

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE MANAGEMENT AND AMENDING TITLE 16 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. A new Section 16.04.095 is hereby added to the Kirkland Municipal Code to read as follows:

16.04.095 Electronic waste.

Scrap electronics that are no bigger than 2 feet by 2 feet per unit in size and less than 60 pounds per unit, including computer equipment, VCRs, audio equipment, televisions, cell phones, and other equipment containing circuit boards that are placed next to the Recycling Cart. Scrap electronics do not include speakers, or kitchen appliances, or as defined in Contractor's promotional materials.

Section 2. Section 16.04.110 of the Kirkland Municipal Code is hereby amended to read as follows:

16.04.110 Garbage can/cart/bag.

"Garbage can/cart/bag" means either: (a) a traditional garbage can being a cylindrical watertight sheet metal or plastic container not exceeding thirty-two gallons in capacity, weighing not over twenty-six pounds when empty and without cover, fitted with two sturdy handles, one on each side, and a tight cover equipped with a handle, except in the case of "sunken cans" or (b) "cart" being a plastic container on wheels with a handle and a hinged, tight-fitting cover, the capacity of which is twenty, thirty-two, fifty, sixty-four, or ninety-six gallons or (c) "bag" as described in section 16.04.120.

Section 3. A new Section 16.04.125 is hereby added to the Kirkland Municipal Code to read as follows:

16.04.125 Organic waste.

Organic waste includes yard waste and food waste, which are collected together in residential gray organic waste carts. Yard waste includes grass clippings, branches, etc. Food waste includes all organic waste from the household: plate scrapings including meat, bones, fat; fruit and vegetable peelings, pits, cores; food-soiled paper such as pizza boxes, napkins, paper plates.

Section 4. A new Section 16.04.185 is hereby added to the Kirkland Municipal Code to read as follows:

16.04.185 Textile waste.

Textile waste includes clean usable clothing and linens, sheets, towels, tablecloths, blankets, bedspreads, stuffed animals, belts, hats, scarves, purses, wallets, backpacks, totes, paired leather or canvas shoes (rubber banded or tied together) placed in clear tied plastic bags and placed next to recycling cart. Boots, sandals, high heels, skates and slippers will not be collected.

Section 5. Section 16.04.230 of the Kirkland Municipal Code is hereby amended to read as follows:

16.04.230 Extra unit of garbage.

"Extra unit of garbage" means an additional ~~thirty-two~~^{five} gallon can/cart/bag above a customer's designated level of service.

Section 6. Section 16.08.012 of the Kirkland Municipal Code is hereby amended to read as follows:

16.08.012 Waste stream reduction plan.

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

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

(2) Program Elements.

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

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

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

(D) Yard Waste Recycling. The city of Kirkland has determined there is within the King County area a market for the recovery and utilization of yard waste. The city, during 1989, conducted a pilot voluntary yard waste pickup collection recycling program, which resulted in a thirty-seven-percent diversion from and reduction in the Kirkland to Cedar Hills waste stream. Beginning in March

1990, the city has instituted a source separated yard waste curbside collection and recycling program on a voluntary basis for residential customers. (The program elements are contained in Exhibit A to Resolution R3466.)

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

- (i) Newspapers;
- (ii) Mixed papers;
- (iii) Glass bottles, recyclable plastic bottles and aluminum cans;
- (iv) Organic waste;
- (v) Electronic waste;
- (vi) Textile waste;

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

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

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

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

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

(G) Multifamily Residential Recycling. Multifamily residential customers may choose and by the city are urged to choose to participate in separation and placement for collection for recycling the following materials: newspapers, mixed papers, and recyclable bottles, cans and plastic containers. Recyclable materials will be collected on the same pickup schedule as solid waste collections. Recyclable materials shall be separated and placed in recycling bins or carts distributed by the city's solid waste collection contractor. ~~Multifamily residential customers using garbage can collection service will receive three recycling bins for recyclable materials per residential unit.~~

Multifamily residential customers using containers will receive two or more recycling carts as determined by the size of the solid waste container:

Container Size No. Recycling Carts

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

Section 7. Section 16.08.020 of the Kirkland Municipal Code is hereby amended to read as follows:

16.08.020 Deposit in carts or cans or containers required.

It is unlawful for anyone to deposit, throw, keep or place any garbage or rubbish on any property, public or private, or in any lane, alley, street or public place except in garbage carts or cans, or detachable containers where authorized or in ordinance units as herein described, placed on private property or on the street or alley when necessary or required, or upon a refuse disposal site. Detachable containers shall be compatible with the collection equipment used by the city garbage contractor.

