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**Council Bill Number:** 113897

**Ordinance Number:** 120591

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AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; correcting and revising certain terms, rates and charges established by Ordinance 120250 and Ordinance 120301 for collection of municipal solid waste from commercial customers; and amending Seattle Municipal Code Sections 21.36.016 and 21.40.070.

**Status:** Passed

**Note:** TDR, TRANSFER-OF-DEVELOPMENT-RIGHTS, LANDMARK-PERFORMING-ARTS THEATERS

**Vote:** 8-0 (Excused: Pageler)

**Date filed with the City Clerk:** 2001/11/05

**Date of Mayor's signature:** 2001/10/30 ([about the signature date](#))

**Date introduced/referred to committee:** 2001/10/08

**Committee:** Water Resources, Solid Waste and Public Health

**Sponsor:** PAGELER

**Committee Recommendation:** Pass

**Index Terms:** SEATTLE-PUBLIC-UTILITIES, UTILITY-RATES, WASTE-DISPOSAL, SOLID-WASTE

**Electronic Copy:** [PDF scan of Ordinance No. 120591](#)

**Reference:** Amending: Ord 120250; Related: Ord 120301

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**Text:**

ORDINANCE \_\_\_\_\_

AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; correcting and revising certain terms, rates and charges established by Ordinance 120250 and Ordinance 120301 for collection of municipal solid waste from commercial customers; and amending Seattle Municipal Code Sections 21.36.016 and 21.40.070.

WHEREAS, Municipal collection of commercial municipal solid waste commenced on April 1, 2001; and

WHEREAS, Ordinance 120250 and Ordinance 120301 established terms, rates and charges for the collection of municipal solid waste from commercial customers; and

WHEREAS, certain terms and hourly collection rates were inadvertently omitted from the listing of rates; Now, Therefore:

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 21.36.016 is amended to read as follows:

SMC 21.36.016 Definitions R - Z.

1. "Recyclable materials" means those solid wastes that are separated for recycling or reuse, such as papers, metals and glass, that are identified as recyclable material pursuant to The City of Seattle's Comprehensive Solid Waste Plan.

2. "Recycling" or "Recycle" means transforming or re-manufacturing waste materials into usable or marketable materials for use other than incineration (including incineration for energy recovery) or other methods of disposal.
3. "Refuse" means either garbage or rubbish or both garbage and rubbish, and includes litter, but excludes yardwaste.
4. "Residence" or "Residential" means any house, dwelling, multiunit residence, apartment house, trailer court or any building put to residential use. The term does not include Mixed Use Buildings.
5. "Return Trip" means a trip to pick up material that was originally unavailable for collection through no fault of the collector.
- ~~6. 5:~~ "Roll-off Collection" means the collection of Commercial Waste by means of a Drop Box.
- ~~7. 6:~~ "Rubbish" means all discarded nonputrescible waste matter excluding yardwaste.
- ~~8. 7:~~ "Scavenging" means removal of material at a disposal site or interim solid waste handling site without the approval of the site owner or operator or of the Health Officer.
- ~~9. 8:~~ "Secondary Collection Area" means for each contractor that area of the City within which the City's other commercial MSW collection contractor is the designated primary MSW collection service provider, and in which the contractor may provide such services only to individual customers who have requested, and been granted by the City, the right to receive such services from the contractor.
11. ~~9:~~ "Service unit" means a "garbage container."
11. ~~10:~~ "Small quantity generator hazardous waste" means any discarded liquid, solid, contained gas, or sludge, including any material, substance, product, commodity or waste used or generated by businesses, that exhibits any of the characteristics or criteria of dangerous waste set forth in Chapter 173.303 WAC, but which is exempt from regulation as dangerous waste.
- ~~12. 11:~~ "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, yardwaste, ashes, industrial wastes, infectious wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials. This includes all liquid, solid and semisolid materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes, but is not limited to sludge from wastewater treatment plants, seepage from septic tanks, wood waste, dangerous waste, and problem wastes as well as other materials and substances that may in the future be included in the definition of "solid waste" in RCW 70.95.030. Solid Waste does not include Recyclable Materials (including Compostable Waste collected from Commercial Establishments).
- ~~13. 12:~~ "Solid waste container" means a garbage container, detachable container, or any other secure, rigid, watertight container with a tight-fitting lid.
- ~~14. 13:~~ "Special category wastes" means wastes whose disposal is limited by certain restrictions and limitations, as identified in Section 21.36.029.
15. "Special Event Service" means services requiring container and/or drop box delivery and pickup at events which serve the general public with a duration of one week or less, and which are not part of a series of events sponsored by the same customer. Examples of qualifying events include Bumbershoot, Folklife and Seafair. Payment for services will include daily rental, time rates, disposal charges as well as applicable taxes.
- ~~16. 14:~~ "Special Pickup" means a pickup requested by the customer at a time other than the regularly scheduled pickup time, but which does not involve the dispatch of a truck.

