

Chas W.

Repealed by 2168

ORDINANCE NO. 456

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON REPEALING ORDINANCE NO. 650, ESTABLISHING RATES FOR GARBAGE COLLECTION, PROVIDING THAT THERE SHALL BE NO EXEMPTIONS FROM COMPULSORY COLLECTION SERVICE IN THE CITY OF KIRKLAND, REPEALING SECTION 15 OF ORDINANCE NO. 637 ALLOWING CERTAIN EXEMPTIONS, ESTABLISHING THREE BUSINESS CLASSES FOR RATE PURPOSES AND SERVICES, DETERMINING PICK-UP AREA FOR ALL CLASSES, AND PROVIDING THAT CANS AND GARBAGE SHALL BE READY FOR PICKUP IN BUSINESS AREA BY 12:00 NOON, ALL IN ACCORDANCE WITH AND PURSUANT TO ORDINANCE NO. 637 OF THE CITY OF KIRKLAND.

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO ORDAIN AS FOLLOWS:

Section 1. That Ordinance No. 650 be and the same hereby is repealed in full.

Section 2. That there shall be no exemptions from compulsory garbage collection service in the City of Kirkland either for business, commercial, industrial or residential purposes of any kind and Section 15 of Ordinance No. 637 which reads as follows:

"Any owner of premises within the City of Kirkland may execute and file with the City Clerk of said city a claim of exemption as to such premises from the payment of the expenses of garbage removal therefrom as provided in this Ordinance, which claim of exemption shall contain an agreement and promise on the part of the owner of said premises to keep said premises clean and free from all garbage by the removal thereof at least once a week and an agreement that if any garbage shall accumulate on said premises, such owner will either cause the same to be promptly removed or destroyed, or will promptly notify and request the City to remove such garbage and pay the established charges for such service. Provided further that the owner shall keep all garbage in closed containers and move it only in closed container or closed truck or conveyance. Upon the filing of such claim of exemption as aforesaid, such premises shall be exempt from the payment of the expense of garbage removal as provided by this Ordinance, and the City of Kirkland, and its employees, shall be under no obligation to remove any garbage from such premises except upon request of the owner of said property as set forth in the preceding section; but all charges for collection of garbage from said premises made at the request of the owner thereof shall be paid by such owner at the time of such collection, and if not so paid shall become a lien upon such premises and subject to collection as provided herein.

If the Sanitation Inspector shall find, and certify to the City Clerk in writing, that any of the agreements or promises on the part of the owner of premises for which claim for exemption has been filed as aforesaid have been materially violated, the exemption of such premises shall thereupon terminate, and such premises shall thereafter be and remain subject to all of the provisions of this ordinance to the same extent as though no claim of exemption had been filed."

is hereby repealed.

Section 3. That for business establishments in the City of Kirkland there shall be three types or classes as follows:

- Class 1. Daily pickup (6 days per week). This classification to include all large retail stores, markets, restaurants, taverns, clinics, hospitals and such other establishments as may be deemed necessary to maintain proper sanitation standards.
- Class 2. Shall have 3 times per week pickup. This classification shall consist of all business establishments, retail or non-retail, professional or non-professional, not requiring daily pickup, but of such a nature as to necessitate more than once a week pickup.
- Class 3. Shall be picked up once per week. Into this category shall fall most professional types of operation such as attorneys, jewelers, real estate and insurance agents, barbers and such other establishments for which once per week pickup shall be deemed satisfactory.

Classifications shall be determined by the Sanitation Inspector of the City of Kirkland whose decisions shall be subject to review by the City Council upon the written request of any business firm or resident.

Section 4. All property owners and/or business firms or locations shall on the day of pickup have their garbage cans or containers within twenty five (25) feet from the property line on the street or alley, whichever is used by the garbage pickup truck.

Section 5. In the business area and in relation to any owner or user under business classification, the garbage cans shall be available for pickup by <sup>7:30 A.M.</sup> ~~12:00 noon~~ on the days established for pickup service.

Section 6. Upstairs offices or arcades will be considered as one pickup and charged for one pickup and one minimum according to the class assigned that particular upstairs or arcade location. The City will bill the landlord or his designate for this collection service and it shall be the responsibility of the landlord or his designate to provide a suitable location and an adequate number of cans for the use of his tenants and they shall be easily accessible to the collector.

Section 7. The rates to be charged for the garbage collection service in the City of Kirkland shall be as follows:

Business Class 1 - \$4.50 per month six collections per week

Business Class 2 - \$2.50 per month three collections per week

Business Class 3 - \$1.50 per month one collection per week

Residential - \$1.00 per month one collection per week

Apartment House - \$2.00 per month two collections per week

Hotels - pickups shall be daily and charged as business establishments

Motels, auto courts and trailer camps will be picked up weekly and residential rate charged for each unit. Property owner or landlord shall be charged for total services rendered. Motel or cabin court operations where the premises are rented out on a monthly basis may at the option of the owner or operator provide a central location at which location the owner or operator shall provide an adequate number of cans for the convenience of all tenants in which case the premises will be charged under the apartment house rate.

In all classes and areas under all charges extra cans shall be picked up at the rate of .10¢ per can per pickup.

Where it is permissible to collect rubbish for pickup in other than garbage cans it shall be charged for as if it has been placed in such cans of regular size. And where a requested collection is of such an unusual size or at sometime other than regular collections are made at the premises, a special charge based on the amount involved shall be made and the extra expenditure of labor and equipment charge shall be set by the garbage collector under limitations as established by the proper Department of the State of Washington.

Section 8. The rates and provisions established in this Ordinance shall be effective commencing October, 1953. Wherever there are business or commercial firms re-classified by this Ordinance which would affect existing bills or charges of such firms, any adjustments or credits shall be considered from July 1, 1953. Such adjustment shall only apply to business or firms receiving a lower classification as to rate charge and shall apply only to minimum rate charges.

Section 9. This Ordinance shall be in force five (5) days from and after its passage by the Council, approval by the Mayor and publication according to law.

Introduced the 28th day of September, 1953.

Passed and approved the 5th day of October, 1953.

Alfred E. Leland  
Mayor

Attest:

Leslie L. Vitch  
City Clerk

Approved as to form:

Charles W. Johnson Jr.  
City Attorney