

Subchapter I General Provisions**21.28.010 Sewerage system a public utility.**

It is necessary for the public health, safety and welfare that the existing sewerage system of the City, together with such extensions, additions and betterments thereto as may from time to time be authorized, be maintained, conducted and operated as a public utility of the City beginning October 1, 1955.
(Ord. 84390 § 1, 1955.)

21.28.020 Administration of utility.

The Director of Engineering, through the Department of Engineering, shall operate and administer such public utility and enforce this subchapter; and there shall be kept a classified system of accounts of revenues and disbursements as prescribed by the State Auditor, Division of Municipal Corporations, in conjunction with the City Finance Director, as required by law.
(Ord. 117242 § 23, 1994; Ord. 84390 § 2, 1955.)

21.28.030 Rates and charges—Purpose.

The public health, safety, and welfare require that the City fix and collect sewerage rates and charges measured by water consumption and impose the same upon premises in the City for the carrying and discharge of all sewage and drainage into the municipal sewerage system of the City as presently maintained and operated, together with additions and betterments thereto and extensions thereof, and for the payment of charges of Municipality of Metropolitan Seattle (herein called "Metro") and of Southwest Suburban Sewer District (herein called "Southwest Suburban") for sewage interception, treatment, and disposal, which sewerage utility rates and charges are fixed in the Seattle Municipal Code; provided that the local improvement district method of providing for the construction of sewers and trunk sewers to serve abutting property shall be continued in the manner provided by law.
(Ord. 111425 § 1, 1983; Ord. 110201 § 1, 1981; Ord. 99454 § 1, 1970; Ord. 91208 § 1, 1962; Ord. 84390 § 3, 1955.)

21.28.040 Sewer customer service charge and Volume Rate—Exemptions.

A. There is hereby imposed as of January 1, 1982 upon all premises served by the Sewerage Utility and on which water is consumed a City sewer customer service charge, which is a uniform

charge per customer to cover billing and general administrative costs, and a Volume Rate, which is a uniform rate per one hundred (100) cubic feet or any portion thereof, of metered flow to cover treatment costs, and all other operating, maintenance, and capital costs, to enable the City to perform sewerage operations and its contractual obligations with Metro and Southwest Suburban; provided that the following premises shall be exempt from the Sewer Customer Service Charge and Volume Rate imposed by this subchapter:

1. Premises which are not connected and not required under SMC Section 21.16.040 (Section 3 of Ordinance 97016) to be connected to the public sewer system;

2. Premises, the owner, agent, lessee, or occupant of which has not been notified in accordance with SMC Section 21.16.040 (Section 4 of Ordinance 97016) to connect to the public sewer system.

(Ord. 111425 § 2, 1983; Ord. 110201 § 2, 1981; Ord. 109504 § 1, 1981; Ord. 108639 § 1, 1979; Ord. 106896 § 1, 1977; Ord. 106158 § 1, 1977; Ord. 104184 § 1(part), 1975; Ord. 104060 § 1, 1974; Ord. 99788 § 1, 1971; Ord. 99454 § 2, 1970; Ord. 92113 § 1, 1963; Ord. 91208 § 2, 1962; Ord. 84390 § 4, 1955.)

21.28.060 Determination of Volume Rate.

The Volume Rate shall be based on the water consumed on the premises, whatever the source of such water, and the same shall be metered either by a public utility meter or one installed and maintained by the owner of the premises at his own expense and approved by the Director of Engineering. Where two (2) or more single-family residences, including houseboats, are served by the same water meter the water consumed by each residence shall be determined by dividing the total water consumed by the number of residences. Where single-family residences are served through the same meter as premises other than a single-family residence, the charge for each such residence shall be based on the water consumed for each such residence served through the same meter. Motel units, including any business office, which are served by one (1) water meter shall constitute only one (1) premises. Water meter readings shall not be combined,

and where two (2) or more main water meters serve the same premises, sewerage charges shall be computed and billed as though each such meter served separate premises; provided, that in the event a sewage meter is installed on any premises, the charge shall be based on the consumption registered by such sewage meter.

(Ord. 110201 § 4, 1981; Ord. 109091 § 1, 1980; Ord. 99454 § 3, 1970; Ord. 92113 § 2, 1963; Ord. 91208 § 2(part), 1962; Ord. 84390 § 4.1, 1955.)

21.28.070 Exemptions and adjustments to charges.

A. Where the use of water is such that a portion of all water used is lost by evaporation, irrigation, sprinkling or other cause, or is used in manufactured goods and commodities, and either (1) the person in control provides proof thereof and installs a meter or measuring device approved by the Director of Engineering to enable measurement of the amount of water so used or lost, or (2) an evaporation loss allowance is established by ordinance which specifies the percentage of all water used that is lost by evaporation, no charge shall be made for wastewater because of water so used or lost. Except for premises exempted from the Wastewater Customer Service Charge and/or the Volume Rate imposed in Section 21.28.040 of the Seattle Municipal Code (Section 4 of Ordinance 84390, as last amended by Ordinance 109504), direct discharge of sewage or industrial waste to salt or fresh water or to points other than the City sewer system shall not be cause for adjustment or reduction of the sewage charge or rate. Evaporation loss allowances of eleven percent (11%) for industrial laundries and three percent (3%) for laundromats are established.

B. Water metered exclusively for fire service, sprinkling, irrigation or delivery of water to ships shall not be subject to any wastewater charge or rate.

C. Upon receipt of satisfactory evidence of hidden or underground water leakage, the Director of Engineering shall adjust the Volume Rate to the premises for water so lost and shall not use the period during which such leakage occurs in computing the winter or minimum average water consumption when to do so would result in a higher wastewater charge to such premises, provided that no such adjustment shall be made

for leakage occurring more than four (4) months prior to the date of application therefor.

(Ord. 116393 § 1, 1992; Ord. 110368 § 1, 1981; Ord. 110201 § 5, 1981; Ord. 106158 § 2, 1977; Ord. 105805 § 1, 1976; Ord. 104184 § 1(part), 1975; Ord. 104060 § 2, 1974; Ord. 99454 § 4, 1970; Ord. 92113 § 3, 1963; Ord. 84390 § 4.2, 1955.)

21.28.080 Charges based on average consumption—Exemptions.

A. It is the intent of this subsection not to charge single-family and duplex residences for that water used exclusively for irrigation or sprinkling. Wastewater bills for single-family and duplex residences shall be calculated in the following manner: For the six (6) months from November 1st through April 30th, the wastewater bill shall be based on metered water consumption. For the six (6) months from May 1st through October 31st, the wastewater bill shall be based on average winter water consumption or metered water consumption, whichever is less. Average winter water consumption shall be calculated using the first four (4) month billing period that falls between November 1st and April 30th. Single-family residences and duplex units which have insufficient water consumption history to calculate average winter water consumption shall be charged an assumed volume of six hundred (600) cubic feet per month or metered water consumption, whichever is less. Single-family residences and duplex units not served by a publicly owned water supply system which have no previous record of water consumption shall be charged an assumed volume of six hundred (600) cubic feet per month of water consumption. If the Director of Engineering believes that previous records are more representative of expected usage in the first year, he or she may use previous records of water consumption in lieu of the assumed volume of six hundred (600) cubic feet if the new owners or occupants have established water consumption records at a prior single-family or duplex residence in the City wastewater service area.

