be required to absorb an undue share of the impact from these facilities. More than one alternative must be considered and evaluated in the siting of planned solid waste facilities. The county may acquire solid waste facilities on a continuing basis, as is required by the volume of solid waste generated and collected within the county. (Ord. 15912 § 6, 2007: Ord. 8891 § 9, 1989: Ord. 8069, 1987: Ord. 7708 § 1 (part), 1986).

10.08.040 Operation of solid waste disposal facilities by county.

A. The division shall be the operating authority for all solid waste facilities owned or operated by King County. Nothing in this chapter prohibits the county from contracting with another entity, public or private, to own, construct or operate a solid waste facility.

B. The council shall establish by ordinance the disposal fees charged at county solid waste facilities and types of waste for which each facility is intended. The council may by ordinance authorize the division director to set fees for use of disposal facilities for materials for which no fee has been established by ordinance.

C. The division shall adopt public and administrative rules for solid waste facilities, which shall govern all other matters necessary to assure compliance with federal, state and local rules applicable to the facilities. The division's rules may require that certain solid wastes, such as bulky wastes, special wastes and wood waste, based on source, type or volume, shall not be accepted, or only conditionally accepted, at facilities owned or operated by the county. (Ord. 15912 § 7, 2007: Ord. 14811 § 10, 2003: Ord. 8891 § 10, 1989: Ord. 7708 § 1 (part), 1986).

10.08.050 Use of county disposal facilities.

A. Under no circumstances shall any person deliver to any King County solid waste facility for disposal any waste that is defined as "hazardous waste" under the Federal Resource Conservation and Recovery Act, 42 USC §6901-6991i, or rules adopted thereunder, or defined as "extremely hazardous wastes" or "dangerous wastes" under chapter 70.105 RCW or rules adopted thereunder except:

1. In those specific cases where the county has expressly authorized the place, time, type and manner of the delivery of the waste after full disclosure; or

2. At a time and place expressly specified for dangerous and hazardous waste collection.

B. A person shall not deliver any waste to any King County facility that has not been handled and treated in the manner required by applicable operating rules adopted by the division and the King County Board of Health rules.

C. A solid waste collection entity shall not deposit in any King County solid waste facility solid waste generated or collected within the boundaries of a jurisdiction that has not entered into a written use agreement with King County unless otherwise authorized by the division director. (Ord. 15912 § 8, 2007: Ord. 8946 § 1, 1989: Ord. 8891 § 11, 1989: Ord. 8613 § 3, 1988: Ord. 7891 § 1 (part), 1986: Ord. 7708 § 1 (part), 1986).

10.08.060 Establishment and operation of solid waste disposal. Under chapter 70.95 RCW, a solid waste facility in King County, whether acquired publicly or privately,

shall not be established, altered, expanded, improved, operated or maintained without prior compliance with the following:

A. The solid waste facility and proposed method of operation shall be consistent with the King County comprehensive solid waste management plan and shall be approved by the health department as applicable under King County board of health or Washington state Department of Ecology regulations;

B. The solid waste facility shall be constructed, operated and maintained in accord with terms of permits required from the health department and such other permits as are required by law;

C. All other federal, state and local laws, ordinances and rules shall be met; and

D. In addition to other requirements imposed by laws, all recycling drop box facilities shall display the name, address and telephone number of the owner/operator in an easily identified place and the type of material to be accepted. These drop boxes shall be regularly collected, emptied, or both, so the material contents do not overflow. (Ord. 15912 § 9, 2007: Ord. 9580, 1990: Ord. 8891 § 12, 1989: Ord. 7708 § 1 (part), 1986).

10.08.080 Recycling. A goal for King County's solid waste management shall be to achieve maximum feasible cost-effective reduction of solid waste going to landfills and to other processing facilities, conservation of energy and natural resources and environmental protection. The division shall develop plans and incentives for waste reduction through source separation, recycling, product stewardship, resource conservation and other methods deemed effective by the division. Reclamation facilities for recycling operations shall be designated as part of the county's disposal system and shall be subject to permit requirements of the health department. (Ord. 15912 § 11, 2007: Ord. 14811 § 11, 2003: Ord. 7708 § 1 (part), 1986).

10.08.100 Enforcement. The health officer is authorized to enforce or seek the enforcement through the prosecutor's office of K.C.C. 10.04.030, 10.04.040, 10.04.070, 10.04.080, 10.08.060 and 10.08.080 and any rules adopted thereunder in accordance with but not restricted to the enforcement and penalty provisions of K.C.C. Title 23.

The division director is authorized to seek the enforcement through the prosecutor's office of K.C.C. 10.08.020, 10.08.040 and 10.08.050.C. and any rules adopted thereunder in accordance with but not restricted to the enforcement and penalty provisions of K.C.C. Title 23.

Both the health officer and the division director are authorized to enforce K.C.C. 10.04.060, 10.08.050.A. and B. and any rules adopted thereunder in accordance with but not restricted to the enforcement and penalty provisions of K.C.C. Title 23. (Ord. 15912 § 13, 2007: Ord. 8891 § 14, 1989: Ord. 7708 § 1 (part), 1986).

10.08.110 Penalties. Any person who violates or refuses to or fails to comply with this chapter or rules adopted and orders issued under this chapter or who files or supplies any false incomplete or inaccurate information requested by this chapter is guilty of a misdemeanor and shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days or by fine in the amount fixed by the court of not more than one thousand dollars or both such imprisonment and fine. In addition, enforcement and penalty provisions of K.C.C. Title 23 shall be applicable to any violation of this chapter or rules adopted under this chapter. Nothing contained in this chapter shall be construed to exempt an offender from any other suit, prosecution or penalty provided in the King County Code or by other laws. (Ord. 15912 § 14, 2007: Ord. 7708 § 1 (part), 1986).

10.08.140 Reporting. All solid waste collection entities shall provide information to the division director on their usage of King County solid waste facilities.

A. No later than fifteen days after the end of each month, solid waste collection entities shall report the amount of residential and commercial tonnage hauled to each King County solid waste facility, and identify the cities, towns or unincorporated service areas from which each ton of waste hauled by them originated.

B. Once each year, no later than March 31, solid waste collection entities shall submit an annual tonnage forecast that estimates the total amount of residential and commercial tonnage and the number of residential and commercial accounts by city, town or unincorporated service area for the current year.

C. All information shall be reported on forms provided by the county.

D. Any significant changes in patterns of usage of King County solid waste facilities shall be reported to the division director at least thirty days in advance of the change. (Ord. 15912 § 17, 2007: Ord. 10018 § 4, 1991).

10.08.150 Annual solid waste landfill report. The solid waste division shall transmit to the council annually by April 1 the report required by WAC 173-351-200 (11), as amended. The report shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the committee of the whole or its successor. (Ord. 18893, § 6, 2019).

10.10 DISPOSAL SITES - HOURS AND TYPES OF WASTE ACCEPTED

Sections:

10.10.020 Operating hours.
10.10.025 Notice - change of operating hours
10.10.030 Types of waste accepted.

10.10.020 Operating hours. Operating hours at King County solid waste facilities shall be determined by the division director, consistent with the following policies and in accordance with the process in K.C.C. 10.10.025.

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

B. Notwithstanding subsection A of this section, the following facilities shall have the following minimum hours, not including holidays:

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

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

C. All King County solid waste facilities shall be closed on January 1, Thanksgiving Day and December 25. At the discretion of the director, King County solid waste facilities may be closed on other recognized King County holidays by following the procedures for changing operating hours. (Ord. 15912 § 19, 2007: Ord. 14811 § 13, 2003: Ord. 13622 § 1, 1999: Ord. 13550 § 1, 1999: Ord. 10984 § 2, 1993: Ord. 9484 § 2, 1990: Ord. 8156, 1987: Ord. 8108 § 3, 1987).

10.10.025 Notice – change of operating hours.

A. The director shall set operating hours for particular facilities in accordance with K.C.C. 10.10.020. The director shall give at least thirty days' notice of the intention to

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

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

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

C. After considering all comments received by the prescribed time, the director may change operating hours, consistent with K.C.C. 10.10.020. New hours shall be posted at affected facilities ten days before they take effect. In addition, the director shall provide notice of the new hours by filing the hours with the clerk of the council for distribution to all council members and by distributing notice of the new hours to all cities in which the affected facilities are located. (Ord. 14811 § 14, 2003).

