
Council Bill Number: 114317

Ordinance Number: 120947

AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; modifying collection procedures and amending Seattle Municipal Code Sections 21.36.012, 21.36.080 and 21.40.070 accordingly.

Status: Passed

Note: Seattle Central Community College Master Plan

Vote: 9-0

Date filed with the City Clerk: 2002/10/16

Date of Mayor's signature: 2002/10/08 ([about the signature date](#))

Date introduced/referred to committee: 2002/09/16

Committee: Water and Health

Sponsor: PAGELER

Committee Recommendation: Pass

Index Terms: SOLID-WASTE-DISPOSAL, SOLID-WASTE, ADMINISTRATIVE-PROCEDURES, RECYCLING, WASTE-DISPOSAL

Fiscal Note: [Fiscal Note to Council Bill No. 114317](#)

Electronic Copy: [PDF scan of Ordinance No. 120947](#)

Reference: Amending: Ord 107790

Text:

AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; modifying collection procedures and amending Seattle Municipal Code Sections 21.36.012, 21.36.080 and 21.40.070 accordingly.

WHEREAS, residents and businesses place collection containers at the curb or alley prior to collection and bring them back after collection; and

WHEREAS, there is no clear definition of containers used for collection of residential or commercial garbage, recyclables or yard waste; and

WHEREAS, there are numerous commercial solid waste containers that are overflowing prior to collection; and

WHEREAS, it is in the best interest of the City, its businesses and residents that service levels match the amount of waste collected; and

WHEREAS, it is in the best interest of the City's solid waste system that the City provide for collection of construction, demolition and land clearing collection services as City's Waste; and

WHEREAS, the City desires to clarify that materials destined for recycling are excluded from the definition of City's Waste only if those materials contain no more than 10% non-recyclable material; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 21.36.012 is amended as follows:

SMC 21.36.012 Definitions C - E.

1. "Can" means a watertight, galvanized, sheet metal or plastic container not exceeding thirty-two (32) gallons in capacity, fitted with at least one (1) sturdy handle and a tight cover equipped with a handle, except in the case of sunken cans, such can to be rodent and insect proof and to be kept in a sanitary condition at all times. Alternative containers such as bags, boxes and bundles may be used in place of cans for materials in excess of the customer's primary container. A can or alternate container shall not exceed sixty (60) pounds for each thirty-two (32) gallons of nominal capacity.
2. "Can-unit pickup" means a pickup of a group of cans made of durable corrosion-resistant, nonabsorbent material, watertight, with a close-fitting cover and two handles. Size to exceed twenty (20) gallons, but not to exceed thirty-two (32) gallons or four (4) cubic feet.
3. "Cart" (also at times referred to as "toter" or "wheeled container") means a watertight plastic container, not greater than one-half (1/2) cubic yard in capacity and equipped with wheels, handles and a tight-fitting cover. "Wheeled containers" means containers capable of being mechanically unloaded into the contractor's collection vehicles.
4. "City" means The City of Seattle.
5. "City's Waste" means all residential and nonresidential solid waste generated within the City, excluding Unacceptable Waste, Special Waste, ~~Construction, Demolition and Landclearing Waste~~, and materials destined for recycling, which materials shall contain no more than ten percent non-recyclable material, by volume. City's Waste includes all such waste, regardless of which private or public entity collects or transports the waste. City's Waste includes all waste remaining after recycling.
6. "Clean wood waste" means and will consist of wood pieces generated as byproducts from manufacturing of wood products, hauling and storing of raw materials, tree limbs greater than four (4) inches in diameter and wood demolition waste (lumber, plywood, etc.) thrown away in the course of remodeling or construction, and waste approved for wood-waste recycling by the Director of the Seattle Public Utilities. It excludes clean yardwaste, treated lumber, wood pieces, or particles containing chemical preservatives, composition roofing, roofing paper, insulation, sheetrock, and glass.
7. "Commercial establishment" means any nonresidential location from which the solid waste is collected by the contractor, and includes the nonresidential portion of mixed use buildings.
8. "Commercial waste" means MSW and CDL collected from commercial establishments within the City.
9. "Compacted material" means material which has been compressed by any mechanical device either before or after it is placed in the receptacle handled by the collector.
10. "Compactor disconnect/reconnect cycle" means the service of disconnecting a compactor from a drop box or container prior to taking it to be dumped and then reconnecting the compactor when the drop box or container is returned to the customer's site.
11. "Compostable waste" means any organic waste materials that are source separated for processing or composting, such as yard waste and food waste.
12. "Composting" means the controlled degradation of organic waste yielding a product for use as a soil conditioner.
13. "Construction, Demolition and Landclearing Waste" or "CDL Waste" means waste comprised primarily of the following materials:
 - a. Construction waste: waste from building construction such as scraps of wood, concrete, masonry, roofing, siding,

structural metal, wire, fiberglass insulation, other building materials, plastics, styrofoam, twine, baling and strapping materials, cans and buckets, and other packaging materials and containers.

b. Demolition waste: solid waste, largely inert waste, resulting from the demolition or razing of buildings, roads and other man-made structures. Demolition waste consists of, but is not limited to, concrete, brick, bituminous concrete, wood and masonry, composition roofing and roofing paper, steel, and minor amounts of metals like copper. Plaster (i.e., sheet rock or plaster board) or any other material, other than wood, that is likely to produce gases or leachate during its decomposition process and asbestos wastes are not considered to be demolition waste.

c. Landclearing waste: natural vegetation and minerals from clearing and grubbing land for development, such as stumps, brush, blackberry vines, tree branches, tree bark, mud, dirt, sod and rocks.

