

K. "Sewage" means refuse liquids or waste matter carried off by sewers.

L. "Sewer" means an artificial conduit to carry off sewage and sometimes surface water (as from rainfall).

M. "Sewerage" means the removal and disposal of sewage and surface water by sewers, or a system of sewers.

N. "Single-family residence" means an individual dwelling unit with no commercial use and one (1) water meter.

O. "Submeter" means a meter installed down the line from a main water meter, measuring a portion of the total amount of water delivered through the main meter.

P. "Wastewater" means refuse liquids or waste matter carried off by sewers; a synonym for sewage.

Q. "Wastewater volume charge" means the wastewater volume rate multiplied by the volume of measured water consumed on the premises in accordance with this chapter.

R. "Wastewater volume rate" means the dollar charge per CCF of wastewater measured in accordance with this chapter.  
(Ord. 118396 § 124, 1996; Ord. 118176 § 3 (part), 1996.)

#### **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, in conjunction with the storm and surface water sewers, together with such extensions, additions and improvements thereto as may from time to time be authorized, continue to be maintained, conducted and operated as a public utility of the City within the Seattle Public Utilities. The Seattle Public Utilities shall have jurisdiction over 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 Drainage and Wastewater Fund, formerly the Sewer Improvement Fund, but excepting such properties, interests and rights under the jurisdiction of the Parks and Recreation Department, the Seattle Center Department, the City Light Department and the Executive Services Department. Nothing contained in this chapter 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 chapter on the part of the City by its officers, employees or agents.

(Ord. 118396 § 125, 1996; Ord. 118176 § 2(part), 1996; Ord. 84390 § 1, 1955.)

#### **21.28.020 Administration of utility.**

The Director of Seattle Public Utilities, through the Seattle Public Utilities, shall operate and administer drainage and wastewater functions and enforce this chapter 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. 118396 § 126, 1996; Ord. 118176 § 2(part), 1996; 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 wastewater rates and charges measured by water consumption and impose the same upon premises in the City for the carrying and discharge of all wastewater and drainage into the municipal sewerage system of the City as presently maintained and operated, together with additions and improvements thereto and extensions thereof, and for the payment of charges of King County Department of Natural Resources (herein called "King County" and formerly Municipality of Metropolitan Seattle ("Metro")) and of Southwest Suburban Sewer District (herein called "Southwest Suburban") for wastewater 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. 118176 § 2(part), 1996; Ord. 111425 § 1, 1983; Ord. 110201 § 1, 1981; Ord. 99454 § 1, 1970; Ord. 91208 § 1, 1962; Ord. 84390 § 3, 1955.)

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**21.28.040 Wastewater volume charge.**

A. There is hereby imposed upon all premises for which Seattle Public Utilities provides wastewater services and on which water is consumed a volume charge for wastewater services. The volume charge shall be the amount obtained when the wastewater volume rate is multiplied by the volume of water consumed on the premises, whatever the source of such water. Wastewater shall be metered water consumption. However, every premises shall pay at the minimum a wastewater volume charge equal to one (1) CCF (hundred cubic feet) per month to cover billing and general administrative costs. The following premises shall be exempt from the charge imposed by this section:

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.

B. There is hereby imposed upon all premises served by the Seattle Public Utilities and on which water is consumed, a City wastewater volume rate per CCF of metered flow per month. The minimum monthly wastewater volume charge shall be equal to the wastewater volume rate for one (1) CCF regardless of actual metered flow. Effective January 1, 1996, the 1995 wastewater volume rate shall be increased only in the amount necessary to pass-through the cost to the Seattle Public Utilities of the increase, if any, in the King County wastewater treatment rate for 1996; provided that such King County increase shall not increase the Seattle Public Utilities' wastewater volume rate to more than Four Dollars and Twenty-three Cents (\$4.23) per CCF, and the actual rate has been determined by the Seattle Public Utilities to be Four Dollars and Five Cents (\$4.05) per CCF through December 31, 1998. (Ord. 118396 § 127, 1996: Ord. 118380 § 2, 1996: Ord. 118176 § 2(part), 1996: 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.)