~~17. 15.~~ "Special Waste" means contaminated soils, asbestos and other waste specified by Washington Waste Systems in the Special Waste Management Plan included in the Operations Plan as requiring special handling or disposal procedures.

~~18. 16.~~ "Street" means a public or private way, other than alleys, used for public travel.

~~19. 17.~~ "Street Side Litter Collection" means collection of MSW from City-supplied containers located on public right-of-way.

~~20. 18.~~ "Sunken can" means a garbage can which is in a sunken covered receptacle specifically designed to contain garbage cans and where the top of the garbage can is approximately at the ground level.

~~21. 19.~~ "Temporary Service" means service that is required for a period of ninety days or less in conjunction with Containers or Drop Boxes. Temporary Service and its associated rates are not to be used for the first ninety days of service when -the customer requests, and the Contractor provides service for more than ninety days.

~~22. 20.~~ "Toter" means the same as "Cart."

~~23. 21.~~ "Unacceptable Waste" means all waste not authorized for disposal at the Columbia Ridge Landfill and Recycling Center or successor site designated by the City, by those governmental entities having jurisdiction or any waste the disposal of which would constitute a violation of any governmental requirement pertaining to- the environment, health or safety. Unacceptable Waste includes any waste that is now or hereafter defined by federal law or by the disposal jurisdiction as radioactive, dangerous, hazardous or extremely hazardous waste and vehicle tires in excess of those permitted to be disposed of by the laws of the disposal jurisdiction.

~~24. 22.~~ "WUTC" means the Washington Utilities and Transportation Commission of the State of Washington.

~~25. 23.~~ "Yardwaste" means plant material (leaves, grass clippings, branches, brush, flowers, roots, wood waste, etc.); debris commonly thrown away in the course of maintaining yards and gardens, including sod and rocks not over four (4) inches in diameter; and biodegradable waste approved for the yardwaste programs by the Director of the Seattle Public Utilities. It excludes loose soils, food waste; plastics and synthetic fibers; lumber; any wood or tree limbs over four (4) inches in diameter; human or animal excrement; and soil contaminated with hazardous substances.

Section 2. Seattle Municipal Code Section 21.40.070 is amended to read as follows:

SMC 21.40.070 Commercial collection rates and charges.

A. Primary and Secondary Service Territories Established: The City hereby establishes two (2) Primary Service Territories for commercial solid waste collection in the City, bordered by Royal Brougham to 4th Avenue to Dearborn, Dearborn to I-5, I-5 to Jackson, Jackson to Lake Washington. The City shall designate by ordinance one (1) contract collector of commercial solid waste to be the provider of Primary Services in each territory, and another collector to be the Secondary Service provider. Rates and charges for services provided by a Primary Service Provider and a Secondary Service Provider shall be according the schedules in Subsection B.