10.10.030 Types of waste accepted. Types of waste accepted at King County solid waste facilities shall be limited to the following:

A. The Cedar Hills [regional] landfill shall accept municipal solid waste from transfer facilities and other sources approved by the division director;

B. Transfer facilities shall accept municipal solid waste from commercial and self-haulers;

C. Drop box facilities shall accept municipal solid waste in loads not to exceed either three cubic yards or one ton from commercial and self-haulers;

D. [Collection areas for]* yard waste, other organics, or both, located at some county transfer facilities shall accept source-separated yard waste from commercial and self-haulers. Loads at drop box facilities shall not exceed either three cubic yards or one ton;

E. White goods collection areas located at some county transfer facilities shall accept source-separated white goods from residential self-haulers;

F. Clean wood collection areas located at county transfer facilities shall accept source-separated clean wood from [commercial and self-haulers]*;

G. Other wastes, such as industrial waste, semisolid or liquid waste and asbestos-containing waste material, may be accepted at facilities as designated and approved by the division director;

H. Acceptance of any suspect waste may be denied pending the division director's approval; and

I. Salvaging and scavenging are prohibited at all King County solid waste facilities. (Ord. 16053 § 1, 2008: Ord. 15912 § 20, 2007: Ord. 14811 § 15, 2003: Ord. 13550 § 2, 1999: Ord. 10984 § 3, 1993: Ord. 9484 § 3, 1990: Ord. 8108 § 4, 1987).

***Note: Language not underlined in Ordinance 15912. See K.C.C. 1.24.075.**

10.12 SOLID WASTE SITE DISPOSAL FEES

Sections:

10.12.021 Fees for use of disposal sites.
10.12.030 Collection of fees.
10.12.040 Unsecured load fee.
10.12.050 Exception to service fee.
10.12.055 Other fees.

10.12.058 Fee discount program.
10.12.060 Enforcement.

10.12.021 Fees for use of disposal sites. Except as otherwise provided in section 4 of this ordinance, all persons using county-operated solid waste transfer stations and drop boxes shall pay the service fees in the following schedules:

A. Fees for the use of solid waste facilities with scales, excluding Cedar Hills, shall be:

1. Solid waste disposal:

Fixed-rate vehicles	$22.53 per entry
Per-ton-rate vehicles	$140.82 per ton
Charitable organizations	$108.43 per ton
Minimum	$22.53 per vehicle
Charitable organizations, minimum charge	$17.35 per entry

2. Deposit of source-separated yard waste, clean wood waste, or any combination thereof:

Fixed-rate vehicles	$12.00 per entry
Per-ton-rate vehicles	$75.00 per ton
Minimum charge	$12.00 per vehicle

3. Deposit of major appliances:

Major appliances with refrigerants	$30.00 per unit

4. Qualified low-income non-account customers shall receive fee discounts of $12.00 per entry for deposit of solid waste, yard waste, clean wood waste and appliances. Customers with mixed loads must separate and deposit materials with sequential visits to the scale house to receive a discount on the individual waste types.

B. Fees for the use of solid waste facilities without scales shall be based upon the cubic yard or fraction thereof as follows:

1. Solid waste disposal:

Fixed-rate vehicles	$22.53 per entry
Per-ton-rate vehicles:	
Compacted wastes	$40.84 per cubic yard
Uncompacted wastes	$23.94 per cubic yard
Minimum charge	$22.53 per vehicle

2. Deposit of source-separated yard waste, clean wood waste, or any combination thereof:

Fixed-rate vehicles	$12.00 per entry
Per-ton-rate vehicles:	
Compacted wastes	$21.75 per cubic yard
Uncompacted wastes	$12.75 per cubic yard
Minimum charge	$12.00 per vehicle

3. Qualified low-income non-account customers shall receive fee discounts of $12.00 per entry for deposit of solid waste, yard waste, clean wood waste and appliances. Customers with mixed loads must separate and deposit materials with sequential visits to the scale house to receive a discount on the individual waste types.

C. Fees at the Cedar Hills regional landfill shall be:

Cedar Hills Regional Direct	$120.00 per ton
Per-ton-rate vehicles	$140.82 per ton

Disposal by other vehicles is at the discretion of the division director.

D. A moderate-risk waste surcharge shall be added to all solid waste disposed by nonsolid waste collection entities using county operated solid waste facilities. The fee schedule is as follows:

1. For facilities with scales:

Per-ton-rate vehicles	$4.99 per ton
Minimum charge	$1.91 per entry
Fixed-rate vehicles	$1.91 per entry

2. For facilities without scales:

Compacted	$1.10 per cubic yard
Uncompacted	$0.62 per cubic yard
Minimum charge	$1.91 per entry
Fixed-rate vehicles	$1.91 per entry

E. Effective January 1, 2020, a moderate risk waste surcharge shall be added to all solid waste disposed by nonsolid waste collection entities using county operated solid waste facilities. The fee schedule is as follows:

1. For facilities with scales:

Per-ton-rate vehicles	$5.25 per ton
Minimum charge	$2.01 per entry
Fixed-rate vehicles	$2.01 per entry

2. For facilities without scales:

Per-ton-rate vehicles:	
Compacted	$1.15 per cubic yard
Uncompacted	$0.65 per cubic yard
Minimum charge	$2.01 per entry
Fixed-rate vehicles	$2.01 per entry

F. As determined by the division director, a special waste fee shall be charged for special waste including asbestos-containing waste material and other wastes requiring clearances in accordance with King County Board of Health Code Title 10 or rules adopted by the department. The fee schedule is as follows:

Special waste fee	$169.00 per ton
Special waste fee minimum charge	$27.04 per entry
Special waste fee, extra handling	$197.00 per ton
Special waste fee, extra handling minimum charge	$31.54 per entry

G. In the absence of exact weights or measurements, the estimate of the division director is binding upon the user.

H. The division director may establish fees for handling and processing of recyclable materials for which no other fee has been established by ordinance. The fees need not recover the full cost of handling and processing. (Ord. 18784 § 3, 2018: Ord. 18377 § 2, 2016: Ord. 17475 § 2, 2012: Ord. 17423 § 2, 2012: Ord. 17184 § 1, 2011: Ord. 15912 § 22, 2007: Ord. 15863 § 2, 2007: 15318 § 2, 2005: Ord. 14811 § 17, 2003: Ord. 12564 § 2, 1996).

10.12.030 Collection of fees.

A. Except as expressly provided otherwise in this chapter, all service fees collected under this chapter shall be collected in cash or check or by credit or debit cards by scale operators at the time of use. Consistent with the requirements of this chapter, the division director may authorize a facility user to be billed monthly for all solid waste delivered to either the transfer facilities or the final disposal facilities, or both.

B. The division director may adjust any solid waste service fee for purposes of minimizing cash holding requirements at solid waste facilities. The adjustment to the calculated fee shall not exceed twenty-five cents nor shall it have a significant impact on the revenue collected in the proposed rate period.