B. It is the intent of this subsection that that portion of water used exclusively for irrigation or sprinkling by premises other than single-family or duplex residences not be charged correspondingly for wastewater. Where it is impractical to install a meter or measuring device as described in

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subsection A of Section 21.28.070 customers may apply to the Director of Engineering by May 1st of each year for an adjustment to the volume rate, provided that the ratepayer provides proof of the amount of water so used or lost.

C. It is the intent of this subsection that public and private schools which have lower enrollment and staff during major portions of the months of June, July and August, but increased water usage due to irrigation and sprinkling, not be charged correspondingly for wastewater. Where it is impractical to install a meter or measuring device as described in subsection A of Section 21.28.070 such schools may apply to the Director of Engineering by May 1st of each year for an adjustment to the volume rate, provided that the ratepayer provides proof of the amount of water so used or lost.

D. Where wastewater service is provided to premises outside the City limits, the wastewater charge shall be computed on the same basis as premises located inside the City, except that a sum equal to thirty percent (30%) of the wastewater charge shall be added, with the exception of sewer districts, or portions thereof, outside the City limits which are now or may hereafter be covered by special agreements.

(Ord. 116393 § 2, 1992; Ord. 115955 § 1, 1991; Ord. 115424 § 1, 1990; Ord. 111425 § 3, 1983; Ord. 110201 § 6, 1981; Ord. 109517 § 1, 1980; Ord. 109091 § 2, 1980; Ord. 104685 § 1, 1975; Ord. 104348 § 1, 1975; Ord. 99454 § 5, 1970; Ord. 92909 § 1, 1964; Ord. 92113 § 4, 1963; Ord. 84390 § 4.3, 1955.)

21.28.200 Wastes which would damage or overburden system.

A. In cases where the character of sewage or industrial wastes from any manufacturing or industrial plant, building or premises is such that it will damage the sewerage system, or cannot be treated satisfactorily, the Director of Engineering shall require such users to dispose of such waste and prevent it from entering the system.

B. In cases where the character of the sewage or industrial waste from any manufacturing or industrial plant, building or premises is such that it imposes an unreasonable burden upon said sewerage system greater than that imposed by the average sewage entering the system, the Director of Engineering may by rule, require such manufacturing or industrial plant, building or premises,

to pretreat such sewage by means satisfactory to the Director of Engineering before discharging such sewage into the sewerage system of the City.

C. If such pretreatment is not accomplished, the Director of Engineering shall recommend to the Council the levying of a surcharge which shall be in addition to the regular charge. The Council thereupon, by ordinance, may fix the amount of the surcharge.

(Ord. 110201 § 8, 1981; Ord. 92113 § 5, 1963; Ord. 91208 § 3, 1962; Ord. 84390 § 5, 1955.)

21.28.220 Director of Engineering's authority to bill HSIW charges.

Effective January 1, 1977, the Director of Engineering is assigned the responsibility for billing and collecting for and on behalf of Metro, Metro's High Strength Industrial Waste (HSIW) charges upon industrial users within the City's jurisdiction who deposit high-strength industrial wastes in the Metropolitan sewerage system, said charges to be determined by Metro pursuant to Metro Resolution 2557 utilizing information supplied by the Director of Engineering according to Section 21.28.230 of the Seattle Municipal Code (Section 5.3 of Ordinance 84390, as added by Ordinance 101162); provided, however, that the Director of Engineering shall not bill such charges to users until the amounts thereof have been certified to him by Metro.

(Ord. 110201 § 10, 1981; Ord. 106162 § 2 (part), 1977; Ord. 84390 § 5.2, 1955.)

21.28.230 List of water consumption of HSIW industries.

The Director of Engineering shall provide Metro each quarter with a listing of the water consumption by or metered flow to each HSIW industry served by the City, as requested by Section 10 of Metro Resolution 2577.

(Ord. 106162 § 2(part), 1977; Ord. 84390 § 5.3, 1955.)

21.28.240 Additional charges.

In addition to the high-strength industrial waste charges as computed and certified to him by Metro, the Director of Engineering shall add thereto in each instance a sum equal to the City and state taxes against such charges, if any, and a sum equal to the user's proportional share of the administration, billing and collection costs as determined by the Director of Engineering, and in

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connection with such billing the Director of Engineering may include on the same statement but as a separate item the High Strength Industrial Waste charges to be collected by the City for and on behalf of Metro.

(Ord. 110201 § 11, 1981; Ord. 106162 § 2(part), 1977; Ord. 84390 § 5.4, 1955.)

21.28.250 Sewerage and water charges—When payable.

The sewerage charge provided in this subchapter shall be payable at the office of the City Finance Director at the same time as the water bill for the premises is payable; and payment for water shall not be accepted unless payment of the sewerage charge is made at the same time.

(Ord. 116368 § 285, 1992; Ord. 84390 § 6, 1955.)

21.28.260 Billing of water and sewerage charges.

The rates and charges set out in this subchapter shall be effective and shall be computed and billed from time to time by the Director of Engineering through an interdepartmental arrangement with the Superintendent of Water, as a separate charge on the water bill, and shall become due and payable to the City Finance Director as stated in such billing; and any sewer rate or charge which becomes delinquent shall immediately become a lien upon the premises and such lien may be foreclosed by the City as provided by state law. As an additional and concurrent method of the collection of any such sewerage rate or charge, the Superintendent of Water shall upon written request from the Director of Engineering cut off the water service or supply from the premises to which such rate or charge for sewerage has attached until such rates and charges are paid.

(Ord. 116368 § 286, 1992; Ord. 111817 § 1, 1984; Ord. 84390 § 7, 1955.)

21.28.270 Contracting with other sewer districts.

Whenever and to the extent that the municipal sewerage system of the City is adequate therefor, the City may contract with any sewer district, or with any other municipal corporation, for the discharge into the sewerage system of the City of the sewerage or drainage of any such sewer district or other municipal corporation upon such terms and conditions and for such periods of time as may be provided by ordinance.

(Ord. 84390 § 8, 1955.)