14. "Container" means a bundle, bundle-of-yardwaste, can, cart or detachable container used for collection of garbage, recyclable materials or yard waste.

15. ~~14.~~) "Container Collection" means collection of commercial or residential waste, recyclable materials or yardwaste from bundles, bundles-of-yardwaste, cans, carts, and or detachable containers.

16. ~~15.~~ "Contaminated soils" means soils removed during the cleanup of a remedial action site, or a dangerous waste site closure or other cleanup efforts and actions which contain harmful substances but are not designated dangerous wastes. Contaminated soils may include excavated soils surrounding underground storage tanks, vector wastes (street and sewer cleanings), and soil excavated from property underlying industrial activities.

17. ~~16.~~ "Contractor" means those contracting with the City to collect and dispose of solid waste as described in this section, or the authorized representative of such contractors.

18. ~~17.~~ "Dangerous waste" means those solid wastes designated in WAC 173-303-070 through WAC 173-303-103 as dangerous or extremely hazardous waste.

19. ~~18.~~ "Detachable container" means a watertight, all-metal container, not less than one-half (1/2) cubic yard in capacity and equipped with a tight-fitting metal or other City-approved cover. The term shall also apply to containers of other material of similar size when approved by the Director of Seattle Public Utilities. Containers two (2) cubic yards and under shall be equipped with at least three (3) wheels.

20. ~~19.~~ "Director of Seattle Public Utilities" means the Director of Seattle Public Utilities of The City of Seattle and authorized employees.

21. ~~20.~~ "Disposal site" means the areas or facilities where any final treatment, utilization, processing or deposition of solid waste occurs. See also the definition of interim solid waste handling site.

22. ~~21.~~ "Drop box" (also at times referred to as "rolloff" or "lugger" or "dino") means a metal container, ~~with of 3~~ (three) ~~to 40~~ (forty) cubic-yard- capacity, capable of being mechanically loaded onto a collection vehicle for transport to a disposal facility.

23. ~~22.~~ "Dumpster" means the same as "detachable container."

24. ~~23.~~ "Dwelling unit" in addition to its ordinary meaning includes a room or suite of rooms used as a residence and which has cooking facilities therein, but does not include house trailers in trailer courts, rooms in hotels or motels, or cells or rooms in jails or government detention centers.

25. ~~24.~~ "Energy recovery" means a process operating under federal and state environmental laws and regulations for converting solid waste into usable energy and for reducing the volume of solid waste.

Section 2. Seattle Municipal Code Section 21.36.080 is amended as follows:

SMC 21.36.080 Placement of ~~garbage containers; and detachable containers.~~

A. All ~~garbage cans and bundles~~ containers for backyard collection 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, upon the ground level or ground floor, or in a sturdy rack not over fourteen inches (14") above such level or floor, except that sunken cans may be below the ground level. Where no other suitable area is available, ~~garbage cans or bundles~~ containers may be placed at a location selected by the customer and the Director of Seattle Public Utilities. ~~Garbage or bundles and bundles-of-yardwaste~~ Containers for curbside/alley collection shall be placed as follows:

1. From properties with level planting strips, in the planting strip or driveway within one (1) yard of the curb;
2. From properties with alleys of sufficient width, in the alley or within one (1) yard of the alley gate if the gate is within one (1) yard of the alley;
3. From properties with sidewalks but not planting strips, on the owner's property, within one (1) yard of the sidewalk, if level;
4. When the foregoing location slopes at a grade making placement of a container difficult, the nearest reasonable level area; and
5. If the premises has no sidewalk or planting strip, dense shrubbery or extraordinary circumstances preclude such a location, from a placement suitable to the customer and convenient to the collection contractor.

B. Containers ~~and bundles for collection~~ shall not be placed on the sidewalk or in the planting strip or the alley for collection until a reasonable time prior to collection. Containers shall be removed within a reasonable time thereafter.

C. Detachable containers may be stored within a building but shall be readily accessible for servicing without unnecessary delay or special collection equipment.

Section 3. Seattle Municipal Code Section 21.40.070 is amended to add a new Subsection C as follows:

SMC 21.40.070 Commercial collection rates and charges.

* * *

C. The Director of Seattle Public Utilities may adjust the service level to a commercial establishment to match the amount of garbage and rubbish actually collected from that establishment.

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Section 4. Any act taken in furtherance of this ordinance prior to its effective date is hereby ratified and confirmed.

Section 5. 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 _____, 2002, and signed by me in open session in authentication of its passage this _____ day of _____, 2002. _____ President
_____ of the City Council

Approved by me this _____ day of _____, 2002. _____ Gregory J. Nickels,
Mayor

Filed by me this ____ day of _____, 2002. _____ City Clerk

08/30/02 (Ver. #4)