C. The division director may authorize monthly billing only if users request and receive authorization in advance, subject to the following:

1. The division director may not authorize billing unless the user posts an irrevocable payment bond for the benefit of the solid waste division in an amount equal to the greater of: the sum of the user's three highest consecutive months of service fees from the prior twelve months; adjusted for rate changes; three thousand five hundred dollars; or such other amount as the division director reasonably determines will cover the user's anticipated disposal charges over a three-month period. Within thirty days of determining that the posted irrevocable payment bond is insufficient based on the criteria in this section, the division director shall give written notice to the user that a bond increase is required, except that a bond increase shall not be required if the change would be less than twenty percent of the amount of the original bond or deposit and the commercial or noncommercial user's payments have not been delinquent in the preceding twelve months. The division director may limit billing authorization to facility users whose typical monthly use exceeds a minimum amount determined by the division director;

2. The division director, having given notice to a commercial or noncommercial monthly user that its bond is insufficient, may suspend use privileges for a commercial or noncommercial user who fails to tender a sufficient bond within thirty days after the date of the division director's notice;

3. The division director shall, upon request, relieve a certificated hauler the requirement for an irrevocable payment bond if it has not been delinquent in the preceding twelve months. If an invoice is delinquent for more than five days, the certificated hauler shall post within thirty days of the delinquency an irrevocable payment bond meeting the requirements of K.C.C. 10.12.030; and

4. The requirements for posting payments bonds under this section do not apply to governmental users.

D. Except as otherwise provided in this section, all invoices for solid waste service fees are due upon receipt and become delinquent twenty calendar days after the date of the invoice. Invoices shall be paid in accordance with payment instructions provided with the invoice including, without limitation, the form of payment. All delinquent invoices owed by nongovernmental entities shall accrue interest on the delinquent unpaid balance from and after the date of delinquency at the rate of one and one half percent per month or the highest rate allowed by law, whichever is less. The division director, having given at least seven days' written notice following the delinquency of an invoice, may suspend privileges for a user. In addition, after an invoice is delinquent for ninety days, the division director may make a claim against any payment bond for the full amount of any amounts due, whether or not the amounts are delinquent. Any amounts that are delinquent for more than ninety days may be referred to collection agencies or attorneys, for collection consistent with applicable law. A user whose account becomes delinquent shall pay all costs associated with collection including, without limitation, an administrative fee set by the division director for referring accounts to attorneys or collection agencies.

E. Users who do not have accounts with the county and are unable to pay disposal charges at the time of disposal may, at the discretion of the division director, be allowed to use solid waste facilities on the following conditions:

1. Users shall be required to provide contact information including, without limitation, driver's license and license plate information, to solid waste facility personnel and shall be issued a one-time payment invoice of dumping fees charged plus the applicable handling fee determined by the division director;

2. Payment on this invoice shall be due immediately and shall become delinquent seven days after the date of the invoice; and

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

F. Persons authorized for monthly billings shall receive one or more identification cards or badges for the purpose of accounting for charges. A fee of twenty-five dollars

shall be charged for replacing a lost or damaged card. A fee shall not be charged for replacement due to normal wear, as determined by the division. (Ord. 15912 § 23, 2007: Ord. 14811 § 18, 2003: Ord. 14199 § 140, 2001: Ord. 12564 § 4, 1996: Ord. 10906, 1993: Ord. 10018 § 3, 1991: Ord. 9271 § 13, 1989: Ord. 7012 § 4, 1984: Ord. 6461, 1983: Ord. 2304 § 1, 1975: Ord. 1985 § 2, 1974: Ord. 900 (part), 1971: Ord. 800 § 3, 1971).

10.12.040 Unsecured load fee.

A. In accordance with RCW 70.93.097, a fee shall be charged to all operators of vehicles with unsecured loads arriving at any staffed public or private transfer facility or landfill in the jurisdiction of King County. The unsecured load fee shall be twenty-five dollars.

B. The fee collected under subsection A. of this section shall be deposited, no less often than quarterly, in the solid waste operating fund. (Ord. 17423 § 3, 2012: Ord. 15912 § 24, 2007: Ord. 11196 § 2, 1994).

10.12.050 Exception to service fee. Payment of the service fee may not be required of a user in the following circumstances:

A. When that user is engaged in a community litter clean-up campaign, but only if prior authorization has been secured in writing from the solid waste division director and records of use and tonnages or volumes are maintained; or

B. When the executive has proclaimed that an emergency has occurred, in accordance with K.C.C. chapter 12.52, and either the executive, or the council by motion, waives the service fees. Any such an action must identify the duration of the fee waiver and any special conditions placed on the waiver. If the council waive the fees by motion, the executive must have a reasonable opportunity to comment on the proposed motion. The solid waste division director shall implement the fee waiver, consistent with any special conditions, by waiving disposal fees at one or more transfer stations, by providing drop boxes to be used for disposal, by distributing vouchers for disposal or by other appropriate means, as determined by the solid waste division to promote prompt clean-up following an emergency. The solid waste division may limit the number of waivers per residence to a particular time as well as limit the volume and frequency of waste disposal and the types of materials accepted, and may implement such other requirements as are necessary to implement the waiver as directed by the executive or the council. For every fee waiver approved in accordance with this section, the solid waste division shall provide the council a report containing information regarding the waiver, including approximate tonnage accepted and estimated loss of revenue. Within one hundred twenty days of the final date of the fee waiver, the executive shall file eleven copies of the report with the clerk of the council for distribution to all councilmembers. (Ord. 16646 § 1, 2009: Ord. 15912 § 25, 2007: Ord. 10963 § 1, 1993: Ord. 7012 § 6, 1984: Ord. 800 § 5, 1971).

10.12.055 Other fees.

A. Persons shall be charged a handling fee of twenty-five dollars for each dishonored check or unpaid bank draft.

B. The division director may set fees for miscellaneous ancillary services, other than disposal fees, that the division provides to facility users. The services may include, but are not limited to, fixing flat tires, providing weight certifications and use of the division's brake tester and trailer wash areas and handling and processing of recyclable materials for which no other fee exists. Fees for miscellaneous ancillary services shall be based on the division's actual costs for providing the services. The division director shall post notice of new or increased miscellaneous ancillary fees at the sites at which the fees are charged. The division director shall also provide written notice to the clerk

of the council and all councilmembers. The fees for miscellaneous ancillary services take effect thirty days after the date notice is provided consistent with this section. (Ord. 15912 § 26, 2007: Ord. 14811 § 19, 2003: Ord. 8539 § 2, 1988: Ord. 7012 § 7, 1984).

10.12.058 Fee discount program.

A. The solid waste division has established a fee discount program to assist qualified low-income non-account customers with the costs of solid waste services at county transfer facilities. Discounts on fees for use of disposal sites are available to qualified low-income transfer station customers in accordance with this chapter.

B. Qualified customers under the fee discount program must be at or below two hundred percent of the federal poverty level as defined by United States Health and Human Services Department.

C. The fee discount shall be provided only when a qualified customer presents proof of eligibility as issued by a county-recognized service provider authorized to qualify low-income individuals for federal, state or local benefits. (Ord. 18784 § 4, 2018).

10.12.060 Enforcement. The director may enforce this chapter and any rules and regulations promulgated under this chapter in accordance with the enforcement and penalty provisions of K.C.C. Title 23. (Ord. 14811 § 20, 2003: Ord. 14199 § 141, 2001: Ord. 2910 § 3 (part), 1976).

10.14 WASTE REDUCTION - RECYCLING AND RECOVERY

Sections:

10.14.020 County goals.
10.14.025 Grants program
10.14.040 Development of recovery facilities.
10.14.050 County intent - reduce and divert waste from landfills.
10.14.080 Annual evaluation.

10.14.020 County goals. It is King County's goal to achieve zero waste of resources by 2030 through maximum feasible and cost-effective prevention, reuse and reduction of solid wastes going into its landfills and other processing facilities. The county recognizes that waste reduction and recycling are the highest priority of the viable solid waste management options, and hereby adopts this goal, which will be aggressively pursued. (Ord. 15912 § 27, 2007: Ord. 14811 § 22, 2003: Ord. 7786 § 2, 1986).

10.14.025 Grants program.

A. The division shall establish a program for waste reduction and recycling grants for cities. Cities that participate in the county's solid waste system are eligible for grants, which may be used for the purposes described in subsection B of this section. Grants shall be distributed annually, consistent with approved funding for such purposes in the division budget. The division shall determine the amount of grant funding based on each city's percentage of King County's residential and employment populations obtained from the Washington state Office of Financial Management and the Puget Sound Regional Council, though the division may set a minimum grant amount.

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

1. Promoting waste reduction and recycling;
2. Implementing and improving general recycling programs;
3. Encouraging curbside collection of recyclable materials;
4. Preventing toxic materials from entering the waste stream;

5. Improving opportunities for curbside collection and recycling of organic materials;

6. Encouraging sustainable development through the promotion of sustainable building principles in construction projects; and

7. Broadening resource conservation programs that integrate with waste reduction and recycling education efforts. (Ord. 14811 § 21, 2003).