21.28.280 Sewer Fund created.

There is created in the City Treasury a special fund to be known as the "Sewer Fund." Any and all revenues received for the use of sewers and for sewerage as set forth in this subchapter, or in connection therewith, shall be credited to the fund and all expenses for the operation and maintenance of the existing sewerage system of the City; and for the servicing of bonds and the cost of operation and maintenance of the sewerage plant and system of the City as constructed or added to, and to maintain such sewerage utility in sound financial condition, shall be charged to the fund in the manner and to the extent provided by ordinance. Such expenses shall include the cost of billing and collection by the Water Department and all other interdepartmental charges for service rendered by other departments to the sewerage utility, and payments to Metro and Southwest Suburban for sewage interception, treatment and disposal.

(Ord. 91208 § 4, 1962; Ord. 84390 § 9, 1955.)

21.28.290 Review of rates and charges.

The rates and charges for sewerage fixed by this subchapter shall be reviewed periodically with a view to possible adjustments consistent with the operation and maintenance of the sewerage utility system in a sound financial condition.

(Ord. 91208 § 5, 1962; Ord. 84390 § 11, 1955.)

21.28.300 Transfer to utility of certain City properties and rights.

A. The City adopts a plan to extend the existing Sewerage Utility by the transfer, hereby made and authorized, to the Sewerage Utility, beginning January 1, 1987, of those properties, interests, and physical and intangible rights of every kind and nature owned or held by the City within its boundaries which comprise or relate to storm and surface water sewers, including all facilities constructed and to be constructed with moneys from the Sewer Improvement Fund, but excepting such properties, interests and rights under the jurisdiction of the Parks and Recreation

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Department, the Seattle Center Department, the Water Department, the City Light Department and the Department of Administrative Services. There is no capital cost related to such transfer, but the annual cost of maintenance and operation of such transferred properties, interests and rights is estimated at the present time to be Two Million Dollars (\$2,000,000.00).

B. All responsibilities, rights and obligations currently performed by or attributable to various City departments and officers relating to storm and surface water sewers designated in subsection A of this section are hereby transferred to the Director of Engineering to be operated by the Sewerage Utility of the Department of Engineering beginning January 1, 1987.

C. Nothing in this section shall modify or amend any of the provisions, terms or conditions of Ordinance 96327.¹

D. Nothing contained in this title is intended to be nor shall be construed to create or form the basis for any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from or by reason of any act or omission in connection with the implementation or enforcement of this title on the part of the City by its officers, employees or agents. (Ord. 113166 § 1, 1986.)

1.Editor's Note: Ordinance 96327 is on file in the office of the City Clerk.

Subchapter II Miscellaneous Provisions

21.28.350 Refunds of sewerage charges.

The Director of Engineering in operating and administering the municipal sewerage system as a public utility under Ordinance 84390¹ is authorized to make refunds where any charges paid under said ordinance are found to be erroneous, or adjustments have been made by him or her as authorized by said ordinance; and the City Finance Director is authorized to draw and to pay the necessary warrants on the Sewer Fund upon certification by the Director of Engineering that the refund is authorized.

(Ord. 116368 § 287, 1992: Ord. 85417 § 1, 1956.)

1.Editor's Note: Ord. 87390 is codified in Subchapter I of this chapter.

(Ord. 117391 § 1, 1994: Ord. 117265 § 1, 1994: Ord. 116928 § 1, 1993: Ord. 116393 § 3, 1992:

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21.28.360 Rates for certain consumers in Newhalem community.

The schedule of rates to all sewerage consumers other than Lighting Department facilities and employees within the Newhalem community shall be as follows:

Water Meter Size	Monthly Minimum Charge*
1/2 & 3/4 inch	\$12.00
1 inch	13.00
1 1/2 inch	16.00
2 inch	19.00
3 inch	28.00
4 inch	42.00
6 inch	64.00

*For up to 900 cu. ft. of water consumption. For all consumption in excess of 900 cu. ft. per month; at \$0.90 per 100 cu. ft.

The rate for single-family and duplex residences is based upon the average water use during minimum consecutive six (6) month period of immediate past year's consumption. Water consumption will be reviewed annually to establish charges for the following year. (Ord. 101870 § 3, 1973.)

21.28.370 Wastewater service charge.

There is hereby imposed upon all premises served by the Drainage and Wastewater Utility and on which water is consumed, a City wastewater volume rate per one hundred (100) cubic feet of metered flow per month. The minimum monthly volume charge shall be equal to the wastewater volume charge for one hundred (100) cubic feet regardless of actual metered flow. Effective January 1, 1995, the wastewater volume rate shall be Three Dollars and Eight-three Cents (\$3.83). Effective January 1, 1996, the wastewater volume rate shall be increased only in the amount necessary to pass-through the cost to the Drainage and Wastewater Utility of the increase, if any, in the King County wastewater treatment rate for 1996; provided that such King County increase shall not increase the Drainage and Wastewater Utility's wastewater volume rate to more than Four Dollars and Twenty-three Cents (\$4.23) per hundred cubic feet (CCF).

Ord. 115955 § 4, 1991: Ord. 115424 § 2, 1990: Ord. 114898 § 1, 1989: Ord. 114782 § 1, 1989:

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Seattle Municipal Code

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Ord. 114156 § 1, 1988; Ord. 113730 § 1, 1987;
Ord. 113164 § 1, 1986:

March 2021 code update file
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Seattle Municipal Code

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**Seattle Municipal Code
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Ord. 112588 § 1, 1985; Ord. 111973 § 1, 1984;
Ord. 111425 § 4, 1983.)

**Chapter 21.32
PRIVATE SEWAGE DISPOSAL SYSTEMS**

Sections:

21.32.010 Definitions.

21.32.020 Enforcement.

21.32.030 Retroactivity.

21.32.040 Designers certificate.

21.32.050 Installers certificate.

21.32.060 Permits.

**21.32.070 Required connection to private
sewage disposal system.**

21.32.080 Location.

21.32.090 Design.

21.32.100 Installation and alteration.

21.32.110 Inspection.

**21.32.120 Approval by Director of Public
Health.**

21.32.130 Maintenance.

21.32.140 Violation—Penalty.

Severability: Should any part of this chapter be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the remainder.

(Ord. 90181 § 7.08.150, 1961.)

21.32.010 Definitions.

Certain words and phrases used in this chapter, unless otherwise clearly indicated by their context, shall mean as follows:

A. “Approved” means approved in writing by the Director of Public Health.

B. “Sanitary drainage system” means the piping which conveys sewage from plumbing fixtures to a public sewer or private sewage disposal system.

C. “Sewage” means any liquid or liquid-borne waste from the ordinary living processes, or liquid or liquid-borne waste which contains animal or vegetable matter in suspension or solution, or liquid or liquid-borne waste which may contain chemicals in solution, and which may be lawfully discharged into a public sanitary sewer.

