

ORDINANCE 3394

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION, WASTE STREAM REDUCTION, RECYCLING OF RECYCLABLE WASTE MATERIALS, ADOPTING KING COUNTY 1992 FINAL SOLID WASTE MANAGEMENT PLAN AND AMENDING CITY OF KIRKLAND ORDINANCE 3205, AS HERETOFORE AMENDED BY ORDINANCES 3210 AND 3328 (CHAPTER 16.08. KMC).

Whereas, by Ordinance 3205 as amended by Ordinance 3210, the City of Kirkland adopted the King County Solid Waste Management Plan, reserving to the City its power and authority regarding the levels and types of solid waste collection service and rate authority, and

Whereas, the King County Solid Waste Master Plan has been updated and amended as the 1992 Comprehensive Solid Waste Management Plan.

Be it ordained by the City Council of the City of Kirkland as follows:

Section A. Sections 1, 3 and 4 of Ordinance 3205, adopted February 20, 1990 as amended by Ordinance 3210 adopted March 20, 1990, together with subsection 16.08.12(1) of the Kirkland Municipal Code are each hereby amended to read as follows:

(Ordinance 3205) Section 1. Statement of legislative findings and policy. The Kirkland City Council finds and declares:

a. Section 1(6) of Chapter 431 Laws of 1989, the Washington State Legislature found:

1. It is the responsibility of every person to minimize his or her production of waste and to separate recyclable or hazardous materials from mixed waste.

2. It is the responsibility of State, County and City Governments to provide for a waste management infrastructure to fully implement waste reduction and source separation strategies, and to process and dispose

of remaining waste in a manner that is environmentally safe and economically sound. It is further the responsibility of State, County and City Government to monitor the cost effectiveness and environmental safety of . . . mixed waste and recycling programs; and

b. The City of Kirkland and King County entered into an interlocal agreement whereby the parties agreed that they shall cooperate in the County's development of a Comprehensive Solid Waste Management Plan.

c. King County has prepared and proposed a [~~draft~~] 1992 final Comprehensive Solid Waste management Plan and submitted it to the City for approval and adoption.

d. The City through the Suburban Cities Association participates in the Solid Waste Interlocal Forum which through Resolution No. 1 adopted June 16, 1993 [Resolution 89005] has recommended approval and adoption of the [~~draft~~] 1992 final Comprehensive Solid Waste Management Plan [~~with-amendments-and-addenda~~].

e. Section 10 of Chapter 431 Laws of the State of Washington 1989 regular session amending RCW 70.95.160 authorizes the City to determine that King County shall not exercise any powers regarding the levels and type of service and rate structures for any aspect of solid waste collection within the City of Kirkland.

f. Kirkland has for years maintained and operated a solid waste (Garbage and Refuse) collection utility and program which for public health safety reasons, includes curbside flat rate mandatory unlimited pick up of residential solid waste.

g. Said program has substantially reduced, if not eliminated, the occurrence of casual dumping of solid waste and other waste materials on

public and private properties within the City of Kirkland, and has a high degree of public acceptance and support.

h. The City of Kirkland believes that effective waste stream reduction programs, including recycling, must be so structured as to be compatible with the health and safety goal of elimination of dumping on public and private property.

i. RCW 70.95.080 and Chapter 431 Laws of 1989 and the King County Solid Waste Management Plan as adopted in Section 3 of this Ordinance require the City to establish in accordance with the time lines set forth therein, ~~[either-on-its-own-or]~~ through a joint City/County Solid Waste Comprehensive Program, policies and programs for waste stream reduction and recycling of recyclable waste materials.

(Ordinance 3205) Section 3. The 1992 final King County Comprehensive Solid Waste Management Plan is hereby adopted. ~~[with amendments-and-addenda-set-forth-in-Resolution-89005-of-the-Solid-Waste-interlocal Forum-shall-become-the-Comprehensive-Solid Waste-Management-Plan-for-the-City-of Kirkland-to-the-extent-that-any-provisions thereof-are-not-specifically-in-conflict with-the-provisions-of-this-title-with respect-to-solid-waste-collection-within the-City-(Title-16-Kirkland-Municipal Code)].~~

(Ordinance 3205) Section 4. Pursuant to RCW 70.95.160 the City of Kirkland hereby determines that King County shall not exercise any powers regarding the levels and types of service for any aspect of solid waste collection in the City of Kirkland. King County regulations and ordinances regarding levels and types of service for any aspect of solid waste collection shall not apply within the corporate limits of the City as may now or hereafter be determined by the City. The City of Kirkland shall determine solid waste and recycling collection rates by ordinance and not as set forth in the King

County Comprehensive Solid Waste Management Plan.

Section B. Sections 1, 3 and 4 of ordinance 3205, as herein amended shall be added as new sections to Chapter 16.08 KMC.

Section C. Waste Stream Reduction Goals. KMC Section 16.08.012(1) is hereby amended to read as follows:

16.08.012(1) Goal: The goal of the waste stream reduction plan is to deflect from the solid waste disposal stream certain types or classes of materials and thereby reduce by at least 50 percent by 1995 and by [60%] 65% by 2000 the amount of solid waste delivered to the King County approved solid waste disposal sites, including Cedar Hills.

Section D. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code, in summary form attached to the original of this Ordinance and by this reference approved by the City Council, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 14th day of December, 1993.

Signed in authentication thereof this 14th day of December, 1993.



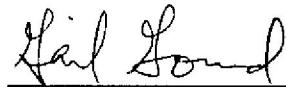
MAYOR

Attest:



City Clerk

Approved as to Form:



City Attorney

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PUBLICATION SUMMARY OF ORDINANCE 3394

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION, WASTE STREAM REDUCTION, RECYCLING OF RECYCLABLE WASTE MATERIALS, ADOPTING KING COUNTY 1992 FINAL SOLID WASTE MANAGEMENT PLAN AND AMENDING CITY OF KIRKLAND ORDINANCE 3205, AS HERETOFORE AMENDED BY ORDINANCES 3210 AND 3328 (CHAPTER 16.08. KMC).

Section A. Adopts the King County 1992 final Comprehensive Solid Waste Plan and amends sections 1, 3, and 4 of ordinance number 3205 (as amended by ordinance numbers 3210 and 3328) to reflect this adoption.

Section B. Provides that sections 1, 3, and 4 of ordinance 3205 as amended in Section A above shall be added to Chapter 16.08 of the Kirkland Municipal Code in order that the Municipal Code set forth all elements of the Comprehensive Solid Waste Plan for Kirkland including legislative findings, policies and a declaration of reservation of local control over levels and types of solid waste and recycling services and rates.

Section C. Amends section 16.08.012(1) of the Kirkland Municipal Code to correct a typographical error and clarify that the goal of the Kirkland Waste Stream Reduction Plan is to reduce the waste stream by 65% by the year 2000.

Section D. 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 regular meeting on the 14th day of December, 1993.

I certify that the foregoing is the summary of Ordinance 3394 approved by the Kirkland City Council for summary publication.


city Clerk