10.14.040 Development of recovery facilities. The county policy in the development of future recovery facilities, such as organics and CDL recycling, shall complement its waste reduction program. The county shall take its waste reduction and recycling goals and objectives into account in determining the size of any recovery facilities. Waste reduction shall have first priority and recovery second priority, as a means of reducing the amount of solid waste disposed in landfills. (Ord. 14811 § 23, 2003: Ord. 7786 § 5, 1986).

10.14.050 County intent - reduce and divert waste from landfills. It is the intent of King County to fulfill the following objectives to reach its goals to reduce and divert waste from landfills:

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

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

C. Provide technical assistance and support to municipalities within King County that are interested in developing waste reduction and recycling programs;

D. Educate and encourage county agencies, citizens, businesses, schools and other institutions to reduce, reuse, source separate and recycle solid waste;

E. Encourage volunteer participation through outreach and coordination of waste reduction and recycling efforts;

F. Encourage the private sector to increase recycling, such as collection, processing and marketing of recyclable materials through volunteer efforts and mandates to facilitate diversion, as appropriate;

G. Implement an in-house King County recycling and waste reduction program, including implementation of an environmental purchasing policy for county purchase of recycled products, green building practices in new construction and ongoing operations and maintenance and other actions to encourage recycling and waste reduction by county government;

H. Incorporate capital improvements, recycling infrastructure and programs that maximize recycling at county facilities;

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

J. Encourage the development of markets for and encourage purchase and use of products made from recyclable materials through education and technical assistance;

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

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

M. Annually project the amounts of waste being diverted from county landfills; and

N. Measure program results through a variety of performance measures such as cost effectiveness, waste characterization data, recycling data, customer surveying,

customer communication and participation in recycling and resource conservation programs. (Ord. 15912 § 28, 2007: Ord. 14811 § 24, 2003: Ord. 7786 § 3, 1986).

10.14.080 Annual evaluation. The council will evaluate annually the effectiveness of the waste recycling and reduction program in a programmatic and quantitative manner, to ensure the program is responsive and is meeting the solid waste management needs of the people of King County. By April 1 of each year, the division shall file a report in the form of a paper original and an electronic copy with the clerk of the council who shall retain the original and provide an electronic copy to all councilmembers and lead staff to the committee of the whole or its successor. The report shall describe:

A. Progress toward the goal of zero waste of resources through maximum feasible, cost-effective reduction of waste going to the landfills and other processing facilities. The report shall include annual projections of the amounts diverted from landfills and shall describe progress toward the work program outlined in K.C.C. 10.14.060;

B. Progress toward objectives identified in the comprehensive solid waste management plan described in K.C.C. chapter 10.24; and

C. Progress in implementing the provisions of the construction and demolition ("C&D") waste program as set forth in K.C.C. chapter 10.30, including, but not limited to: participation by vendors who have signed designated facility agreements; the number of enforcement actions and types of enforcement actions; effectiveness of enforcement strategy; engagement with vendors on enforcement strategies, through mechanisms such as an enforcement advisory group or outreach efforts; regulatory fee collection; effectiveness of efforts to ensure that waste is delivered exclusively to designated facilities; volumes and nature of residual C&D waste being sent to landfills for disposal; and C&D recycling rate. (Ord. 18635 § 10, 2017: Ord. 14811 § 25, 2003: Ord. 7786 § 7, 1986).

10.18 COLLECTION OF HOUSEHOLD RECYCLABLES AND YARD DEBRIS IN UNINCORPORATED KING COUNTY

Sections:

10.18.010 Minimum levels of residential recyclables collection.
10.18.020 Solid waste collection and recycling rates.
10.18.030 County notification of Washington Utilities and Transportation Commission tariff filings.
10.18.040 Program promotion and education requirements.
10.18.050 Certificated haulers' customer service responsibilities.
10.18.060 Reporting requirements.
10.18.070 County administrative fee.

10.18.010 Minimum levels of residential recyclables collection. The minimum level of service for residential recycling programs in the unincorporated service area shall include the following:

A. Single-family recyclable materials collection:

1. Recyclable materials collection services shall, at a minimum, be available to all single-family dwellings;

2. Participation in these programs shall be voluntary;

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

a. newspaper: printed newsprint including glossy advertisements and supplemental magazines that are delivered with the newspaper;

b. clear, amber and green empty, clean glass containers. Plate glass, ceramics or mirror glass shall not be collected;

c. clean tin-coated steel cans;

d. clean aluminum cans;

e mixed waste paper, including most types of clean and dry paper that fall into high and low grade categories including glossy papers, magazines, catalogs, phone books, cards, laser-printed white ledger paper, windowed envelopes, paper with adhesive labels, paper bags, wrapping paper, packing paper, chipboard such as cereal boxes and shoe boxes and glossy advertising paper;

f. cardboard that is clean corrugated cardboard and kraft paper, including unbleached, unwaxed paper with a ruffled or corrugated inner liner. Cardboard does not include chipboard such as cereal boxes and shoe boxes;

g. all rigid plastic containers including, but not limited to, high-density polyethylene (HDPE) bottles (Society of Plastics Industry ("SPI") code 2) and polyethylene terephthalate (PET) bottles (SPI code 1), plastic jars, jugs and dairy tubs, but excluding polystyrene plastics (SPI code 6), plastic trays and plastic clamshell containers, plastic cups, plates or utensils, lids or bottle caps and containers that contained hazardous products;

h. polycoated paperboard and aseptic packaging including milk cartons, juice boxes and frozen food boxes; and

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

4. The recyclable materials listed in subsection A.3. of this section shall be collected at least twice a month on the same day of the week as solid waste collection.

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

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

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

5. Containers for recyclable materials storage shall be provided by certificated haulers to all single-family dwellings that receive solid waste collection service or request recyclable materials collection. The containers shall be provided by the certificated hauler by delivering containers to all single-family dwelling units in unincorporated service areas that receive solid waste collection service or request recyclable material collection.

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

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

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

d. A container delivery schedule shall be provided to the county to allow for coordination of its promotional and educational efforts. Containers shall be delivered to program participants at least seven days before the initiation of collection;

B. Multifamily recyclable materials collection:

1. Recyclable materials collection services shall, at a minimum, be available to all multifamily structures or complexes;

2. Participation in these programs is voluntary;

3. At a minimum, all of the recyclable materials listed in subsection A.3. of this section shall be collected from multifamily structures, though the division director may authorize exemptions from the collection of certain materials from multifamily residences if space constrains or other unique circumstances warrant an exemption;

4. The recyclable materials listed in subsection A.3. of this section shall be collected at a frequency approved by the division director; and

5. Certificated haulers shall provide on-site collection containers for recyclable materials to multifamily structures or complexes on a sign-up basis consistent with the notification requirements defined in K.C.C. 10.18.040.B.

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

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

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

d. Containers shall be delivered to multifamily structures signed-up for service at least seven days before the initiation of collection;

C. Single-family and multifamily organics collection:

1. Yard waste collection services shall, at a minimum, be available to all single-family dwellings and multifamily structures or complexes in unincorporated service areas of the county. If organics collection is deemed feasible by the division director, certificated haulers shall also collect food waste and soiled paper for composting;

2. Participation in these programs is voluntary;

3. Yard waste and other organics collected from single-family dwellings and multifamily structures or complexes shall meet the following specifications:

a. With the exception of unflocked holiday trees, materials larger than four inches in diameter and four feet in length are not yard waste. Unflocked Christmas trees shall be accepted in four-foot lengths with no diameter restrictions; and

b. The following organics are acceptable for collection, but only if they are not commingled with nonorganic waste:

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

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

4. In any area in which organics collection is not offered, yard waste shall be collected from participating single-family dwelling units and multifamily structures or complexes at least twice a month during March through November, and at least once a month from December through February. In areas in which organics collection is offered, yard waste and other organics shall be collected from single-family dwelling units and multifamily structures or complexes once per week throughout the year, unless the division

director determines that collection less frequently is feasible. Single-family organics collections shall occur on the same day of the week as solid waste collection.

a. The certificated hauler may request an exception to these requirements for all or part of its service area.

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

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

5. Certificated haulers shall offer to provide collection containers to single-family dwellings and multifamily structures or complexes on a sign-up basis, consistent with the notification requirements in K.C.C. 10.18.040.C.