D. “Sewage disposal system” means sanitary drainage systems, septic tanks, leaching pits, surface and subsurface leaching filter beds, and appurtenances, or other approved facilities for the disposal of sewage by means other than through a public sewer.

(Ord. 90181 § 7.08.010, 1961.)

21.32.020 Enforcement.

The Director of Public Health shall enforce this chapter; he may adopt rules and regulations

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consistent with this chapter, and he may enter any building or premises at any reasonable time to perform any of the duties imposed on him by this chapter.

(Ord. 90181 § 7.08.020, 1961.)

21.32.030Retroactivity.

This chapter shall not apply to any work on a sewage disposal system for which a permit had been issued by the Director of Public Health, and which permit was valid and existing at the time of adoption of the ordinance codified in this chapter,¹ but any such work shall be subject to applicable ordinances existing at the time such permit was issued.

(Ord. 90181 § 7.08.030, 1961.)

¹Editor's Note: Ord. 90181 was passed by the City Council on April 17, 1961.

21.32.040Designers certificate.

A. It is unlawful to engage in business as a sewage disposal system designer without a sewage disposal system designers certificate of competency, as provided for in this chapter, or a state civil or sanitary engineer's license.

B. The fee for a sewage disposal system designers certificate of competency shall be Three Dollars (\$3.00) per year.

C. Application for a sewage disposal system designers certificate of competency shall be made to the Director of Public Health, who may examine the applicant, and may deny the application if in his judgment the applicant is not qualified to design sewage disposal systems.

D. The Director of Public Health may suspend or revoke any sewage disposal system designers certificate of competency if, after hearing, he shall find incompetence, negligence, misrepresentation, or failure to comply with this chapter or the rules and regulations of the Director of Public Health adopted pursuant to this chapter.

E. Sewage disposal system designers certificates of competency shall expire December 31st of each year.

(Ord. 90181 § 7.08.040, 1961.)

21.32.050Installers certificate.

A. It is unlawful to engage in business as a sewage disposal system installer without a sewage disposal system installers certificate of competency.

B. The fee for a sewage disposal system installers certificate of competency shall be Ten Dollars (\$10.00) per year.

C. Application for a sewage disposal system installers certificate of competency shall be made to the Director of Public Health, who may examine the applicant, and may deny the application if in his judgment the applicant is not qualified to install sewage disposal systems.

D. The Director of Public Health may suspend or revoke any sewage disposal system installers certificate of competency if, after hearing, he shall find incompetence, negligence, misrepresentation, or failure to comply with this chapter or the rules and regulations of the Director of Public Health adopted pursuant to this chapter.

E. Sewage disposal system installers certificates of competency shall expire December 31st of each year.

(Ord. 90181 § 7.08.050, 1961.)

21.32.060Permits.

A. Required. It is unlawful to construct, install or alter a sewage disposal system without a sewage disposal system permit. Such permit shall be posted on the building or premises where the work permitted is being done, and, unless revoked, shall not be removed until such work has been finally approved by the Director of Public Health.

B. Fee. The fee for a sewage disposal system permit shall be Thirty-five Dollars (\$35.00) for such system serving a single-family residence, or Fifty Dollars (\$50.00) for any other such system.

C. Application. Application for a sewage disposal system permit shall be made to the Director of Public Health, who may deny the application if in his judgment the physical features of property on which it is proposed to locate the sewage disposal system, or the design of the proposed sewage disposal system, are not adequate for safe operation of such system.

D. Information required. Application for a sewage disposal system permit shall be supported by the following:

1. A completely dimensioned plot plan, drawn to scale, showing direction of surface drainage, approximate slope, and other topographical features relevant to the design and installation of an adequate and efficient sewage disposal system;
2. Construction plans and specifications;

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3. A log of soil formation and ground water level, as determined by test holes in the proposed disposal field;

4. A statement of absorption characteristics of the soil as determined by percolation tests made in the proposed disposal field;

5. Such other information as the Director of Public Health may require.

E. Expiration. Sewage disposal system permits shall expire one (1) year from date of issue. (Ord. 105999 § 1, 1976; Ord. 90181 § 7.08.060, 1961.)

21.32.070 Required connection to private sewage disposal system.

Every plumbing fixture and every sanitary drainage system not connected to a public sewer, or not required by law to be connected to a public sewer, shall be connected to a private sewage disposal system. (Ord. 90181 § 7.08.070, 1961.)

21.32.080 Location.

Sewage disposal systems shall be located on the same lot as the buildings they are designed to serve, or, if an easement therefor is obtained and recorded, on adjoining property if approved by the Director of Public Health. (Ord. 90181 § 7.08.080, 1961.)

21.32.090 Design.

A. Sewage disposal systems shall be designed by a sewage disposal system designer, certificated as provided in this chapter, or a sanitary or civil engineer licensed by the state, except that a resident, or intended resident, owner may personally design a system for his own single-family residence.

B. Design of sewage disposal systems shall be such as to accommodate all sewage from the buildings and premises to be served, and in accordance with this chapter and the rules and regulations of the Director of Public Health adopted pursuant to this chapter. The type of system shall be determined by location, soil porosity, ground water level and other relevant conditions. (Ord. 90181 § 7.08.090, 1961.)

21.32.100 Installation and alteration.

A. Sewage disposal systems shall be constructed, installed or altered by a sewage disposal system installer, certificated as provided in this chapter, except that a resident, or intended resident, owner may personally construct, install or alter a system for his own single-family residence.

B. Construction, installation or alteration of sewage disposal systems shall be such as to accommodate all sewage from the buildings and premises to be served, and in accordance with this chapter and the rules and regulations of the Director of Public Health adopted pursuant to this chapter. No downspout or footing drain shall be directly or indirectly connected to a sewage disposal system, and sewage disposal systems shall be so constructed and installed that surface water or ground water will not interfere with the operation of such systems. (Ord. 90181 § 7.08.100, 1961.)

21.32.110 Inspection.

A. Any work done on a sewage disposal system, and any material used, may be inspected by the Director of Public Health at any reasonable time, and if he shall find that any work done, or material used, is not in accordance with this chapter or with the rules and regulations of the Director of Public Health adopted pursuant to this chapter he may revoke the permit for the work, or he may notify the owner or installer to make such changes in the work as he shall specify, and if such changes are not made within a reasonable time, the Director of Public Health shall then revoke the permit and it shall be unlawful to use such sewage disposal system.

B. When the work of constructing, installing or altering a sewage disposal system has been otherwise completed, it shall be left open and uncovered, and the owner shall be notified and he

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shall cause an inspection of such work and such system to be made by a designer.

C. If upon inspection by him following work on a sewage disposal system, a designer shall find that such work or system is not in accordance with this chapter and the rules and regulations of the Director of Public Health adopted pursuant to this chapter, he shall so notify the owner who shall cause such changes in the work as are specified by the designer, and shall then again notify a designer that such work is ready for inspection.