**21.28.080 Calculation of residential wastewater volume charge.**

A. It is the intent of this section to calculate residential wastewater charges based on water that should enter the sewerage system, and not on water used exclusively for irrigation or sprinkling. Wastewater charges 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 charge shall be based on metered water consumption. For the six (6) months from May 1st through October 31st, the wastewater charge 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. The following is an example of residential billing:

| Billing Period | Water Use (CCF) | Wastewater Use (CCF) |
|----------------|-----------------|----------------------|
| Nov.—Dec.      | 13              | 13                   |
| Jan.—Feb.      | 14              | 14                   |
| March—April    | 15              | 15                   |
| May—June       | 18              | 14                   |
| July—Aug.      | 22              | 14                   |
| Sept.—Oct.     | 16              | 14                   |

B. The Director of Seattle Public Utilities may use an assumed volume of six (6) CCF per household, or prior water consumption records if those records are more representative of expected usage, to calculate residential wastewater charges under the following circumstances:

1. When the water meter has been determined to be malfunctioning;

2. When customers have insufficient water consumption history to calculate average winter water consumption;

3. When water use in the period used to calculate average winter water consumption is not representative of expected water use, such as rental property that is vacant between tenants or in the case of seasonal customers; and

4. When customers are not served by a publicly owned water supply system.

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(Ord. 118396 § 128, 1996; Ord. 118176 § 2(part), 1996; 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.)

**21.28.090 Calculation of commercial wastewater volume charge.**

A. It is the intent of this section to charge commercial customers for water that should enter the sewer system. Wastewater charges shall be based on the metered water delivered to the premises except as noted below:

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

2. 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, customers may install, at their own expense, submeters approved by the Director of Seattle Public Utilities to enable measurement of the amount of water so used or lost. These submeters must measure in CCF, must be calibrated on a regular basis, and must be easily accessible for meter reading. If the submeter is unable to be read or if the reading is unreliable, an estimate can be used, but the Seattle Public Utilities must get at least one (1) accurate meter reading per year. It will be the responsibility of the Seattle Public Utilities or its designee to inspect and approve the installation of a new submeter.

Where it is impractical to install a meter as described above, customers may apply to the Director of Seattle Public Utilities for an evaporation allowance or an irrigation allowance, provided that customers provide proof of the amount of water so used or lost. Evaporation loss allowances of eleven percent (11%) for industrial laundries and three percent (3%) for laundromats are established. Irrigation allowances shall apply from June 1st through September 30th and will be calculated based on the residential methodology in Section 21.28.080.

B. Direct discharge of wastewater 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 wastewater charge or rate.

(Ord. 118396 § 129, 1996; Ord. 118176 § 3(part), 1996.)

**21.28.100 Adjustments to wastewater volume charge.**

A. Upon receipt of satisfactory evidence of hidden or underground water leakage, the Director of Seattle Public Utilities shall adjust the wastewater volume charge to the premises for water so lost and shall not use the period during which such leakage occurs in computing the average winter 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.

B. 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.

C. Where wastewater service is provided to qualified low-income customers as defined in Section 21.76.030 B of the Seattle Municipal Code, wastewater charges shall be partially offset in accordance with that chapter.

(Ord. 118396 § 130, 1996; Ord. 118176 § 3(part), 1996.)

**21.28.200 Wastes which would damage or overburden system.**

A. In cases where the character of wastewater 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 Seattle Public Utilities shall require such users to dispose of such waste and prevent it from entering the system.

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

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premises, to pretreat such wastewater by means satisfactory to the Director of Seattle Public Utilities before discharging such wastewater into the sewerage system of the City.

C. If such pretreatment is not accomplished, the Director of Seattle Public Utilities 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. 118396 § 131, 1996: Ord. 118176 § 2(part), 1996: Ord. 110201 § 8, 1981: Ord. 92113 § 5, 1963: Ord. 91208 § 3, 1962: Ord. 84390 § 5, 1955.)