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

b. Plastic bags shall not be used as containers.

c. Certificated haulers may establish a maximum volume of or weight of, or volume and weight of, yard waste or other organics that will be accepted for each collection, and shall notify the division director of the amount;

D. Requirements for separation of yard debris from solid waste:

1. Containers set out at single-family dwellings and multifamily structures or complexes in unincorporated service areas for collection of solid waste by certificated haulers shall not contain yard waste. However, if the division director determines that collection of organics is feasible; organics may be commingled with yard waste to be collected for composting; and

2. Certificated haulers in unincorporated service areas shall not collect any solid waste container set out at a single-family dwelling or multifamily structure if yard waste that is commingled with nonorganics is visible within the container and shall attach a tag to the container citing the yard waste source separation requirements contained in this chapter and providing information about how to obtain yard waste collection service. Haulers shall also attach a tag to any solid waste container from which yard waste commingled with nonorganics becomes visible while the container is being emptied into a collection vehicle; and

E. Additional minimum level of service provisions. The following provisions apply to the collection services described in subsections A., B. and C. of this section:

1. If access to potential program participants is restricted, due to impassable road conditions, alternatives to curbside recyclable materials collection, such as drop site collection, or modified curbside collection services, that, at a minimum, shall include collection from the nearest roadway that is accessible by the hauler's collection vehicle, shall be provided by the certificated hauler. If the certificated hauler deems the road conditions are impassable by collection vehicles, the hauler shall work with customers to determine a mutually agreed upon location for the collection of recyclable materials and yard waste or organics. If mutual agreement cannot be reached, collection shall occur from the nearest roadway that is accessible by the hauler's collection vehicle. This exception does not apply to impassable road conditions due to severe weather situations. The certificated hauler shall report to the county those areas receiving alternative or modified curbside collection services;

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

3. Special recyclable materials collection services shall be provided for those households where there are handicapped or elderly people who cannot move their collection containers to the curb. Households that qualify for this service shall be determined by the certificated hauler;

4. The certificated haulers shall retain ownership of all containers distributed to program participants. Replacement required by normal use or by container damage due to the certificated hauler's negligence shall be the responsibility of the certificated hauler. Replacement required by container damage due to program participant negligence shall be at the program participant's expense;

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

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

7. To address changes in recyclable materials collection and processing technologies, the director may require that certificated haulers collect materials for recycling in addition to those specified in K.C.C. 10.18.010 after consultation with and with the consent of the certificated haulers. The division shall discuss any proposed changes with the certificated haulers before proposing any amendments to the unincorporated service area boundaries or changing the materials required to be collected. However, nothing in this chapter prohibits a certificated hauler from exceeding the minimum requirements by collecting additional materials or providing collection services to a larger portion of their franchise area. (Ord. 15912 § 36, 2007: Ord. 14811 § 35, 2003: Ord. 10942 § 2, 1993: Ord. 10446 § 1, 1992: Ord. 9928 § 2, 1991).

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

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

1. A mini can, which is a ten- to twenty-gallon container, rate to reward people who reduce their level of solid waste collection service;

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

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

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

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

6. A rate structure that distributes the cost of the single-family and multifamily recyclable materials collection programs among all rate payers in the franchise area where recycling and yard waste services are available;

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

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

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

10. Reduced solid waste and recyclable materials collection rates for eligible elderly and low-income program participants, as permitted by the Washington Utilities and Transportation Commission.

B. To the extent organics collection is implemented in the county, it is the county's policy that certificated haulers shall include the following elements in tariffs submitted to the Washington Utilities and Transportation Commission:

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

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

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

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

5. Reduced solid waste and recyclable materials collection rates for eligible elderly and low-income program participants, as permitted by the Washington Utilities and Transportation Commission. (Ord. 15912 § 37, 2007: Ord. 14811 § 36, 2003: Ord. 10942 § 3, 1993: Ord. 10446 § 2, 1992: Ord. 9928 § 3, 1991).

10.18.030 County notification of Washington Utilities and Transportation Commission tariff filings. Whenever a certificated hauler files a proposed tariff revision for solid waste, recyclable materials or organics collection rates with the Washington Utilities and Transportation Commission, the certificated hauler shall simultaneously provide the division director with copies of the proposed tariff and all nonproprietary supporting materials submitted to the Washington Utilities and Transportation Commission.

A. The certificated hauler shall transmit the proposed tariff to the division director at least thirty days before action by the Washington Utilities and Transportation Commission.

B. The division shall review the proposed tariffs to determine their compliance with the plan and this chapter.

C. The certificated haulers shall notify the division within one week after their tariffs are approved by the Washington Utilities and Transportation Commission. The notification shall specify the rates approved by the Washington Utilities and Transportation Commission and the effective dates for the rates. (Ord. 15912 § 38, 2007: Ord. 14811 § 37, 2003: Ord. 9928 § 4, 1991).

10.18.040 Program promotion and education requirements. Certificated haulers shall be responsible for distributing promotional and educational materials for their franchise area and for initial as well as subsequent program promotion as new programs,

customers or areas of service are established. Promotional and educational materials are those materials prepared for the purpose of encouraging participation and educating residents about the county's recycling collection programs. Materials may include, but are not limited to, the following: Internet web pages; brochures; mailings; advertisements; radio and television commercials or public service announcements; and displays.

A. The certificated hauler shall provide, at a minimum, the following notifications to any single-family dwellings within the portion of their franchise area lying within an unincorporated service area at which new services will be provided:

1. The first notification shall announce availability of service, provide a description of the program, container delivery schedule, a recycling hotline phone number or numbers and an explanation of the solid waste and recyclable materials collection rate structure and how program participants can reduce their level of solid waste collection service by participating in recyclable materials collection programs;

2. A second notification shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of recyclable materials to make them acceptable for collection by the certificated hauler, such as cleaning, sorting and properly locating recyclable materials for collection. A recycling hotline phone number or numbers must also be provided. This notification may be included with delivered containers;

3. The division may also promote the program to residents of single-family dwellings; and

4. The certificated haulers shall also provide advance notice to single-family customers of any changes in recyclable materials collection services, such as changes in collection days, materials collected or preparation requirements.

B. The certificated hauler shall provide, at a minimum, the notification in subsection B.1. of this section, at least two times per year to the owners and managers of multifamily buildings located within unincorporated areas of the hauler's franchise area that do not participate in recyclable materials collection, until seventy-five percent or more of all multifamily buildings within the hauler's unincorporated franchise area have signed up for recyclable materials collection service.

1. The hauler shall announce the availability of service, and shall provide a description of the program, a sign-up card or phone number to call for service and an explanation of the solid waste and recyclable materials collection rate structure and how program participants can reduce their level of solid waste collection service by participating in collection programs.

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

3. The division may promote the program to both tenants and building managers.

4. The certificated haulers shall follow the notification requirements listed in this subsection whenever new areas of service or new services are added to the multi-family recyclable materials collection program.

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

C.1. The certificated hauler shall provide, at a minimum, the following notifications to any single-family dwellings within the portion of their franchise area lying within an unincorporated service area:

a. The availability of service, a description of the program and requirements for separation of yard waste from nonorganic solid waste and a sign-up card or phone number to call for service, and an explanation of the solid waste and recyclable materials collection rate structure and how program participants can reduce their level of solid waste collection service by participating in collection programs. The hauler shall provide this notice at least twice a year until sixty percent or more of all single-family dwellings within the hauler's unincorporated service area have signed up for yard [waste] collection service; and

b. When a single-family dwellings sign up for service, the hauler shall provide a second notification, which shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of yard waste to make it acceptable for collection by the certificated hauler. A recycling hotline phone numbers or numbers must also be provided.

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

3. The certificated haulers shall follow the notification requirements listed in this subsection whenever new areas of either or both service or services are added to the single-family and multifamily yard waste collection program.

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

D.1. In areas in which collection of organics, in addition to yard waste, is implemented, the certificated hauler shall provide, at a minimum, the following notifications to all single-family dwellings and multifamily structures or complexes within the portion of its franchise area lying within an unincorporated service area:

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

b. A second notification, which shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of yard waste and other organics to make them acceptable for collection by the certificated hauler. A recycling hotline phone number or numbers must also be provided.

