

<b>Title</b> Prohibition of Recyclables in Garbage CITY CLERK	<b>Number</b> SW-402.1	<b>Rev. no.</b> 4
<b>Responsibility</b> Solid Waste	<b>Supersedes</b> N/A	<b>Pages</b> 4
<b>SPU Director's Approval</b>  Susan Sánchez for Ray Hoffman	<b>Effective Date</b> January 1, 2016	

**1. PURPOSE**

Seattle Municipal Code (SMC) 21.36.082 and 21.36.083 prohibit the disposal of certain recyclable materials in the garbage by businesses and residents with penalties to be imposed for noncompliance. SMC 21.36.05 also prohibits the disposal of yard waste in the garbage by residents.

Both residents and commercial businesses have been required to recycle paper, cardboard, glass bottles and jars, aluminum and tin cans, as well as yard waste. SMC 21.36.082 and 21.36.083 expand the list of materials that must be recycled by all residential customers and commercial establishments, including those hauling their own waste. These new items will include food waste and compostable paper.

SPU will begin a program of educational outreach regarding the food waste and compostable paper recycling requirements.

**2. RULE**

**A. Commercial Establishments**

- 1) Significant amounts of recyclables in the garbage for commercial establishments mean that any of the following, alone or in combination, make up more than 10 percent by volume of the contents of a garbage can, detachable container or drop box, as determined by visual inspection by an SPU inspector or contractor: recyclable paper (including paper cups), recyclable cardboard, glass bottles and jars, plastic bottles and cups, aluminum and tin cans, yard waste, food waste and compostable paper.
- 2) All commercial establishments that generate food waste or compostable paper will subscribe to a composting service, process their food waste on-site or self-haul their food waste for processing. All building owners will provide composting service for their tenants or provide space for the tenant's own food waste containers.
- 3) SPU will monitor commercial containers and provide educational notices or tags for commercial garbage cans, detachable containers, and drop boxes with food waste and compostable paper.

- 4) The presence of significant amounts of recyclables, not including food waste and compostable paper, in a commercial garbage can, detachable container, and drop box will be subject to an additional collection fee of \$50 per collection after two warning notices have been mailed to the garbage account customer at the address in SPU's customer records.

#### **B. Residential—Can Customers**

- 1) Significant amounts of recyclables in the garbage for residential cans mean that any of the following, alone or in combination, make up more than 10 percent by volume of the contents of a garbage can, as determined by visual inspection by an SPU inspector or contractor: recyclable paper, recyclable cardboard, glass or plastic bottles and jars, aluminum or tin cans, yard waste, food waste and compostable paper.
- 2) SPU will place educational notices or tags on garbage containers with recyclables, including food waste and compostable paper.

#### **C. Residential—Detachable Container and Drop Box Accounts**

- 1) Significant amounts of recyclables in the garbage for detachable containers and drop boxes mean that any of the following, alone or in combination, make up more than 10 percent by volume of the contents of a garbage can, as determined by visual inspection by an SPU inspector or contractor: recyclable paper, recyclable cardboard, glass or plastic bottles and jars, aluminum or tin cans yard waste, food waste and compostable paper.
- 2) SPU will place educational notices or tags on garbage containers with recyclables, including food waste and compostable paper.
- 3) The presence of significant amounts of recyclables, not including food waste and compostable paper, in the garbage in a detachable container or drop box will be subject to an additional collection fee of \$50 per collection after two warning notices have been mailed to the garbage account customer at the address in SPU's customer records.

#### **D. City Transfer Stations**

- 1) Significant amounts of recyclables mean that any of the following, alone or in combination, make up more than 10 percent by volume of a self-haul vehicle's load to be deposited as garbage, as determined by visual inspection by a scale house operator or transfer station floor monitor: recyclable paper, recyclable cardboard, glass or plastic bottles and jars, aluminum or tin cans, yard waste, food waste and compostable paper.
- 2) Customers whose garbage taken to a City transfer station contains a significant amount of recyclables, including food waste and compostable paper, will be informed that they will need to separate these materials.