**21.28.220 High Strength Industrial Wastewater (HSIW) charges.**

A. The Director of Seattle Public Utilities is assigned the responsibility for billing and collecting for and on behalf of King County, King County's High Strength Industrial Waste (HSIW) charges upon industrial users within the City's jurisdiction who deposit high strength industrial wastes in the King County sewerage system, said charges to be determined by King County pursuant to Metro Resolution 2557 provided, however, that the Director of Seattle Public Utilities shall not bill such charges to users until the amounts thereof have been certified to him or her by King County.

B. The Director of Seattle Public Utilities shall provide King County each quarter with a listing of the water consumption by or metered flow to each HSIW industry served by the City.

C. In addition to the High Strength Industrial Waste charges as computed and certified to him or her by King County, the Director of Seattle Public Utilities 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 Seattle Public Utilities, and in connection with such billing the Director of Seattle Public Utilities 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 King County.

(Ord. 118396 § 132, 1996: Ord. 118176 § 2(part), 1996: Ord. 110201 § 10, 1981: Ord. 106162 § 2(part), 1977: Ord. 84390 § 5.2, 1955.)

**21.28.250 Wastewater charges—When payable.**

The wastewater charge provided in this chapter 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 wastewater charge is made at the same time.

(Ord. 118176 § 2(part), 1996: Ord. 116368 § 285, 1992: Ord. 84390 § 6, 1955.)

**21.28.260 Billing and collection of water and wastewater charges.**

The rates and charges set out in this chapter shall be effective and shall be computed and billed monthly or bimonthly by the Director of Seattle Public Utilities, as a separate charge on the water bill, or through a direct invoice, and shall become due and payable to the City Finance Director as stated in such billing; and any wastewater 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. Wastewater charges or any part thereof which become delinquent shall bear interest as authorized by RCW 35.67.200, at the rate of eight percent (8%) per year, or such rate as may hereafter be authorized by state law, computed on a monthly basis from the date of delinquency until paid. As authorized, RCW 35.67.200 shall have the effect and the City shall have a lien for all delinquent and unpaid wastewater charges, including interest thereon, against any parcel for which the wastewater charges are delinquent. The lien shall have superiority as established by RCW 35.67.200 and shall be foreclosed or otherwise enforced in the manner provided in RCW 35.67.210 through RCW 35.67.290. In the case of 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. As an additional and concurrent method of the collection of any such wastewater rate or charge, the Director of Seattle Public Utilities shall have the authority to cut off the water service or supply from the premises to which such rate or charge for wastewater has attached until such rates and charges are paid.

(Seattle 3-97)

(Ord. 118396 § 133, 1996: Ord. 118176 § 2(part), 1996: 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 wastewater 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. 118176 § 2(part), 1996: Ord. 84390 § 8, 1955.)

#### **21.28.280 Drainage and Wastewater Fund.**

There exists a special fund of the City known as the "Drainage and Wastewater Fund." Any and all revenues received for the use of sewers and for wastewater service as set forth in this chapter, or in connection therewith, shall be credited to the Drainage and Wastewater Fund, and all expenses for the operation and maintenance of the existing sewerage system of the City, for the servicing of bonds of the Drainage and Wastewater Utility and the Sewerage Utility, as the utility was named prior to adoption of Ordinance 116455, and as these utilities were named prior to the creation of the Seattle Public Utilities, and for the cost of operation and maintenance of the sewerage plant and system of the City, as newly constructed or added to, and for maintenance of the 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 Seattle Public Utilities and all other interdepartmental charges for services related to wastewater functions rendered by other departments for the Seattle Public Utilities, and payments to King County and Southwest Suburban for wastewater interception, treatment and disposal.

(Ord. 118396 § 134, 1996: Ord. 118176 § 2(part), 1996: Ord. 91208 § 4, 1962: Ord. 84390 § 9, 1955.)

#### **21.28.290 Review of rates and charges.**

The rates and charges for wastewater fixed by this chapter shall be reviewed periodically with a

view to possible adjustments consistent with the operation and maintenance of the wastewater utility system in sound financial condition, including the utility's ability to pay wastewater treatment expenses charged by King County.