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

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

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

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

15912 § 39, 2007: Ord. 14811 § 38, 2003: Ord. 10942 § 4, 1993: Ord. 10446 § 3, 1992: Ord. 9928 § 5, 1991).

10.18.050 Certificated haulers' customer service responsibilities. Certificated haulers shall be responsible for all aspects of customer service. The customer service responsibilities shall include, but not be limited to:

A. General program information provided by telephone, brochures and advertisements;

B. Program sign-up, container delivery and replacement information;

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

D. Response to complaints of missed collection. The certificated hauler shall collect the uncollected recyclable materials within one business day after the complaint is received and verified; and

E. Telephone and written response to service complaints. The certificated haulers shall maintain an adequately staffed telephone hotline for their franchise area served by the programs. This number shall be accessible to residents for the purpose of providing program information and accepting service comments and complaints. (Ord. 15912 § 40, 2007: Ord. 14811 § 39, 2003: Ord. 9928 § 6, 1991).

10.18.060 Reporting requirements.

A. The certificated hauler shall submit a report to the division quarterly, documenting participation in the household recyclable materials and yard waste collection programs established for the unincorporated service areas.

B. Each month, certificated haulers shall provide the division director with information to evaluate the effectiveness of the programs. The reports shall contain monthly, quarterly and annual data in a format and medium determined by the division. At a minimum, the monthly service reports shall include the following information for each service area and for each service:

1. Weekly and monthly set-out counts by routes, programs and service area. "Set-out count" means the number of dwelling units that make the contents of their recyclable materials and yard waste collection containers available for collection;

2. Average pounds of recyclable materials and yard waste collected per set-out;

3. Summaries of tons of all recyclable materials and yard waste collected, by material;

4. Location of an intermediate handling facility or facilities and materials types delivered to these facilities;

5. Summaries of tons of all recyclable materials sold, by material;

6. Summary of tons of contaminated recyclable materials and yard waste disposed of at a county solid waste facility, and which solid waste facility received it;

7. For each franchise area located within the unincorporated service areas:

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

b. The total number of multifamily complexes receiving solid waste collection service and the number of units within those complexes;

c. The total number of single-family dwellings receiving collection services for:

(1) recyclable materials;

(2) yard waste; or

(3) organics collection in addition to yard waste; and

d. The total number of multifamily complexes receiving recyclable materials collection services and the location of these complexes;

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

9. Any significant changes in patterns of usage of King County solid waste facilities, to be reported to the division director thirty days in advance of the change;

10. A log of service complaints received by certificated haulers;

11. Upon the request of the division, the number of households and geographic location of areas receiving alternatives to or modified curbside recyclable materials collection due to inaccessibility as permitted in K.C.C. 10.18.010.D.1;

12. A map at a scale of one inch equals two hundred feet, indicating the areas served and the collection days for each program;

13. Upon the request of the division, the number of customers that received notification tags on solid waste containers because they contained yard waste; and

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

C. Reports shall be submitted to the division by the fifteenth of each month and shall be based on the operation of the programs for the previous month. In addition, annual service reports shall be due within thirty days after the end of the calendar year. In addition to the year-end summary of the monthly reporting information, the annual report shall include a summary of program highlights, the effects of changes in services and areas served, problems and measures taken to resolve problems and increase efficiency and participation, an analysis of each program's effectiveness and an annual tonnage forecast that estimates the total amount of solid waste tonnage for the current year. (Ord. 15912 § 41, 2007: Ord. 14811 § 40, 2003: Ord. 10942 § 5, 1993: Ord. 9928 § 7, 1991).

10.18.070 County administrative fee. The county hereby imposes a fee, as permitted by RCW 36.58.045, upon solid waste collection service on certificated haulers operating within the unincorporated areas of the county to fund the administration and planning expenses to comply with the requirements in RCW 70.95.090. A monthly administrative fee of twenty-two (22) cents per customer, or its equivalent, shall be collected by the certificated haulers to compensate the division for the costs of program management and promotional and educational programs. The revenue collected through the administrative fee shall be remitted to the division on a quarterly basis on the following dates: April 30, for the quarter of January through March; July 31, for the quarter of April through June; October 31, for the quarter of July through September; and January 31, for the quarter of October through December. A late payment penalty equal to one and one-half percent of the delinquent unpaid balance, compounded monthly, shall be assessed on the delinquent unpaid balance of those accounts in arrears. (Ord. 10446 § 4, 1992: Ord. 9928 § 8, 1991).

10.24 SOLID WASTE MANAGEMENT PLAN

Sections:

10.24.020 Responsibilities.
10.24.030 Plan contents.
10.24.040 Hazardous Waste Management Plan.

10.24.020 Responsibilities.

A. The division shall maintain an updated comprehensive solid waste management plan and shall review and propose plan revisions, if necessary to the council at least once every five years in accordance with RCW 70.95.110, as now enacted or hereafter amended.

B. The county solid waste advisory committee shall review and comment upon the proposed plan before its submittal to the council for adoption.

C. The interlocal forum shall have the following responsibilities:

1. Advise the county council and county executive and other jurisdictions as appropriate on all policy aspects of solid waste management and planning, and consult with and advise the division on technical issues;

2. Review and comment on alternatives and recommendations for the county comprehensive solid waste management plan and facilitate approval of plan by each jurisdiction;

3. Review proposed solid waste interlocal agreements between the county and cities for planning, recycling and waste stream control;

4. Review disposal rate proposals;

5. Review status reports on: waste stream reduction, recycling, energy and resource recovery; and solid waste operations with interjurisdictional impact;

6. Promote information exchange and interaction between waste generators, local governments with collection authority, recyclers and county-planned and operated disposal system;

7. Provide coordination opportunities between the division, local governments, private operators and recyclers; and

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

D. The division shall seek public comment on the preliminary draft comprehensive solid waste management plan, in addition to conducting the public review and comment procedures required by the state Environmental Policy Act. Copies of the plan should be provided to county cities, community organizations and the county council, and shall be posted on the county's web site. The public comment period on the preliminary draft shall be at least thirty days and shall be completed before the division transmits the preliminary draft to the Washington state Department of Ecology. The division should provide community organizations, commissions, cities and individuals an opportunity to submit written statements. If necessary, the division should revise the preliminary draft to address comments received.

E. The council's committee of the whole or another committee designated by the council may hold hearings on the preliminary draft plan and the council shall hold a public hearing on the final draft plan before adoption of the plan. Any city using county solid waste facilities shall be notified of these public hearings and shall be requested to comment on the plan.

F. Solid waste interlocal agreements between the county and cities wishing to plan jointly with the county or to authorize the county to plan for them shall identify which party is responsible for city solid waste operational plans, tonnage forecasts and recycling goals.

G. The division shall provide staff support to the metropolitan solid waste management advisory committee and the interjurisdictional technical staff group. (Ord. 18635 § 28, 2017: Ord. 18166 § 2, 2015: Ord. 17416 § 8, 2012: Ord. 16748 § 2, 2010: Ord. 16364 § 1, 2008: Ord. 15912 § 43, 2007: Ord. 14971 § 4, 2004: Ord. 14811 § 41, 2003: Ord. 8771 § 8, 1988: Ord. 8365 § 2, 1987: Ord. 8098 § 2, 1987: Ord. 7737 § 2, 1986).

