

ORDINANCE O-4511

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE WASTE  
STREAM REDUCTION PLAN AND AMENDING KIRKLAND MUNICIPAL  
CODE SECTION 16.08.012.

1           Whereas, the Kirkland City Council is committed to the  
2 protection of the natural environment through an integrated natural  
3 resource management system to protect and enhance our natural  
4 environment for current residents and future generations; and  
5

6           Whereas, the Washington State Legislature in RCW 70.95.010(6)  
7 (c) found that it is the responsibility of the city and county governments  
8 to "assume primary responsibility for solid waste management and to  
9 develop and implement aggressive and effective waste reduction and  
10 source separation strategies;" and  
11

12           Whereas, the Washington State Administrative Code WAC 51-  
13 50-009 requires all local jurisdictions to require that space be provided  
14 for the storage of recycled materials such as paper, metal, and glass  
15 and solid waste for all new buildings; and  
16

17           Whereas, Kirkland Zoning Code Chapter 115.45 requires all new  
18 multifamily, mixed use, and commercial structures to provide adequate  
19 and convenient space for the collection, storage, loading, and pickup of  
20 garbage and recyclable material; and  
21

22           Whereas, Kirkland Department of Public Works Pre-Approved  
23 Plan Policy G-9 requires that, for new multifamily properties, the total  
24 weekly capacity of all recycling dumpsters to be equal to or greater than  
25 the total weekly capacity of the garbage dumpsters and/or carts; and  
26

27           Whereas, lack of adequate recycling capacity is one of the  
28 barriers to increasing recycling diversion in the multifamily sector and  
29 less than one-half of Kirkland's existing multifamily properties meet the  
30 Kirkland Zoning Code and Pre-approved Plan policy for the provision of  
31 adequate recycling capacity; and  
32

33           Whereas, Seventy-two percent of the solid waste produced by  
34 Kirkland's multifamily properties could be diverted from the landfill for  
35 recycling or composting and the percentage of multifamily residential  
36 recyclables diverted from the landfill is substantially lower than the  
37 percentage diverted by single family residences.  
38

39           NOW, THEREFORE, the City Council of the City of Kirkland do  
40 ordain as follows:

41           Section 1. Section 16.08.012 of the Kirkland Municipal Code is  
42 amended to read as follows:

43  
44    **16.08.012 Waste stream reduction plan.\***

45       The waste stream reduction plan applicable to the entire city of  
46 Kirkland is composed of the following elements:

47       (1) Goal. The goal of the waste stream reduction plan is to divert  
48 from the solid waste disposal stream certain types or classes of materials  
49 and thereby reduce the amount of solid waste delivered to the King  
50 County approved solid waste disposal sites, including Cedar Hills.  
51 Performance goals related to waste diversion rate, tonnage of waste  
52 reduced and percentage of customers at each service level have been  
53 established to monitor progress.

54       (2) Program Elements.

55       (A) Effective January 1, 1990, the city established a local program  
56 for collection and disposal of household hazardous waste materials.  
57 (The program elements are contained in Exhibit A to Kirkland Resolution  
58 R3566.)

59       (B) Provision for alternative collection and/or handling of special  
60 commercial wastes as defined in Section 16.04.155, in order that special  
61 commercial wastes, which either are or have potential to be nonsolid  
62 waste materials which have been determined by the King County solid  
63 waste division to be nonacceptable for disposal at Cedar Hills and  
64 thereby require a special handling. (The program elements are set forth  
65 in Exhibit A to Kirkland Resolution R3466.)

66       (C) Cooperate and jointly participate with the King County solid  
67 waste division in programs for waste reduction, education and publicity,  
68 including programs supporting use by all segments of the community of  
69 products manufactured in whole or in part from recycled materials.

70       (D) Yard Waste Recycling. The city of Kirkland has determined  
71 there is within the King County area a market for the recovery and  
72 utilization of yard waste. The city, during 1989, conducted a pilot  
73 voluntary yard waste pickup collection recycling program, which  
74 resulted in a thirty-seven-percent diversion from and reduction in the  
75 Kirkland to Cedar Hills waste stream. Beginning in March 1990, the city  
76 has instituted a source separated yard waste curbside collection and  
77 recycling program on a voluntary basis for residential customers. (The  
78 program elements are contained in Exhibit A to Resolution R3466.)