(Ord. 118176 § 2(part), 1996: Ord. 91208 § 5, 1962: Ord. 84390 § 11, 1955.)

#### **21.28.350 Refunds of wastewater charges.**

The Director of Seattle Public Utilities is authorized to make refunds where any amount paid for wastewater services is found to be erroneous, or where adjustments have been made by him or her as authorized by this chapter, and the City Finance Director is authorized to draw and to pay the necessary warrants on the Drainage and Wastewater Fund upon certification by the Director of Seattle Public Utilities that the refund is authorized.

(Ord. 118396 § 135, 1996: Ord. 118176 § 2(part), 1996: Ord. 116368 § 287, 1992: Ord. 85417 § 1, 1956.)

#### **21.28.400 Severability.**

The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, section or portion of this chapter shall not affect the validity of the remaining portions thereof. If its application to any person, industry or circumstance is held invalid, the remainder of said sections or the application of the provision to other persons, industries or circumstances shall not be affected.

(Ord. 118176 § 3(part), 1996.)

### **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.**

21.32.010 UTILITIES

**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 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.)

**21.32.030 Retroactivity.**

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,<sup>1</sup> but any such work shall be subject to applicable ordinances existing at the time such permit was issued.

(Seattle 3-97)

(Ord. 90181 § 7.08.030, 1961.)

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

**21.32.040 Designers 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.)

**21.32.050 Installers 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 certifies 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;

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.)

**21.32.070Required 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.)

**21.32.080Location.**

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.)

**21.32.090Design.**

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.

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UTILITIES

**Seattle Municipal Code**  
**June, 1998 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.**

(Seattle 3-97)

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

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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 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

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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.

B. "City" means The City of Seattle.

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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.

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L. "Rate category" means the classification of

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properties, based upon the estimated percentage of

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impervious surface on the parcel, for purposes of

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establishing drainage service charges.

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M. "Residence" means a building or structure

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or portion thereof, designed to be used as a place

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of abode for human beings and not used for any

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other purpose. The term “residence” includes the

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term “residential,” “residential unit,” and “dwell-

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ing unit” as referring to the type of or intended use

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of a building or structure.

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N. "Single-family residential property or par-

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cel” means any property or parcel which contains

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one (1) or two (2) residential dwelling units.

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O. "Submerged" means that portion of a par-

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cel that extends beyond the shoreline as drawn on

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the King County Assessor's maps.

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P. "System" means the entire system of flood

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protection and stormwater drainage and surface

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water runoff facilities owned or leased by the City

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or over which the City has right of use for the

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movement and control of storm drainage and

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surface water runoff, including both naturally

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occurring and man-made facilities.

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Q. "Utility" means Seattle Public Utilities.

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(Ord. 118396 § 136, 1996: Ord. 114155 § 2,

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1988.)

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**established—Charges imposed.**

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Effective January 1, 1989, The City of Seattle

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will impose on all owners of property located

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within The City of Seattle limits, except those

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granted exemption as listed in Section 21.33.030

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of this chapter, a drainage service charge. A

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system and structure of drainage service charges

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are hereby established in accordance with the

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following provisions of this chapter.

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(Ord. 114155 § 1, 1988.)

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**21.33.030 Drainage service**

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**charges—Schedule—Exemption**

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**S.**

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A. A drainage service charge is imposed on

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every parcel within the City, and the owner(s)

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thereof, except for the following exempted prop-

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erty(ies):

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1. Houseboats and piers;

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2. That portion of a parcel that is sub-

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merged. If the parcel is entirely submerged, the

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entire parcel is exempt. If a portion of the parcel is

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submerged, only the submerged part will be

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exempt and the remainder of the parcel shall be

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billed as all other properties;

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3. City streets;

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4. State of Washington highways, so long

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as the State of Washington shall agree to maintain,

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construct and improve all drainage facilities

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associated with State highways as required by the

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Utility in conformance with all Utility standards