- 3) If self-haul customers have loads of garbage with significant amounts of recyclables, not including food waste and compostable paper, they will be instructed to separate the designated recyclables at or away from the City transfer station. Loads containing significant amounts of recyclables, not including food waste and compostable paper, will not be accepted in the garbage disposal areas of the City transfer stations.
- 4) If self-haul customers have loads of garbage with significant amounts of recyclables, including food waste and compostable paper, they will be instructed to separate the designated recyclables at or away from the City transfer station. Loads containing significant amounts of recyclables, including food waste and compostable paper, will not be accepted in the garbage disposal areas of City transfer stations.

#### **E. Determination of Garbage Account Customer Responsibility**

- 1) Space Limitations—Existing and New Structures
  - a. Commercial and multifamily customers in existing structures may be exempted by the Director from all or portions of this rule, in writing, if the Director or designee determines through a site visit requested by the customer that there is not adequate storage space for recyclable and compostable materials, including food waste and compostable paper, on-site and that it is infeasible for the customer to share containers for recycling and compostable materials with a customer on the adjoining property. If the Director or designee determines that it is feasible for recycling and compostable material containers to be placed on site or shared with an adjoining customer at no additional cost, then that customer will be responsible for compliance with the rule.
  - b. New or expanded structures permitted in commercial zones and expanded multifamily structures may be exempted by the Director from all or portions of this rule if the Director or designee determines compliance is not feasible due to demonstrated difficulty in meeting the solid-waste and recyclable-materials storage space specifications required under SMC 23.54.040.
- 2) Placement of Recyclables and Compostable Material in Garbage Containers by the Public
  - a. Commercial establishments will not be responsible for recyclable and compostable materials deposited in commercial garbage containers made available to members of the general public. This includes any garbage can made available to the general public or the customers of a business for bussing their own food waste and compostable paper. Such containers are exempt from the enforcement of these requirements.
  - b. Upon request a SPU inspector will meet with operations personnel of educational and health institutions, public-transportation and entertainment facilities, and hotels and mixed use buildings to determine which garbage containers receive substantial waste from the general public in the public-access areas of the property. Garbage containers the Director determines are expected to receive waste exclusively from employees, residents, or guests (subject to the self-bussing of food waste and

compostable paper exemption under section E.2.a) will be subject to enforcement of the recycling requirements.

- c. On a case-by-case basis, a garbage customer will not be held responsible for recyclables, including food waste and compostable paper, deposited by the public in curb/alley containers located outside a premise on a public street or alley if the customer demonstrates to the Director that (1) the public was the source of the recyclables, including food waste and compostable paper, (2) the customer has collection services for those types of recyclables and compostables that are prohibited in that customer's garbage, or (3) a free lock for the garbage container was either not offered by the City or, if offered and accepted, was not received by the customer.
- d. A hotel, inn, or similar facility will not be held responsible for recyclables including food waste and compostable paper deposited in individual room garbage containers by its guests if the facility has a method and system for guests to recycle paper (including paper cups), cardboard, cans and bottles, as well as plastic cups. This system will include instructions for the guests on the means of recycling as well as the fact that the paper, cardboard, cans, and bottle recycling is a requirement of the City of Seattle.

### 3) Multiple-Building Situations

The Director of SPU may reach a tailored agreement with a housing authority, large institution, or private business with multiple buildings and operations on how to apply the definition of significant amounts of recyclables in the garbage across multiple buildings while preserving the spirit and intention of this rule.

## F. Appeals

Customer disputes or appeals of any notice or charge imposed under this rule are governed by Seattle Public Utilities – Policy & Procedure, SPU-CS-104.

## 3. AUTHORITY/REFERENCES

- SMC 21.36.082, Commercial recycling required
- SMC 21.36.083, Residential recycling required
- SMC 23.54.040, Solid waste and recyclable materials storage and access
- Ordinance 121372, Prohibiting certain recyclable materials from disposal in residential, commercial and self-haul garbage (2004)
- Ordinance 124313, Prohibiting certain recyclable materials from disposal in commercial garbage (2013)
- Ordinance 124582, Prohibiting food waste and compostable paper from disposal as garbage (2014)