10.24.030 Plan contents. The plan shall include the following:

A. Goals for solid waste management in King County, including a goal to achieve maximum feasible reduction of solid waste going to landfills and other processing facilities, conservation of energy and natural resources, and environmental protection. The plan shall include measurable objectives for achieving this goal, including but not limited to the following:

1. Annual tonnage projections;

2. Five-, ten- and twenty-year plans for waste reduction through recycling and waste reduction incentives, packaging changes, source separation and waste processing alternatives, and other methods deemed effective by the division; and

3. Analysis of alternative waste reduction and disposal methods showing the impact of each on landfill capacity, energy consumption, natural resource consumption and environmental quality;

B. A detailed inventory and description of all existing solid waste handling facilities including an inventory of any deficiencies, including operating efficiencies and public service needs, in meeting current solid waste handling needs;

C. The estimated long-range needs for solid waste handling facilities projected twenty years into the future;

D. A program for the orderly development of solid waste handling facilities in a manner consistent with the plans for the entire county, which shall:

1. Meet the solid waste handling standards and municipal solid waste landfill criteria adopted by the Washington state Department of Ecology and all laws and rules relating to air and water pollution, fire prevention, flood control and protection of public health;

2. Take into account the comprehensive land use plan of each jurisdiction;

3. Contain a six-year construction and capital acquisition program for solid waste handling facilities; and

4. Contain a plan for financing both capital costs and operational expenditures of the proposed solid waste management system;

E. A program for surveillance and control;

F. A current inventory and description of solid waste collection needs and operations within each respective jurisdiction, which shall include:

1. Any franchise for solid waste collection granted by the utilities and transportation commission in the respective jurisdictions including the franchise holder's name, the business address for the franchise, the area covered by the franchise and the rates charged in comparison to disposal costs;

2. Any city solid waste operational plan, including boundaries and identification of responsibilities;

3. The population density of each area serviced by a city operation or by a franchised operation within the respective jurisdictions;

4. The projected solid waste collection needs for the respective jurisdictions for the next six years;

5. Analysis of operating economics, travel distances and economically optimal locations of solid waste facilities;

G. A review of potential areas that meet the siting criteria as outlined in RCW 70.95.165;

H. Any other requirements prescribed by the state of Washington; and

I. Any other analysis that will be useful to fulfilling the goals set forth in the plan. (Ord. 18670 § 5, 2018: Ord. 15912 § 44, 2007: Ord. 7737 § 3, 1986).

10.24.040 Hazardous Waste Management Plan.

A. The division shall prepare a hazardous waste management plan for unincorporated King County and submit it to the council for adoption in accordance with RCW 70.105.220. The hazardous waste management plan may either be incorporated into the Comprehensive Solid Waste Management Plan or be prepared separately.

B. The executive may enter into interlocal agreements with any cities in King County that wish to plan jointly with King County for moderate risk waste management.

C. In preparing the hazardous waste management plan, the division shall consider cooperative efforts with adjacent counties and shall prepare a regional plan to the extent practicable. (Ord. 15912 § 45, 2007: Ord. 9697 §§ 1-2, 1990: Ord. 8098 § 3, 1987).

10.25 SOLID WASTE MANAGEMENT PLANNING

Sections:

10.25.010 Purpose - interpretation of inconsistencies - explanatory material.
10.25.100 Financing and rates policies (takes effect forty-five days after the solid waste division transmits the 2019 Comprehensive Solid Waste Management Plan to the Washington state Department of Ecology, unless the Washington state Department of Ecology disapproves the plan).
10.25.110 Metropolitan solid waste management advisory committee (as amended by Ordinance 15912).
10.25.110 Metropolitan solid waste management advisory committee (as amended by Ordinance 16320).
10.25.150 Annual buffer report.

10.25.010 Purpose - interpretation of inconsistencies - explanatory materials. Solid waste policies shall be set forth in the comprehensive solid waste management plan. The policies shall provide direction for the operation and further development of the solid waste management system, its capital improvement program and, as necessary, the development of subsequent policies. (Ord. 18893 § 2, 2019: Ord. 14236 § 3, 2001).

10.25.100 Financing and rates policies. The following solid waste system financial policy provides broad policy guidance for the solid waste management system in the county:

F-1. Keep tipping fees as low as reasonable, while covering the costs of effectively managing the system, protecting the environment, encouraging recycling and providing service to customers. (Ord. 18893 § 4, 2019: Ord. 14236 § 12, 2001).

10.25.110 Metropolitan solid waste management advisory committee (as amended by Ordinance 15912).

A. A metropolitan solid waste management advisory committee is established. Each component city with a signed interlocal agreement participating in the county solid waste management system shall identify representatives and alternates to the solid waste division for appointment to the advisory committee. The solid waste division shall notify each component city with a signed interlocal agreement participating in the county solid waste management system of committee meeting times and locations. The committee shall elect a chair. The members of the committee shall serve at the pleasure of the appointing bodies and shall receive no compensation from King County other than reimbursement for reasonable expenses incurred in the performance of their duties.

B. The metropolitan solid waste management advisory committee shall advise the executive, the solid waste interlocal forum and the council in all matters relating to solid waste management and participate in the development of the solid waste management system and waste export system plan.

C. The metropolitan solid waste management advisory committee shall review and make recommendations on the waste export system plan before transmittal of the plan from the executive to the council.

D. An interjurisdictional technical staff group presently assembled shall advise the metropolitan solid waste management advisory committee through April 30, 2007, to

assist the committee during its preliminary work. Each city with a solid waste interlocal agreement with King County may participate in the interjurisdictional technical staff group.

E. The solid waste division shall provide staff support to the metropolitan solid waste management advisory committee and the interjurisdictional technical staff group. The King County council shall provide staff support in the development of solid waste planning legislation.

F. The council supports coordination with the city of Seattle where beneficial on the siting and operation of intermodal and other waste disposal facilities. (Ord. 15912 § 52, 2007: Ord. 15543 § 1, 2006: Ord. 15218 § 1, 2005: Ord. 14971 § 2, 2004).

10.25.110 Metropolitan solid waste management advisory committee (as amended by Ordinance 16320).

A. A metropolitan solid waste management advisory committee is established. Each component city with a signed interlocal agreement participating in the county solid waste management system shall identify representatives and alternates to the solid waste division for appointment to the advisory committee. The committee shall conduct its first meeting on or after January 2, 2005. The solid waste division shall notify each component city with a signed interlocal agreement participating in the county solid waste management system of committee meeting times and locations. At the first meeting, the committee shall elect a chair. The members of the committee shall serve at the pleasure of the appointing bodies and shall receive no compensation from King County other than reimbursement for reasonable expenses actually incurred in the performance of their duties.

B. The metropolitan solid waste management advisory committee shall advise the executive, the solid waste interlocal forum established in the solid waste service contracts between the county and cities, and the King County council in all matters relating to solid waste management and participate in the development of the solid waste management system and waste export system plan.

C. The metropolitan solid waste management advisory committee shall review and make recommendations on the waste system plan before transmittal of the plan from the King County executive to the King County council.

D.1. The interjurisdictional technical staff group shall serve as a standing committee to assist and support the metropolitan solid waste management advisory committee in its ongoing work. The interjurisdictional technical staff group shall review draft work products from the solid waste division and make recommendations to the metropolitan solid waste management advisory committee, as well as other duties that may be requested by the metropolitan solid waste management advisory committee from time to time. Each city with a solid waste interlocal agreement with King County, the county executive and the county council may assign staff to participate in the interjurisdictional technical staff group.

2. The interjurisdictional technical staff group report shall address at least the following issues:

a. potential modification or replacement of the solid waste interlocal forum, to identify membership, decision-making responsibilities and scope of duties;

b. identification of dispute resolution options;

c. development of a framework for financial policies and host city mitigation, including compensation agreements;

d. evaluation of the impact of the proposed waste system plan on each of the provisions of the solid waste interlocal agreement between King County and cities; and

e. identification of potential amendments to the solid waste interlocal agreement.

3. The solid waste interlocal forum, or its successor, shall make a

recommendation to the King County executive and the King County council on or before June 1, 2007, and biennially thereafter on the efficacy of the continuing role of the interjurisdictional technical staff group.

E. The solid waste division shall provide staff support to the metropolitan solid waste management advisory committee and the interjurisdictional technical staff group. The King County council shall provide staff support in the development of solid waste planning legislation.

F. The council supports coordination with the city of Seattle where beneficial on the siting and operation of intermodal and other waste disposal facilities. (Ord. 16320 § 1, 2008: Ord. 15543 § 1, 2006: Ord. 15218 § 1, 2005: Ord. 14971 § 2, 2004).

10.25.150 Annual buffer report. The solid waste division shall report to the council annually on progress in establishing and maintaining the buffer as required by policy D-5 in chapter six of the 2019 Comprehensive Solid Waste Management Plan, with the first report filed no later than April 1, 2020. Reports shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the committee of the whole or its successor. (Ord. 18893 § 5, 2019).