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for maintenance, construction and improvement

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hereafter established by the Utility and so far as

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such maintenance, construction and improve-

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ments shall be achieved at no cost to the Utility or

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to the City; and

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5. All other streets, so long as such

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streets provide drainage services in the same

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manner as City streets and the owner(s) shall

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21.33.030

UTILITIES

# **Seattle Municipal Code**

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agree to maintain, construct and improve all

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drainage facilities associated with such streets as

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required by the Utility in conformance with all

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Utility standards for maintenance, construction

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and improvement hereafter established by the

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Utility and so far as such maintenance, construc-

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tion and improvements shall be achieved at no

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cost to the Utility or to the City.

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B. The drainage service charge established

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STORM DRAINAGE UTILITY RATES AND CHARGES

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herein shall be based upon the contribution of

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increased surface and storm water runoff from a

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parcel to the system. Single-family residential

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parcels are grouped together in one (1) rate cate-

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gory based on an estimated City-wide average

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contribution of surface and storm water runoff.

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The amount of contribution for other properties is

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measured by the estimated percentage of im-

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pervious surface area on the parcel and the total

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area of the parcel.

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C. Drainage service charge rate categories

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shall be as follows:

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1. Single-family residential properties

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shall be assigned to a flat fee rate category. Prop-

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erties within this rate category will be charged a

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uniform annual fee.

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2. Parcels meeting the definition of open

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space and having less than or equal to two (2) per-

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cent of impervious surface shall be assigned to the

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open space rate category. The drainage service

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charge shall be calculated by multiplying the open

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space rate by the parcel's area (rounded to the

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nearest one one-hundredth ( $1/100$ ) of an acre).

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3. All other properties shall be assigned

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to a rate category within which properties are

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classified according to the estimated percent of

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impervious surface contained within the parcel. A

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separate rate shall apply to each classification

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within the rate category. The drainage service

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charge shall be calculated by multiplying the rate,

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as determined by the parcel's classification, by the

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parcel's area (rounded to the nearest one

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one-hundredth ( $1/100$ ) of an acre). For condomini-

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ums and townhouses, the drainage service charge

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shall be determined for the entire parcel and then

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divided evenly among the owners. Land use code,

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site visits, and other information shall be used to

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estimate the percentage of impervious area.

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D. The rate categories and the corresponding

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annual drainage service charges are as follows:

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Single-family Residential..... \$ 43.08 per parcel

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Open Space (0 — 2%)..... 55.60 per acre

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All Other Properties

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Classification:

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1. (0 — 15%)..... \$ 94.78 per acre

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2. (16 — 35%)..... 160.11 per acre

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3. (36 — 65%)..... 290.77 per acre

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4. (66 — 85%)..... 377.88 per acre

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5. (86 — 100%)..... 464.97 per acre

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E. Each bill shall be rounded up to the nearest

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even number of cents. The minimum annual

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drainage service charge shall be Five Dollars (\$5)

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per parcel.

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F. These rates shall take effect as of January 1,

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1998.

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(Ord. 118803 § 1, 1997; Ord. 118380 § 1, 1996;

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Ord. 117391 § 2, 1994; Ord. 116393 § 4, 1992:

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Ord. 115376 § 1, 1990; Ord. 114898 § 2, 1989;

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Ord. 114782 § 2, 1989; Ord. 114155 § 3, 1988.)

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(Seattle 3-98)

**21.33.050 Drainage service**

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

21.33.030

UTILITIES

**Seattle Municipal Code**  
**June, 1998 code update file**  
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(Seattle 3-98)

**charges—Adjustments.**

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

**Seattle Municipal Code**

STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

**June, 1998 code update file**  
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A. Any person receiving a drainage service

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21.33.030

UTILITIES

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charge may apply in writing to the Utility for a bill

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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adjustment. Filing such a request does not extend

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21.33.030

UTILITIES

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the period for payment of the charge. Requests for

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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adjustments on delinquent accounts will not be

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21.33.030

UTILITIES

# Seattle Municipal Code

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acted upon until paid in full.