D. When upon inspection by him following work on a sewage disposal system, a designer shall find that such work and system are in accordance with this chapter and the rules and regulations of the Director of Public Health adopted pursuant to this chapter, he shall so certify to the Director of Public Health, and shall submit to the Director of Public Health with such certification, a detailed "as-built" drawing of such system.

(Ord. 90181 § 7.08.110, 1961.)

21.32.120 Approval by Director of Public Health.

A. Within a reasonable time after receipt of certification by a designer that work done on a private sewage disposal system, and such system, are in accordance with this chapter and the rules and regulations of the Director of Public Health adopted pursuant to this chapter, the Director of Public Health shall approve or disapprove thereof.

B. If the Director of Public Health shall disapprove such work or system, he shall so notify the owner, stating his reasons for such disapproval, and it shall then be unlawful to use such system.

C. If the Director of Public Health shall finally approve such work and such system, he shall so notify the owner, and then such work shall be covered, and such system may be used.

(Ord. 90181 § 7.08.120, 1961.)

21.32.130 Maintenance.

Sewage disposal systems shall be maintained in accordance with this chapter and the rules and regulations of the Director of Public Health adopted pursuant to this chapter, and no sewage disposal system shall be used which directly or indirectly discharges upon the surface of the ground or into any waters within or adjacent to the City unless the contents of such system have been

subjected to approved purification and bactericidal treatment.

(Ord. 90181 § 7.08.130, 1961.)

21.32.140 Violation—Penalty.

Anyone violating or failing to comply with this chapter, or any lawful rule of the Director of Public Health pursuant thereto, upon conviction thereof, shall be punished by a fine of not more than Three Hundred Dollars (\$300.00), or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment, and each day that anyone shall continue to violate or fail to comply with this chapter shall be a separate offense.

(Ord. 90181 § 7.08.140, 1961.)

**Chapter 21.33
STORM DRAINAGE UTILITY RATES AND CHARGES**

Sections:

21.33.010 Definitions.

21.33.020 Charge system established—Charges imposed.

21.33.030 Drainage service charges—Schedule—Exemptions.

21.33.050 Drainage service charges—Adjustments.

21.33.060 Billing included on property tax statements.

21.33.070 Billing and collection procedures.

21.33.080 Drainage and Wastewater Fund.

21.33.090 Revenue disposition and expenditure conditions.

21.33.100 Liability disclaimer.

21.33.110 Delinquent payments—Enforcement procedures.

Severability. If any section, clause or provision of this Ordinance is held to be invalid or unenforceable, the remainder of the Ordinance shall continue in full force and effect.

(Ord. 114155 § 13, 1988.)

21.33.010 Definitions.

For purposes of this chapter, the words or phrases below shall have the following meanings:

A. "Billing year" means the calendar year that bills are sent. The first billing year shall be from January 1, 1989 through December 31, 1989.

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B. "City" means The City of Seattle.

C. "Condominiums" or "townhouses" means residential properties or parcels which contain more than two (2) residential dwelling units which are individually owned and are billed separately for property taxes.

D. "Drainage service charge" means the fee imposed by the City upon all parcels of real property, except exempted properties, located within the boundaries of the City.

E. "Houseboats and piers" means property or parcels that rest on or over natural bodies of water.

F. "Impervious surface" or "impervious ground cover" means those hard areas which prevent or retard the entry of water into the soil in the manner that such water entered the soil under natural conditions pre-existent to development, or which cause water to run off the surface in greater quantities or at an increased rate of flow than that present under natural conditions pre-existent to development, including, but not limited to, such surfaces as rooftops, asphalt or concrete paving, driveways, parking lots, walkways, patio areas, storage areas, hardpan, compacted surfaces, or other surfaces which similarly affect the natural infiltration or runoff patterns existing prior to development.

G. "Non-single-family residential properties or parcels" means properties or parcels which contain more than two (2) residential dwelling units and institutional, commercial or industrial properties.

H. "Open space" means parcels defined as greenbelts, natural areas, or park zones in the Mayor's Recommended Open Space Policies and identified as such on the Mayor's Recommended Open Space Zoning Map or as subsequently adopted by the City Council.

I. "Parcel" means the smallest separately segregated unit or plot of land having an identified owner(s), boundaries, and area as defined by the King County Assessor and recorded in the King County Assessor Real Property File or in the King County Assessor maps.

J. "Percent of impervious surface" means the quotient of the total amount of estimated impervious surface located on the parcel divided by the total parcel size. For purposes of rate category determination, the resulting amount shall be rounded to the nearest whole percent.

K. "Property owner of record" shall be the

person or persons recorded by the King County Assessor to be the owner(s) of property and to whom property tax statements are directed.

L. "Rate category" means the classification of properties, based upon the estimated percentage of impervious surface on the parcel, for purposes of establishing drainage service charges.

M. "Residence" means a building or structure or portion thereof, designed to be used as a place of abode for human beings and not used for any other purpose. The term "residence" includes the term "residential," "residential unit," and "dwelling unit" as referring to the type of or intended use of a building or structure.

N. "Single-family residential property or parcel" means any property or parcel which contains one (1) or two (2) residential dwelling units.

O. "Submerged" means that portion of a parcel that extends beyond the shoreline as drawn on the King County Assessor's maps.

P. "System" means the entire system of flood protection and stormwater drainage and surface water runoff facilities owned or leased by the City or over which the City has right of use for the movement and control of storm drainage and surface water runoff, including both naturally occurring and man-made facilities.

Q. "Utility" means The City of Seattle Drainage and Wastewater Utility.
(Ord. 114155 § 2, 1988.)

21.33.020 Charge system established—Charges imposed.

Effective January 1, 1989, The City of Seattle will impose on all owners of property located within The City of Seattle limits, except those granted exemption as listed in Section 21.33.030 of this chapter, a drainage service charge. A system and structure of drainage service charges are hereby established in accordance with the following provisions of this chapter.
(Ord. 114155 § 1, 1988.)

21.33.030 Drainage service charges—Schedule—Exemptions.

A. A drainage service charge is imposed on every parcel within the City, and the owner(s) thereof, except for the following exempted property(ies):

1. Houseboats and piers;

2. That portion of a parcel that is submerged. If the parcel is entirely submerged, the entire parcel is exempt. If a portion of the parcel is submerged, only the submerged part will be exempt and the remainder of the parcel shall be billed as all other properties;

3. City streets;

4. State of Washington highways, so long as the State of Washington shall agree to maintain, construct and improve all drainage facilities associated with State highways as required by the Utility in conformance with all Utility standards for maintenance, construction and improvement hereafter established by the Utility and so far as such maintenance, construction and improvements shall be achieved at no cost to the Utility or to the City; and

5. All other streets, so long as such streets provide drainage services in the same manner as City streets and the owner(s) shall agree to maintain, construct and improve all drainage facilities associated with such streets as required by the Utility in conformance with all Utility standards for maintenance, construction and improvement hereafter established by the Utility and so far as such maintenance, construction and improvements shall be achieved at no cost to the Utility or to the City.