10.28 SOLID WASTE ADVISORY COMMITTEE

Sections:

10.28.010 Establishment.
10.28.020 Composition.
10.28.030 Scope and charge.
10.28.040 Membership.
10.28.050 Administrative support.
10.28.060 Compensation.

10.28.010 Establishment. The King County Solid Waste Advisory Committee is hereby established to be comprised of a countywide group of representatives of citizens, public interest groups, business, the waste management industry, local elected public officials, the recycling industry, manufacturers located in King County, and marketing and education interests to provide for coordination and information exchange between the groups about solid waste issues and to provide on-going public input and advice to King County on solid waste management issues including the marketing and use of recycled materials. (Ord. 14199 § 144, 2001: Ord. 6862 § 1, 1984).

10.28.020 Composition. The King County solid waste advisory committee shall be composed of at least nine and not more than twenty members representing a balance of interests among the groups listed in K.C.C.10.28.010. The members shall include one representative from each of the two bargaining units representing the greatest number of solid waste division employees. Representatives of the bargaining units may be county employees. Membership of the solid waste advisory committee shall include at least one citizen representative who resides within a mile of the property boundaries of the Cedar Hills regional landfill. (Ord. 18831 § 1, 2018: Ord. 14199 § 145, 2001: Ord. 14105 § 1, 2001: Ord. 9086, 1989: Ord. 6862 § 2, 1984).

10.28.030 Scope and charge.

A. The King County Solid Waste Advisory Committee shall advise and make recommendations to the county executive on matters within their scope and charge.

B. The scope and charge of the King County Solid Waste Advisory Committee shall be to:

1. Advise King County on all aspects of solid waste management planning;

2. Assist King County in the development of programs and policies concerning solid waste management;

3. Review and comment on proposed solid waste management rules, policies, or ordinances prior to their adoption; and

4. Advise King County in the development of programs and policies that will establish, enhance and assure utilization of methods for reusing materials which would otherwise be disposed, and in particular to promote use of products manufactured from recycled materials. The Solid Waste Advisory Committee shall advise King County on methods to enhance the development of markets for use of recycled and recyclable materials. The Solid Waste Advisory Committee should emphasize development of local markets. (Ord. 14199 § 146, 2001: Ord. 6862 §§ 3-4, 1984).

10.28.040 Membership.

A. Regular members shall be appointed by the county executive subject to confirmation by county council motion. The executive shall be able to appoint non-voting ex-officio members who shall serve at the executive's discretion.

B. Members may be reappointed to serve consecutive terms. Reappointment shall be subject to confirmation by county council motion.

C. Members shall serve a term of three (3) years or until their successor is appointed and confirmed as provided in this chapter. The terms of office shall be staggered consistent with the provisions of K.C.C. Chapter 2.28.

D. A vacancy shall be filled for the remainder of the term of the vacant position in the manner described in the initial appointment.

E. A majority of the committee shall elect one of its members as chair. The term of the chair shall be for one year. (Ord. 6862 §§ 5-9, 1984).

10.28.050 Administrative support. Ongoing administrative support to the committee shall be provided by the solid waste division manager. (Ord. 6862 § 10, 1984).

10.28.060 Compensation. Members of the committee shall serve without compensation. (Ord. 6862 § 11, 1984).

10.30 CONSTRUCTION AND DEMOLITION WASTE

Sections:

10.30.010 Purpose and findings.
10.30.020 Designation of C&D receiving facilities.
10.30.030 Enforcement authority -- inspections.
10.30.040 Enforcement.
10.30.050 Tip fee surcharge.

10.30.010 Purpose and findings. The purpose of this chapter is to assure that there will be [C&D]* disposal facilities to serve King County, that in accordance with the comprehensive solid waste management plan, C&D is recycled to the maximum extent feasible, that the Cedar Hills regional landfill may continue to be dedicated to receiving municipal solid waste (MSW), and that C&D disposal is subject to King County's strict environmental controls. (Ord. 18166 § 3, 2015: Ord. 15912 § 53, 2007: Ord. 10916 § 1, 1993).

***Reviser's note: Language not underlined in Ordinance 18166. See K.C.C. 1.24.075.**

10.30.020 Designation of C&D receiving facilities.

A. Facilities either owned, operated, or both, by a person or persons with which King County has agreements for C&D handling, are designated as the receiving facilities for all mixed and nonrecyclable C&D waste generated within the county jurisdiction. All generators, handlers and collectors of mixed and nonrecyclable C&D waste generated within the county's jurisdiction shall deliver, or ensure delivery to, a designated C&D receiving facility specified by the division director, except as permitted by subsections C. and E. of this section.

B. The division director shall enforce the agreements with owners of designated facilities for C&D recycling and waste handling services. If the division director determines the owner is not in compliance with the agreement, the division director may suspend that owner's right to accept mixed C&D and nonrecyclable C&D waste during the period of noncompliance.

C. Recyclable C&D materials may be transported to any C&D recycling facility or to a recycling market in or outside of King County.

D. Violations of this subsection are subject to enforcement authority under K.C.C. 10.30.030 and the enforcement actions under K.C.C. 10.30.040.

E.1. Notwithstanding subsections A., B., C. and D. of this section, the county may accept small quantities of C&D waste at its solid waste facilities when such small quantities of C&D waste are:

a. transported by vehicles or trailers that do not have mechanized dump beds, either hydraulic or otherwise; or

b. contained in loads of municipal solid waste.

2. Notwithstanding subsection E.1. of this section, the county may accept C&D waste in excess of the limitations of this section at county-owned transfer stations that comply with the recycling requirements in this chapter or that collect and transfer C&D waste to facilities designated in accordance with subsection A. of this section.

F. The county guarantees no minimum volume of mixed and nonrecyclable C&D waste to be delivered to the designated C&D receiving facilities. The county intends and expressly reserves the right to encourage reductions in the waste stream through increased recycling.

G. The division director shall develop and publish on the division's website a list of readily recyclable C&D materials that are banned from disposal by a C&D receiving facility from disposing at a landfill and update this list based on current market conditions and regional processing capacity for recyclable C&D materials. (Ord. 18166 § 4, 2015: Ord. 15912 § 54, 2007: Ord. 14986 § 2, 2004: Ord. 11885 § 1, 1995: Ord. 10916 § 4, 1993).

10.30.030 Enforcement authority -- inspections.

A. The division director is authorized and directed to enforce this chapter in accordance with applicable federal law.

B. The division director is authorized to make lawful inspections of the premises or vehicles of any person suspected of violating K.C.C. 10.30.020 and to inspect the books and records related to the subject of this chapter. All inspections shall be performed in compliance with applicable federal, state, and local laws. No notice shall be required for these inspections unless required by law. (Ord. 15912 § 55, 2007: Ord. 11885 § 2, 1995: Ord. 10916 § 5, 1993).

10.30.040 Enforcement.

A. Any person who violates this chapter or any rules adopted under this chapter, or who, by any act or omission, aids or abets such a violation shall be subject to civil penalties as provided in K.C.C. Title 23. Authority is provided through K.C.C. 23.02.040 for assessment of civil penalties under chapter 23.32 K.C.C.

B. Notwithstanding the existence or use of any other remedy, the division director may seek legal or equitable relief to enjoin any acts or practices that constitute a violation of any provision of this chapter. (Ord. 15912 § 56, 2007: Ord. 14986 § 3, 2004: Ord. 10916 § 6, 1993).

10.30.050 Tip fee surcharge. A fee as specified in K.C.C. 4A.670.300, is imposed on C&D wastes generated in the county's jurisdiction and disposed by C&D receiving facilities at landfills for the purpose of funding division costs to manage the C&D recycling and disposal program, Owners of facilities with which the county has an agreement for their facilities to receive C&D waste shall provide to the county upon request any information necessary to verify the collection and remittance of the [fee]*. The owner shall remit all fee amounts to the solid waste division monthly. (Ord. 18166 § 5, 2015: Ord. 14986 § 4, 2004: Ord. 10916 § 7, 1993).

***Reviser's note: Not underlined in Ordinance 18166. See K.C.C. 1.24.075.**