Section 8. Section 16.08.040 of the Kirkland Municipal Code is hereby amended to read as follows:

16.08.040 Garbage ~~cans~~carts required.

All occupants of residences and other dwelling units shall have and use a sufficient number of garbage cans, carts or plastic bags meeting the specifications of Section 16.04.120 to hold all of their garbage and ashes. Additional amounts of rubbish, bundled in ordinance units as herein defined, may be set out for collection. Hot ashes shall not be set out for collection. No garbage shall be placed in ordinance units other than plastic bags meeting the specifications of Section 16.04.120.

Section 9. Section 16.08.050 of the Kirkland Municipal Code is hereby amended to read as follows:

16.08.050 Garbage ~~cans~~carts—Condition.

All garbage ~~cans~~carts and detachable containers shall be kept tightly covered and in good condition for garbage storage and handling, and garbage ~~cans~~carts and detachable containers which leak or have jagged edges or holes shall not be used. The city manager, at the request of the contractor, in

writing, shall determine whether or not the condition of any garbage ~~can~~cart is satisfactory for use.

Section 10. Section 16.08.060 of the Kirkland Municipal Code is hereby amended to read as follows:

16.08.060 Garbage ~~can~~cart—Weight.

No garbage ~~can~~cart, when filled, shall weigh more than sixty-five pounds, and it shall be so packed that the contents thereof will dump out readily when the ~~can~~cart is inverted.

Section 11. Section 16.08.070 of the Kirkland Municipal Code is hereby amended to read as follows:

16.08.070 Garbage ~~can~~carts and ordinance units—Placement.

All garbage ~~can~~cart and ordinance units shall be placed by the occupant in a convenient, accessible location as near as practicable to ~~the approximate rear of the building or near the alley~~City street right-of-way, upon the ground level or ground floor, or in a sturdy rack not over fourteen inches above such level or floor, except that sunken cans may be below the ground level. With automated garbage and recycling trucks, street placement is preferred for the most efficient collection. There shall be two feet clearance between each cart and two feet from any other obstructions (i.e. mailbox, fence, car) so hauler can access containers with automated truck arms and avoid contact with nearby obstructions. Where no other suitable area is available, garbage ~~can~~carts or ordinance units may be placed in the sidewalk or in the alley for collection, but shall not be so placed until a reasonable time prior to collection and shall be removed within a reasonable time thereafter. Detachable containers may be stored within a building but shall be readily accessible for servicing without unnecessary delay or special collection equipment.

Section 12. Section 16.08.090 of the Kirkland Municipal Code is hereby amended to read as follows:

16.08.090 Garbage ~~can~~carts—Disturbance by unauthorized person unlawful.

It is unlawful for anyone other than the owner or one authorized by him to deposit any material in any garbage ~~can~~cart or detachable container or to remove the cover therefrom or to remove or disturb any of the contents thereof except for collection.

Section 13. Section 16.12.030 of the Kirkland Municipal Code is hereby amended to read as follows:

16.12.030 Collection rates.

The rates to be charged for solid waste collection service in the city shall be as follows:

- (1) Residential.

A. Single-Family (Per Month)	Rate
Monthly Service	
35-gallon cart	\$6.00
Weekly Service	
20-gallon mini cart	\$12.00 <u>11.00</u>
35-gallon cart	17.05
64-gallon cart	23.50
96-gallon cart	34.50 <u>37.50</u>
35-gallon equivalent "extra"	6.50
Extra Yard Debris Service	
96-gallon cart	\$9.65

As stated in Section 16.12.025, a senior citizen's discount of forty percent of the rate set forth here is available for qualified residents.

One gray yard waste cart and one blue recycling cart/bin set is provided to each customer at no extra charge. The contractor will charge a fee for additional yard waste and recycling receptacles above the first set provided.

B. Miscellaneous Service Fees (Per Occurrence)	Rate
Return trip	\$12.56
Drive-in charge	5.72
Redelivery fee (carts)	17.14
Carry-out surcharge	3.43
C. On-Call Bulky Waste Collection Fees (Per Occurrence – Per Item)	Rate
Appliances	\$85.72
Refrigerator/Freezer	85.72
Sofa	85.72
Chair	85.72
Mattress or box springs	85.72
Tire: Auto/light truck	22.86
Tire: Bus/heavy truck	28.58
Tire: Additional for rims or wheels	17.14
Miscellaneous, per cubic yard	62.85
D. Temporary Container Service Rate	
Temp. 2-yard container	\$49.42
Daily rent	1.10
Delivery fee	41.80
Temp. 4-yard container	62.64

Daily rent	1.37
Delivery fee	41.80
Temp. 6-yard container	75.44
Daily rent	1.65
Delivery fee	41.80
Temp. 100-yard container	2,460.16

(2) Multifamily and Commercial.