B. Primary and Secondary Service Rates and Charges: There is imposed upon all commercial establishments in the City of Seattle receiving container or drop service from one of the City's contract collectors of commercial solid waste the following schedule of rates and charges:

1. Container Service Rates: The following charges shall apply to commercial establishments receiving Primary Container Service. Customers receiving Secondary Container Service shall pay 20% more than the corresponding rate for Primary Container Service (the basic service charge including container rent and related taxes all multiplied by 1.2).

Container Service

Non-Compacted Material

SERVICE TYPE SIZE OR TYPE OF CONTAINER

60 Gal 90 Gal.

Toter Toter 1 Yd 1.5 Yd 2 Yd 3 Yd 4 Yd

Permanent Account

First Pickup \$ \$ \$ \$ \$ 5.95 7.05 15.70 22.35 27.25 38.15 49.20

Ea. Add'l Pickup \$ \$ \$ \$ \$ 5.95 7.05 15.70 22.35 27.25 38.15 49.20

Special Pickups \$ \$ \$ \$ \$ 7.45 8.30 23.75 29.70 35.30 46.65 57.95

Monthly Rent \$ \$ \$ \$ \$ 1.75 1.75 4.65 6.80 8.75 10.85 12.40

Flat Monthly Pickup

Charge\* \$ \$ \$ \$ \$ 25.78 30.55 68.03 96.85 118.08 165.32 213.20

Temporary Account

Initial Delivery \$ \$ \$ \$ 12.65 12.65 12.65 12.65 12.65

Pickup Rate \$ \$ \$ \$ 23.75 29.70 35.30 46.65 57.95

Rent Per Calendar

Day \$ \$ \$ \$ 3.10 3.10 3.10 3.10 3.10

Container Service

Non-Compacted Material

SERVICE TYPE SIZE OR TYPE OF CONTAINER

5 Yd 6 Yd 8 Yd

Permanent Account

First Pickup \$ \$ \$ 60.40 67.35 85.35

Ea. Add'l Pickup \$ \$ \$ 60.40 67.35 85.35

Special Pickups \$ \$ \$ 67.35 76.60 95.60

Monthly Rent \$ \$ \$ 17.05 19.10 21.70

Flat Monthly Pickup

Charge\* \$ \$ \$ 261.73 291.85 369.85

Temporary Account

Initial Delivery \$ \$ \$ 12.65 12.65 12.65

Pickup Rate \$ \$ \$ 67.35 76.60 95.60

Rent Per Calendar

Day \$ \$ \$ 3.10 3.10 3.10

Container Service

Compacted Material, 1 to 2 Ratio

SERVICE TYPE SIZE OR TYPE OF CONTAINER

1 Yd 2 Yd 3 Yd 4 Yd 5 Yd 6 Yd

Permanent Account

First Pickup \$ \$ \$ \$ \$ 31.60 48.95 71.25 93.45 115.65 138.05

Ea. Add'l Pickup \$ \$ \$ \$ \$ 31.60 48.95 71.25 93.45 115.65 138.05

Special Pickups \$ \$ \$ \$ \$ 40.10 57.20 80.00 102.45 124.00 147.55

Monthly Rent \$ \$ \$ \$ \$ 14.45 28.90 32.00 36.10 39.20 43.25

Flat Monthly Pickup

Charge\* \$ \$ \$ \$ \$ 136.93 212.12 308.75 404.95 501.15 598.22

Container Service

Compacted Material, 1 to 5 Ratio

SERVICE TYPE SIZE OR TYPE OF CONTAINER

1 Yd 2 Yd 3 Yd 4 Yd 5 Yd 6 Yd

Permanent Account

First Pickup \$ \$ \$ \$ \$ 45.30 76.80 109.70 142.60 177.50 216.75

Ea. Add'l Pickup \$ \$ \$ \$ \$ 45.30 76.80 109.70 142.60 177.50 216.75

Special Pickups \$ \$ \$ \$ \$ 50.80 82.55 115.70 148.85 183.50 223.50

Monthly Rent \$ \$ \$ \$ \$ 15.60 31.25 33.05 39.05 42.50 46.85

Flat Monthly Pickup

Charge\* \$ \$ \$ \$ \$ 196.30 332.80 475.37 617.93 769.17 939.25

\* "Flat Monthly Pickup" rate schedules exclude rental rates.