B. The drainage service charge established herein shall be based upon the contribution of increased surface and storm water runoff from a parcel to the system. Single-family residential parcels are grouped together in one (1) rate category based on an estimated City-wide average contribution of surface and storm water runoff. The amount of contribution for other properties is measured by the estimated percentage of impervious surface area on the parcel and the total area of the parcel.

C. Drainage service charge rate categories shall be as follows:

1. Single-family residential properties shall be assigned to a flat fee rate category. Properties within this rate category will be charged a uniform annual fee.

2. Parcels meeting the definition of open space and having less than or equal to two percent (2%) of impervious surface shall be assigned to the open space rate category. The drainage service charge shall be calculated by multiplying the open space rate by the parcel's area (rounded to the nearest one one-hundredth (1/100) of an acre).

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3. All other properties shall be assigned to a rate category within which properties are classified according to the estimated percent of impervious surface contained within the parcel. A separate rate shall apply to each classification within the rate category. The drainage service charge shall be calculated by multiplying the rate, as determined by the parcel's classification, by the parcel's area (rounded to the nearest one one-hundredth (1/100) of an acre). For condominiums and townhouses, the drainage service charge shall be determined for the entire parcel and then divided evenly among the owners. Land use code, site visits, and other information shall be used to estimate the percentage of impervious area.

D. The rate categories and the corresponding annual drainage service charges are as follows:

Single-family Residential.....	\$ 38.95 per parcel
Open Space (0 — 2%).....	50.26 per acre
All Other Properties	
Classification:	
1. (0 — 15%).....	\$ 85.68 per acre
2. (16 — 35%).....	144.73 per acre
3. (36 — 65%).....	262.84 per acre
4. (66 — 85%).....	341.58 per acre
5. (86 — 100%).....	420.31 per acre

E. Each bill shall be rounded up to the nearest even number of cents. The minimum annual drainage service charge shall be Five Dollars (\$5.00) per parcel.

F. These rates shall take effect as of January 1, 1995.
(Ord. 117391 § 2, 1994; Ord. 116393 § 4, 1992; Ord. 115376 § 1, 1990; Ord. 114898 § 2, 1989; Ord. 114782 § 2, 1989; Ord. 114155 § 3, 1988.)

21.33.050 Drainage service charges—Adjustments.

A. Any person receiving a drainage service charge may apply in writing to the Utility for a bill adjustment. Filing such a request does not extend the period for payment of the charge. Requests for adjustments on delinquent accounts will not be acted upon until paid in full.

B. A request for a bill adjustment may be based on one (1) or more of the following:

1. The area of the parcel is incorrect;
2. The percent of impervious surface on a non-single-family residential parcel places the parcel in a different rate classification than the classification assigned by the Utility;

3. The parcel meets the definition of exempted property;

4. The parcel is wholly or partially outside City of Seattle limits; or

5. The drainage service charge is otherwise erroneous in applying the terms of this chapter.

C. Applications for adjustments may be made to the Utility. The burden of proof shall be on the applicant to show that the rate adjustment sought should be granted. All decisions of the Utility shall be final.

D. Applications for rate adjustment must be filed within one (1) year of the billing date. To receive credit in the current billing year, however, applications for rate adjustment must be made no more than ninety (90) days after the billing date, except for the low-income credit, which shall be administered as defined in Seattle Municipal Code Section 21.76.030. Applications received after ninety (90) days of the billing date shall be effective for subsequent years only.

E. If the Utility grants an adjustment which reduces the charge for the current year, the applicant shall receive an adjusted bill or be refunded the amount overpaid. If the Utility determines that an adjustment should be made which increases the charge due for the current year, the applicant shall receive a supplemental bill that will be due within forty-five (45) days of the date of issue. Applicants for rate adjustments shall be notified in writing of the Utility's decision.
(Ord. 114155 § 5, 1988.)

21.33.060 Billing included on property tax statements.

Billing will be included on property tax statements pursuant to the agreement between The City of Seattle and King County dated June 1, 1988 and as amended thereafter.
(Ord. 114155 § 6, 1988.)

21.33.070 Billing and collection procedures.

A. All parcels subject to a drainage service charge shall be billed annually based upon the rate category and acreage applicable to each such parcel as of November 1st of the year prior to the billing year.

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**Seattle Municipal Code
March, 1995 code update file
Text provided for historic reference only.**

**See ordinances creating and amending
sections for complete text, graphics,
and tables and to confirm accuracy of
this source file.**

**For current SMC, contact
the Office of the City Clerk**

B. The drainage service charge shall be displayed and billed on the annual King County property tax statement for the parcel and shall be mailed to the name and address shown on the real property tax roll at the time annual property bills are prepared. Properties not subject to property taxes and not otherwise exempted will receive a separate drainage service charge billing statement.

C. If payment is received for a combined property tax and drainage service charge, the payment first shall be applied to the amount then due and payable (including delinquencies, if any) for the annual property tax on the parcel and then any remaining amount to the drainage service charge then due and payable (including delinquencies, if any); however, in the case of payment of a combined bill for property tax, drainage service charge and street utility charge, the provisions of Chapter 21.101 SMC shall apply.

D. The total amount of the drainage service charge shall be due and payable on or before the thirtieth day of April and shall be delinquent after that date; however, if one-half (1 / 2) of such drainage service charge is paid on or before the thirtieth day of April, the remainder shall be due and payable on or before the thirty-first day of October and shall be delinquent after that date. (Ord. 116455 § 7, 1992; Ord. 114155 § 7, 1988.)

21.33.080 Drainage and Wastewater Fund.

The existing Sewer Fund is hereby renamed the Drainage and Wastewater Fund, and is to be used in the operation of the Drainage and Wastewater Utility. Changing the name of the fund to the Drainage and Wastewater Fund shall not in any way impair any obligations of the City where reference to the “Sewer Fund” may have been made. (Ord. 114155 § 8, 1988.)

21.33.090 Revenue disposition and expenditure conditions.

All moneys obtained pursuant to this chapter shall be credited and deposited in the Drainage and Wastewater Fund. Moneys deposited in the Drainage and Wastewater Fund from drainage service charges shall be expended for administering, operating, maintaining, or improving the drainage and wastewater system, including all or any part of the cost of planning, designing, acquiring, constructing, repairing, replacing, improving, regulating, educating the public, or

operating present or future drainage and wastewater facilities owned by the Utility, or to pay or secure the payment of all or any portion of any debt issued for such purpose and the related reserve and coverage requirements. Moneys shall not be transferred to any other funds of the City except to pay for expenses attributable to the system. (Ord. 114155 § 10, 1988.)