A. Carts	Rate
Weekly Service	
<u>20 gallon mini cart</u>	<u>\$11.00</u>
35-gallon cart	\$17.05
64-gallon cart	23.50
96-gallon cart	34.50 <u>37.50</u>
35-gallon equivalent "extra"	6.50

As stated in Section 16.12.025, a senior citizen's discount of forty percent of the rate set forth here is available for qualified residents.

~~One gray yard waste cart and one blue recycling cart/bin set is provided to each customer at no extra charge. The contractor will charge a fee for additional yard waste and recycling receptacles above the first set provided.~~

B. Miscellaneous Services	Rate
(Per Event)	
Return trip	\$29.19
Carry-out service (per container)	3.25
Redelivery	41.08
Roll-out container	5.40
Unlock container	1.84
Gate opening	3.25
Steam cleaning (per yard)	19.46
C. Comm./Mf	Rate
Uncompacted Containers	
1 Cubic Yard Uncompacted	
1 pickup/week/container	\$ 79.66
2 pickups/week/container	149.90
3 pickups/week/container	220.15
4 pickups/week/container	290.41
5 pickups/week/container	360.66

1.5 Cubic Yard Uncompacted

1 pickup/week/container	\$ 94.42
2 pickups/week/container	177.80
3 pickups/week/container	261.17
4 pickups/week/container	344.55
5 pickups/week/container	427.94

2 Cubic Yard Uncompacted

1 pickup/week/container	\$108.44
2 pickups/week/container	203.22
3 pickups/week/container	298.00
4 pickups/week/container	392.78
5 pickups/week/container	487.54

3 Cubic Yard Uncompacted

1 pickup/week/container	\$133.24
2 pickups/week/container	250.80
3 pickups/week/container	368.36
4 pickups/week/container	485.94
5 pickups/week/container	603.51

4 Cubic Yard Uncompacted

1 pickup/week/container	\$158.68
2 pickups/week/container	299.03
3 pickups/week/container	439.40
4 pickups/week/container	579.76
5 pickups/week/container	720.12

6 Cubic Yard Uncompacted

1 pickup/week/container	\$207.65
2 pickups/week/container	393.59
3 pickups/week/container	579.53
4 pickups/week/container	765.49
5 pickups/week/container	951.43

8 Cubic Yard Uncompacted

1 pickup/week/container	\$ 255.75
2 pickups/week/container	487.29
3 pickups/week/container	718.82
4 pickups/week/container	950.35
5 pickups/week/container	1,181.88

"Extra" Uncompacted Cubic Yard 39.99

D. Comm./Mf Compacted Containers (Weekly Pulls) Rate

1	cubic yard container	\$157.48
1.5	cubic yard container	204.90
2	cubic yard container	251.40
3	cubic yard container	340.31
4	cubic yard container	430.04
6	cubic yard container	859.85

E. Comm./Mf Yard Debris (Per Month)

	Rate
96-gallon cart (weekly collection)	\$ 9.81
2 cubic yard container (weekly)	75.33
Extra cubic yard	23.43
Extra yard debris 32-gallon can	3.47

F. Roll-off Container Rental Rate**Permanent Noncompacted Service**

<u>10 cubic yard container</u>	<u>\$30.00</u>
<u>15 cubic yard container</u>	<u>\$35.00</u>
<u>20 cubic yard container</u>	<u>\$45.00</u>
<u>25 cubic yard container</u>	<u>\$50.00</u>
<u>30 cubic yard container</u>	<u>\$55.00</u>
<u>40 cubic yard container</u>	<u>\$60.00</u>

G. Roll-off Container Rental**Temporary Noncompacted Service**

<u>10 cubic yard container</u>	<u>\$35.00</u>
<u>15 cubic yard container</u>	<u>\$40.00</u>
<u>20 cubic yard container</u>	<u>\$46.00</u>
<u>25 cubic yard container</u>	<u>\$52.00</u>
<u>30 cubic yard container</u>	<u>\$57.00</u>
<u>40 cubic yard container</u>	<u>\$67.00</u>