\* Overload Container Charges: A container whose contents exceed one foot above the top of the container will be charged the Temporary Account Pickup Rate for that size service, as shown in the Non- Compacted Material rate table above.

\* Can-Unit Pickup: Customers receiving regularly scheduled Can-Unit Pickup service for one or more Cans will be charged \$3.15 per can per pickup, with a minimum monthly charge of \$20.70. When a set number of units are serviced each week, the customer may be billed at a flat rate equal to 4 1/3 times the applicable unit rate, subject to the same \$20.70 minimum monthly charge.

\* Bulky Waste Collection: Customers setting out Bulky Waste will be charged a the rate of \$13.25 per cubic yard for such waste. The charges for Bulky Waste collection will be assessed per 1/4 cubic yard. Any such charges will be in addition to the customer's regular container collection service charges.

2. Drop Box Service Rates: The following charges shall apply to commercial establishments receiving Primary Drop Box Service. Customers receiving Secondary Drop Box Service shall pay 15% more than the corresponding rate for Primary Drop Box Service (the basic service charge including container rent and related taxes all multiplied by 1.15).

Drop Box Service

Non-Compacted Material

SERVICE TYPE SIZE OR TYPE OF CONTAINER

3 -4Yd 6 Yd 8 Yd 10 Yd 12 Yd 15 Yd 16 Yd

Permanent Account

First Pickup \$ \$ \$ \$ \$ \$ 61.90 61.90 61.90 83.00 83.00 83.00 83.00

Ea. Add'l Pickup \$ \$ \$ \$ \$ \$ 61.90 61.90 61.90 83.00 83.00 83.00 83.00

Special Pickups \$ \$ \$ \$ \$ \$ 71.75 71.75 71.75 91.55 91.55 91.55 91.55

Monthly Rent \$ \$ \$ \$ \$ \$ 12.80 24.55 26.65 28.80 32.00 35.20 37.70

Temporary Account

Pickup Rate \$ \$ \$ \$ \$ 71.75 91.55 91.55 91.55 91.55

Rent Per Calendar

Day \$ \$ \$ \$ \$ 3.20 3.20 3.20 3.20 4.25

Drop Box Service

Non-Compacted Material

SERVICE TYPE SIZE OR TYPE OF CONTAINER

20Yd 25Yd 30Yd 40 Yd

Permanent Account

First Pickup \$ \$ \$ \$ 83.00 83.00 83.00 83.00

Ea. Add'l Pickup \$ \$ \$ \$ 83.00 83.00 83.00 83.00

Special Pickups \$ \$ \$ \$ 91.55 91.55 91.55 91.55

Monthly Rent \$ \$ \$ \$ 40.50 51.20 61.85 67.15

Temporary Account

Pickup Rate \$ \$ \$ \$91.55 91.55 91.55 91.55

Rent Per Calendar

Day \$ \$ \$ \$ 4.25 4.25 5.35 5.35

Drop Box Service

Compacted Material

SERVICE TYPE SIZE OR TYPE OF CONTAINER

10 Yd 15 Yd 20 Yd 25 Yd 30 yd 40 yd

Permanent Account

First Pickup \$ \$ \$ \$ \$ 127.75 127.75 127.75 127.75 127.75 127.75

Ea. Add'l Pickup \$ \$ \$ \$ \$ 127.75 127.75 127.75 127.75 127.75 127.75

Special Pickups \$ \$ \$ \$ \$ 138.45 138.45 138.45 138.45 138.45 138.45

3. A&E (Ancillary and Elective) Service Charges: The following charges shall apply to commercial establishments receiving any of the A&E (Ancillary and Elective Services) listed in the table below. Customers receiving Secondary Container Service shall pay 20% more than for A&E Services than Primary Container Service customers (the applicable A&E service charge(s) multiplied by 1.2). Customers receiving Secondary Drop Box Service shall pay 15% more than for A&E Services than Primary Drop Box Service customers (the applicable A&E service charge(s) multiplied by 1.15).