21.33.100 Liability disclaimer.

Floods from stormwater runoff may occasionally occur which exceed the capacity of storm drainage facilities constructed and maintained by funds made available under this chapter. This chapter does not imply that property liable for the drainage service charge established herein will always be free from stormwater flooding or flood damage. This section does not purport to reduce the need or the necessity for the owner obtaining flood insurance. (Ord. 114155 § 12, 1988.)

21.33.110 Delinquent payments—Enforcement procedures.

A. Drainage service charges or any part thereof which become delinquent shall bear interest as provided in RCW 35.67.200 at the rate of eight percent (8%) per year, or such rate as may hereafter be authorized by law, computed on a monthly basis from the date of delinquency until paid.

B. The City shall have a lien for all delinquent and unpaid drainage service charges, including interest thereon, against any parcel for which the drainage service charges are delinquent as provided by RCW 35.67.200. The lien shall have superiority as established by RCW 35.67.200 and shall be foreclosed in the manner provided in RCW 35.67.210 through RCW 35.67.290. In the case of foreclosure actions to collect delinquencies, the City shall seek also to collect reimbursement of reasonable costs of collection including but not limited to attorney's fees, staff time, and filing fees. (Ord. 114155 § 11, 1988.)

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Subtitle III Solid Waste¹

1. Editor's Note: As used in this subtitle, the term "City Engineer" means "Director of Engineering."

Chapter 21.36 SOLID WASTE COLLECTION

Sections:

Subchapter I General Provisions

- 21.36.010 Definitions A—B.
- 21.36.012 Definitions C—E.
- 21.36.014 Definitions F—P.
- 21.36.016 Definitions R—Z.
- 21.36.017 Title, declarations and administrative provisions.
- 21.36.018 Enforcement authority.

Subchapter II Solid Waste Collection

- 21.36.025 Unlawful disposal.
- 21.36.026 Household hazardous wastes.
- 21.36.027 Small quantity generator hazardous wastes.
- 21.36.028 Asbestos material and asbestos-containing waste material.
- 21.36.029 Tires and special category wastes.
- 21.36.030 Unlawful hauling of City's Waste—Exceptions.
- 21.36.040 Unlawful disposal sites.
- 21.36.042 Solid waste disposal required—Nonresidential.
- 21.36.044 Containers required—Nonresidential.
- 21.36.050 Garbage containers required—Residential.
- 21.36.060 Garbage cans—Maintenance.
- 21.36.070 Garbage containers—Weight.
- 21.36.080 Placement of garbage containers, bundles and detachable containers.
- 21.36.085 Yardwaste programs.
- 21.36.087 White goods and bulky items.
- 21.36.088 Concrete and asphalt recycling.
- 21.36.090 Paths to garbage storage area.
- 21.36.095 Right to determine disposition of solid waste.
- 21.36.096 Waste screening.

Subchapter III Flow-Control Special Provisions

- 21.36.112 Designation of receiving facilities.
- 21.36.113 Containers—Billing—Unacceptable waste.
- 21.36.114 Enforcement authority—Inspections.
- 21.36.115 Penalties for noncompliance.
- 21.36.116 Third party action to effect compliance.

Subchapter IV Miscellaneous Provisions

- 21.36.180 Incineration and energy recovery facilities.
- 21.36.185 Commercial composting facilities.
- 21.36.190 Abandoned landfills.

Subchapter V Litter Control Code

- 21.36.400 Litter Control Code—Title.
- 21.36.410 Littering.
- 21.36.420 Unlawful dumping of solid waste.
- 21.36.425 Accumulation of solid waste.
- 21.36.430 Unlawful use of City litter receptacles.
- 21.36.440 Unlawful use of solid waste container on private property.
- 21.36.450 Fee on unsecured loads.

Subchapter VI Penalties and Enforcement

- 21.36.920 Violation—Penalty.
- 21.36.922 Civil infractions.
- 21.36.924 Each day a separate violation.
- 21.36.965 Identification.
- 21.36.970 Summary abatement.
- 21.36.975 Reimbursement for City expenses.
- 21.36.980 Crediting of reimbursement to Solid Waste Fund.

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Severability: If any portion of this chapter is adjudged to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions.
(Ord. 96003 § 12, 1967.)

Subchapter I General Provisions

21.36.010 Definitions A — B.

1. “Abandoned landfill” means a solid waste landfill disposal site which was completed prior to the requirement to obtain a closure permit.

2. “Alley” means a public or private way which is intended to provide or which provides a roadway for vehicular and pedestrian access to abutting properties and is generally located to the rear or side of those properties.

3. “Apartment hotel” means a building providing accommodations for transient guests in which at least fifty percent (50%) of the gross habitable floor area is used by permanent residents.

4. “Apartment house” means a building or portion thereof containing five (5) or more dwelling units.

5. “Asbestos” means the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite and actinolite-tremolite.

6. “Asbestos material” means any material containing at least one percent (1%) asbestos as determined by polarized light microscopy using the Interim Method of the Determination of Asbestos in Bulk Insulation Samples contained in Appendix A of Subpart F in 40 C.F.R. Part 763, unless it can be demonstrated that the material does not release asbestos fibers when crumbled, pulverized or otherwise disturbed.

7. “Asbestos-containing waste material” means any waste that contains asbestos. This term includes asbestos waste from control devices, contaminated clothing, asbestos waste material, materials used to enclose the work area during an asbestos project, and bags or containers that previously contained asbestos.

8. “Boarding or rooming house” means a building other than a hotel, where meals and room, or rooms only, are provided for compensation for nine (9) or more nontransient persons.

9. “Bundle” means one (1) box or carton empty or filled with solid waste, one (1) bag filled with solid waste, or bundle of solid waste, securely bundled so that none of the material

blows about and so it is not easily broken apart and which is of such size that the longest dimension does not exceed three feet (3’), the volume does not exceed six (6) cubic feet and the total weight does not exceed sixty (60) pounds, and is in good condition for handling at the time of collection. The box, bag, or carton, if present, must be disposable.

10. “Bundle-of-yardwaste” means “yardwaste” defined in Section 21.36.016 that is placed in a container or securely tied so that none of the material blows away or falls out upon lifting and so that it is not easily broken apart. Its longest dimension may not exceed four feet (4’) in length; its diameter may not be over two feet (2’); and its weight may not exceed sixty (60) pounds.

(Ord. 116419 § 2, 1992: Ord. 114723 § 2, 1989: Ord. 114205 § 1(part), 1988: Ord. 113502 § 2(part), 1987: Ord. 112942 § 1(part), 1986: Ord. 112171 § 1(part), 1985: Ord. 96003 § 1(part), 1967.)