79       (E) Other Recyclable Materials. Subject to the then existence of  
80 economically viable markets for the following recyclable materials,  
81 establishment of programs either mandatory or voluntary within the  
82 implementation timelines, required by Chapter 431 Laws of 1989 (and,  
83 where possible, the earlier timelines proposed by the King County solid  
84 waste division), to include collection and disposal for recycling of the  
85 following:

86       (i) Newspapers;

87       (ii) Mixed papers;

88       (iii) Glass bottles, recyclable plastic bottles and aluminum cans;

89       (iv) Organic waste;

90 (v) Electronic waste;

91 (vi) Textile waste;

92 (vii) The voluntary recycling by or for commercial customers of  
93 cardboard, newspapers, mixed, computer and office papers, yard waste,  
94 and construction waste. Depending on cost analysis and available  
95 markets, these recycling programs may be carried out through  
96 utilization of any of the following collection and disposal options: utilizing  
97 the current city solid waste contract collector, a third party collector or  
98 drop box or recycling buy-back centers. Where drop box or recycling  
99 buy-back centers are not utilized, recycling collection shall to the extent  
100 feasible be accomplished curbside;

101 (viii) Other recyclable materials at such time as there exists for each  
102 such material an economically viable market.

103 (F) Penalty for Excessive Waste Generation. Whenever a solid  
104 waste customer receives notice from the solid waste collector of  
105 excessive waste generation, such customer shall make application to  
106 the city of Kirkland for an excessive waste generation permit.

107 The city shall, upon request of the customer, issue an excessive waste  
108 generator permit and shall notify the solid waste collector of its issuance.

109 There shall be no charge for the issuance of an excessive waste  
110 generator permit. However, the city reserves the right to hereafter  
111 impose a waste stream reduction incentive charge or excessive waste  
112 generator permit fee on excessive waste generators. The imposition of  
113 such fee or charge and the amount thereof shall be established by  
114 ordinance.

115  
116 (G) Multifamily Residential Recycling. Multifamily residential  
117 customers ~~shall may choose and by the city are urged to choose to~~  
118 participate in placement for collection for recycling, at a minimum,  
119 the following materials: newspapers, mixed papers, and recyclable bottles,  
120 cans and plastic containers. Recyclable materials will be collected on the  
121 same pickup schedule as solid waste collections. Recyclable materials  
122 shall be placed in property-labeled Detachable Containers or recycling  
123 carts distributed by the city's solid waste collection contractor. Where  
124 space is available, Detachable Containers shall be used in lieu of carts.  
125 All multifamily property owners shall provide residents with a minimum  
126 total weekly volume of recycling capacity equal to or greater than the  
127 total weekly volume of garbage capacity. To the greatest extent  
128 possible, garbage, recycling and compost containers should be co-  
129 located. The Public Works Director or designee may vary the  
130 requirements of this subsection at his or her discretion or upon the  
131 request of the property owner if, in the opinion of the Director, the  
132 variance is necessary or reasonable. The variance must be in writing  
133 and may be revoked by the Director at any time if the necessity for the  
134 variance ceases to exist or for any other reason determined by the  
135 Director or designee, which determination shall not be made  
136 unreasonably. The revocations will be effective on a date or time  
137 selected by the Director, which may be immediately if circumstances so  
138 require.~~Multifamily residential customers using containers will receive~~  
139 ~~two or more recycling carts as determined by the size of the solid waste~~  
140 ~~container.~~

<b>Container Size</b>	<b>No. Recycling Carts</b>
2 or fewer yards	2
3 or 4 yards	3
6 yards	5
8 yards	6
10 yards	8
20 yards	15
25 yards	19
30 yards	23
40 yards	30

141            Section 2. This ordinance shall be in force and effect five days  
 142 from and after its passage by the Kirkland City Council and publication  
 143 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
 144 form attached to the original of this ordinance and by this reference  
 145 approved by the City Council.

146  
 147            Passed by majority vote of the Kirkland City Council in open  
 148 meeting this 5th day of January, 2016.

149  
 150            Signed in authentication thereof this 5th day of January, 2016.

  
 \_\_\_\_\_  
 MAYOR

Attest:

  
 \_\_\_\_\_  
 City Clerk

Approved as to Form:

Publication Date: January 11, 2016

  
 \_\_\_\_\_  
 City Attorney

PUBLICATION SUMMARY  
OF ORDINANCE O-4511

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE WASTE STREAM REDUCTION PLAN AND AMENDING KIRKLAND MUNICIPAL CODE SECTION 16.08.012.

SECTION 1. Amends Kirkland Municipal Code Section 16.08.012 relating to the waste stream reduction plan and allows for greater multifamily residential recycling.

SECTION 2. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 5th day of January, 2016.

I certify that the foregoing is a summary of Ordinance O-4511 approved by the Kirkland City Council for summary publication.

  
\_\_\_\_\_  
City Clerk