A&E Service Charges

Type of Service Charge to Customer

Deliveries

Toter Initial Delivery - Permanent \$11.40

Container Initial Delivery - Temporary \$13.40 1-8 CY

Container Initial Delivery - Permanent \$13.40 1-8 CY

Drop Box Initial Delivery - Temporary \$19.00 3-8 CY

Drop Box Initial Delivery - Permanent \$19.00 3-8 CY

Drop Box Initial Delivery - Temporary \$30.00 10-40 CY

Drop Box Initial Delivery - Permanent \$30.00 10-40 CY

Pickup Ancillary Services

Temporary Pickup \$13.50

Return Trip - Can \$4.25

Return Trip - Container ((or Drop Box)) \$9.00

Return Trip - Drop Box \$36.00

Time Rates for Special Event Service, \$1.20 per minute, 30 minute Deliveries/Pickups\* minimum

\*Qualification for this rate requires preapproval by the Director of Seattle Public Utilities.

Container , Drop Box, and Compactor Special Services

Pickup/redelivery up to 8 CY \$13.50

Pickup/redelivery over 8 CY \$30.00

Washing and Steam Cleaning, per CY \$2.00

Washing and Steam Cleaning, minimum \$15.00 payment

Sanitizing Containers, per CY \$0.90

Sanitizing Containers, minimum payment \$10.00

Compactor Disconnect/Reconnect Cycle \$20.00

Container, Drop Box Compactor Turnaround \$15.90

Drop Box Solid Lid Monthly Provision \$11.80

Overtime Service, Hourly Premium, for \$34.50, in 4 hour increments service provided between Saturday, 4:00 p.m. to Sunday, 5:00 p.m.

Replacement Lock for Container, if \$10.00 requested more frequently than every 12 months

4. Disposal Fee for MSW Drop Box Service

Disposal fees for MSW Drop Box service shall be assessed on each MSW Drop Box load at the rate of \$77.87 per ton, measured on a per tip basis rounded to the next highest 1/100 ton.

5. Application of Taxes and Local Hazardous Waste Plan Fee



The following taxes and fees shall be added to the collection and disposal charges set forth in this section:

- a. Household Hazardous Waste Collection Fees, corresponding to the fees currently contained in Seattle Municipal Code section 21.44.060D;
  - b. Seattle Solid Waste Collection Taxes contained in Seattle Municipal Code, section 5.48.055;
  - c. State Solid Waste Collection Taxes, and
  - d. Retail Sales Tax levies on container rental charges.
6. Payment of charges - Delinquency and Lien.

A. Collection and disposal charges shall be against the premises served and when such charges have not been paid within ninety (90) days after billing, service shall be discontinued and the charges shall constitute a lien against the premises served. Notice of the City's lien specifying the amount due, the period covered and giving the legal description of the premises sought to be charged may be filed with the County Auditor within the time required and may be foreclosed in the manner and within the time prescribed for liens for labor and material, as authorized by RCW 35.21.140.

B. Penalty interest at the rate of twelve (12) percent per year, computed monthly, shall be added to collection and disposal charges that become delinquent. Penalty interest shall be imposed on all such charges that remain unpaid thirty (30) days after their bill date and shall continue until such charges are paid.

Section 3. Any act taken in furtherance of this ordinance prior to its effective date is hereby ratified and confirmed.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2005, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_

President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_

Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_

City Clerk

(Seal)

Ed Steyh

09/12/01

commercial rate amendment 2

(Ver. #1)