21.36.012 Definitions C — E.

1. “City” means The City of Seattle.

2. “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. 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.

3. “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 inches (4”) 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 Solid Waste Utility. It excludes clean yardwaste, treated lumber, wood pieces, or particles containing chemical preservatives, composition roofing, roofing paper, insulation, sheetrock, and glass.

4. “Composting” means the controlled degradation of organic waste yielding a product for use as a soil conditioner.

5. “Construction, Demolition and Landclearing Waste” or “CDL Waste” means waste comprised primarily of the following materials:

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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.

6. "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.

7. "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.

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

9. "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 Engineering. Containers two (2) cubic yards and under shall be equipped with at least three (3) wheels.

10. "Director of Engineering" or "City Engineer" means the Director of Engineering of The City of Seattle and authorized employees.

11. "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.

12. "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.

13. "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.

(Ord. 116412 § 3, 1992: Ord. 115589 § 1, 1991: Ord. 115231 § 1, 1990: Ord. 114723 § 3, 1989: Ord. 114205 § 1(part), 1988: Ord. 113502 § 2(part), 1987: Ord. 112942 § 1(part), 1986: Ord. 112171 § 1(part), 1985: Ord. 96003 § 1(part), 1967.)

21.36.014 Definitions F — P.

1. "Fraternity, sorority or group student house" means a building occupied by and maintained exclusively for students affiliated with an academic or professional college or university or other recognized institution of higher learning, which is regulated by such institution.

2. "Garbage" means all discarded putrescible waste matter, including small dead animals weighing not over fifteen (15) pounds, but not including sewage or sewage sludge or human or animal excrement or yardwaste.

3. "Garbage can" means a watertight container not exceeding thirty-two (32) gallons in capacity, weighing not over twenty-six (26) pounds when empty and without cover, fitted with two (2) sturdy handles one (1) on each side and a tight cover, except in the case of sunken cans. The term shall also apply to containers of similar size and weight when approved by the Director of Engineering.

4. "Garbage container" means either:

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- a. A garbage can; or
- b. A mini-can, or thirty-two (32), sixty (60), or ninety (90) gallon cart supplied by the collector and approved by the Director of Engineering for use under the solid waste collection contract.

5. "Hazardous substances" means any liquid, solid, gas or sludge, including any material, substance, product, commodity or waste, regardless of quantity, that exhibits any of the physical, chemical or biological properties described in WAC 173-303-090, 173-303-101, 173-303-102 or 173-303-103.

6. "Health Officer" means the Director of the Seattle-King County Department of Public Health or his/her designated representative.

7. "Household hazardous wastes" means any discarded liquid, solid, contained gas, or sludge, including any material, substance, product, commodity or waste used or generated in the household, regardless of quantity, that exhibits any of the characteristics or criteria of dangerous waste set forth in Chapter 173.303 WAC.

8. "Incineration" means a process of reducing the volume of solid waste operating under federal and state environmental laws and regulations by use of an enclosed device using controlled flame combustion.

9. "Interim solid waste handling site" means any interim treatment, utilization or processing site engaged in solid waste handling which is not the final site of disposal. Transfer stations, drop boxes, baling and compaction sites, source separation centers, and treatment are considered interim solid waste handling sites.

10. "Litter" means solid waste such as, but not limited to, disposable packages and containers dropped, discarded or otherwise disposed of upon any property.

11. "Mini-can" means a fifteen (15) to twenty (20) gallon container that is supplied by the contractor, made of galvanized metal or plastic, and meets the approval of the Director of Engineering.

12. "Mixed-use building" means a building with both residential and commercial solid waste with common garbage chute(s), and/or the residential and commercial solid waste generated in such building cannot be readily separated.

13. "Passenger vehicle" means any motor vehicle with a passenger car license plate.

14. "Person" means any governmental entity, or any public or private corporation, partnership or other form of association, as well as any individual.

15. "Planting strip" means that part of a street right-of-way between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

16. "Public place" means and includes streets, avenues, ways, boulevards, drives, places, alleys, sidewalks and planting (parking) strips, squares, triangles, and rights-of-way, whether open to the use of the public or not, and the space above or beneath the surface of the same.

(Ord. 116419 § 4, 1992; Ord. 115589 § 2, 1991; Ord. 114723 § 4, 1989; Ord. 114205 § 1(part), 1988; Ord. 113502 § 2(part), 1987; Ord. 112942 § 1(part), 1986; Ord. 112171 § 1(part), 1985; Ord. 96003 § 1(part), 1967.)

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" means transforming or remanufacturing 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. "Rubbish" means all discarded nonputrescible waste matter excluding yardwaste.

5. "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.

6. "Service unit" means a "garbage container."

7. "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.

8. "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, in-

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cluding 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.

9. "Solid waste container" means a garbage container, detachable container, or any other secure, rigid, watertight container with a tight-fitting lid.

10. "Special category wastes" means wastes whose disposal is limited by certain restrictions and limitations, as identified in Section 21.36.029.

11. "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.

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

13. "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.

14. "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.

15. "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 inches (4") in diameter; and biodegradable waste approved for the yardwaste programs by the Director of the

Solid Waste Utility. It excludes loose soils, food waste; plastics and synthetic fibers; lumber; any wood or tree limbs over four inches (4") in diameter; human or animal excrement; and soil contaminated with hazardous substances.

(Ord. 116419 § 5, 1992; Ord. 115589 § 3, 1991; Ord. 115231 § 2, 1990; Ord. 114723 § 5, 1989; Ord. 114205 § 1(part), 1988; Ord. 113502 § 2(part), 1987; Ord. 112942 § 1(part), 1986; Ord. 112171 § 1(part), 1985; Ord. 96003 § 1(part), 1967.)

21.36.017 Title, declarations, and administrative provisions.

A. Chapters 21.36 and 21.40 of the Seattle Municipal Code shall be titled the "Solid Waste Code" of the City and may be referred to as such.

B. The Solid Waste Code is declared to be an exercise of the police power of the City to promote the public health, safety and general welfare, and its provisions shall be liberally construed for the accomplishment of that purpose.

C. The Solid Waste Code shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

D. Upon presentation of proper credentials, the enforcing authority or authorized representative of the enforcing authority may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued warrant, enter at reasonable times any building or premises subject to the consent or warrant to enforce the provisions of or perform the duties imposed by the Solid Waste Code.

E. Nothing in the Solid Waste Code is intended to be nor shall be construed to create or form the basis for any liability of the City or any of its officers, employees, or agents for any injury or damages resulting from the failure of any person to comply with the provisions of this Code, or by reason of any inspection, notice, order, or other action or inaction by or of the City or any of its officers, employees or agents in connection with the implementation or enforcement of this Code.

(Ord. 116419 § 6, 1992.)

(Seattle 12-93)