(3) F. Comm./Mf Drop-Box Collection (Per Haul) Rate**A. Noncompacted Service**

10 cubic yard container	\$101.62
15 cubic yard container	101.62
20 cubic yard container	101.62

25 cubic yard container	101.62
30 cubic yard container	101.62
40 cubic yard container	101.62

**GB. Comm./Mf Drop-Box Collection Rate
(Per Haul)**

Compacted Service

10 cubic yard container	\$112.44
15 cubic yard container	112.44
20 cubic yard container	112.44
25 cubic yard container	112.44
30 cubic yard container	112.44
40 cubic yard container	112.44

**HC. Comm./Mf Drop-Box Collection Rate
(Per Haul)**

Temporary

10 cubic yard container	\$107.02
15 cubic yard container	107.02
20 cubic yard container	107.02
25 cubic yard container	107.02
30 cubic yard container	107.02
40 cubic yard container	107.02
Delivery fee – all temp. customers	81.08

~~(3) Additional Services.~~

D. Additional Services.

Additional mileage charge for hauls to other sites

Charge per mile	\$ 4.00
Return trip	35.00

Solid drop-box lid charge (per month) 35.00

Pressure washing (per yard) 8.00

Stand-by time (per minute) 2.00

Hourly Rates

Rear/side load packer and driver \$105.00

Front load packer and driver 105.00

Drop-box truck and driver 105.00

Additional labor (per person) 50.00

(4) Wherever detachable containers are used having a capacity for which a rate has not been established, the director of public works is authorized to

establish a rate for such container, which shall be consistent with the ratio of the container capacity to rate charged for the rate herein established.

(5) In addition to the collection rates established in subsections (1), (2) and (3) of this section, there shall be included a county board of health hazardous waste charge as follows:

(A) For each single-family residential customer the amount of sixty cents per month;

(B) For each multifamily and nonresidential (commercial) customer the sum of six dollars and seventy-seven cents per month.

Section 14. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 15 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 1.08.107, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 19th day of October, 2004.

Signed in authentication thereof this 19th day of October, 2004.

Mary Kaye Rindley
MAYOR

Attest:

Jane Hiley
City Clerk

Approved as to Form:

John Jensen
City Attorney
Ord\04garbmisc

PUBLICATION SUMMARY
OF ORDINANCE NO. 3963

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE MANAGEMENT AND AMENDING TITLE 16 OF THE KIRKLAND MUNICIPAL CODE.

SECTION 1. Adds a new Section 16.04.095 to the Kirkland Municipal Code defining "Electronic Waste".

SECTION 2. Amends Section 16.04.110 of the Kirkland Municipal Code by adding the word "bag" to the definition of garbage can/cart and amending cart capacity.

SECTIONS 3 - 4. Adds new Sections 16.04.125 and 16.04.185 to the Kirkland Municipal Code defining "Organic Waste" and "Textile Waste".

SECTION 5. Amends Section 16.04.230 of the Kirkland Municipal Code adding the word bag to the definition of "Extra Unit of Garbage" and by increasing gallon size.

SECTION 6. Amends Section 16.08.012 of the Kirkland Municipal Code by the addition of organic waste, electronic waste and textile waste to "Other Recyclable Materials".

SECTION 7. Amends Section 16.08.020 of the Kirkland Municipal Code by the addition of the word "carts" as required place to keep garbage or rubbish.

SECTION 8-10. Amends Sections 16.08.020, 16.08.040, 16.08.050 and 16.08.060 of the Kirkland Municipal Code by replacing the word "can(s)" with "cart(s)".

SECTION 11. Amends Section 16.08.070 of the Kirkland Municipal Code by replacing the word "cans" with "carts" and amending placement.

SECTION 12. Amends Section 16.08.090 of the Kirkland Municipal Code by replacing the word "cans" with "carts".

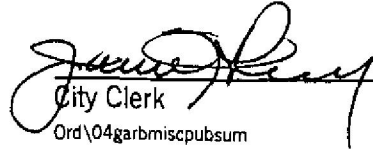
SECTION 13. Amends Section 16.12.030 of the Kirkland Municipal Code by amending Multifamily and Commercial Weekly Service by the addition of a 20 gallon mini cart, deleting yard waste and recycling cart set information and amending Roll-off Container Rental.

SECTION 14. Provides a severability clause for the ordinance.

SECTION 15. 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 19th day of October, 2004.

I certify that the foregoing is a summary of Ordinance 3963 approved by the Kirkland City Council for summary publication.


City Clerk
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