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the Office of the City Clerk

**Seattle Municipal Code**

STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

B. A request for a bill adjustment may be

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21.33.030

UTILITIES

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based on one (1) or more of the following:

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# Seattle Municipal Code

STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

June, 1998 code update file  
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1. The area of the parcel is incorrect;

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21.33.030

UTILITIES

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(Seattle 3-98)

2. The percent of impervious surface on a

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# Seattle Municipal Code

STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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non-single-family residential parcel places the

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21.33.030

UTILITIES

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parcel in a different rate classification than the

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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classification assigned by the Utility;

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21.33.030

UTILITIES

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3. The parcel meets the definition of

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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exempted property;

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21.33.030

UTILITIES

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4. The parcel is wholly or partially out-

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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side City of Seattle limits; or

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21.33.030

UTILITIES

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5. The drainage service charge is other-

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

wise erroneous in applying the terms of this

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21.33.030

UTILITIES

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chapter.

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

C. Applications for adjustments may be made

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21.33.030

UTILITIES

**Seattle Municipal Code**

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(Seattle 3-98)

to the Utility. The burden of proof shall be on the

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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applicant to show that the rate adjustment sought

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21.33.030

UTILITIES

**Seattle Municipal Code**  
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should be granted. All decisions of the Utility

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

shall be final.

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21.33.030

UTILITIES

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(Seattle 3-98)

D. Applications for rate adjustment must be

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the Office of the City Clerk**

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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filed within one (1) year of the billing date. To

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the Office of the City Clerk**

21.33.030

UTILITIES

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receive credit in the current billing year, however,

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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applications for rate adjustment must be made no

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21.33.030

UTILITIES

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more than ninety (90) days after the billing date,

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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except for the low-income credit, which shall be

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21.33.030

UTILITIES

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administered as defined in Seattle Municipal Code

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STORM DRAINAGE UTILITY RATES AND CHARGES 21.33.030

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Section 21.76.030. Applications received after

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21.33.030

UTILITIES

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(Seattle 3-98)

ninety (90) days of the billing date shall be

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

effective for subsequent years only.

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21.33.030

UTILITIES

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(Seattle 3-98)

E. If the Utility grants an adjustment which

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**Seattle Municipal Code**

STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

reduces the charge for the current year, the appli-

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the Office of the City Clerk**

21.33.030

UTILITIES

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(Seattle 3-98)

cant shall receive an adjusted bill or be refunded

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

the amount overpaid. If the Utility determines that

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21.33.030

UTILITIES

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an adjustment should be made which increases the

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

charge due for the current year, the applicant shall

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21.33.030

UTILITIES

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receive a supplemental bill that will be due within

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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forty-five (45) days of the date of issue.

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21.33.030

UTILITIES

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(Seattle 3-98)

Applicants for rate adjustments shall be notified in

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

writing of the Utility's decision.

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21.33.030

UTILITIES

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(Seattle 3-98)

(Ord. 114155 § 5, 1988.)

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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UTILITIES

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**21.33.060 Billing included on property tax**

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

**statements.**

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21.33.030

UTILITIES

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(Seattle 3-98)

Billing will be included on property tax state-

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

ments pursuant to the agreement between The

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21.33.030

UTILITIES

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(Seattle 3-98)

City of Seattle and King County dated June 1,

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

1988 and as amended thereafter.

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21.33.030

UTILITIES

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(Seattle 3-98)

(Ord. 114155 § 6, 1988.)

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

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

21.33.030

UTILITIES

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(Seattle 3-98)

**21.33.070 Billing and collection procedures.**

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

A. All parcels subject to a drainage service

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21.33.030

UTILITIES

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charge shall be billed annually based upon the rate

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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category and acreage applicable to each such

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21.33.030

UTILITIES

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(Seattle 3-98)

parcel as of November 1st of the year prior to the

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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(Seattle 3-98)

billing year.

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21.33.030

UTILITIES

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(Seattle 3-98)

B. The drainage service charge shall be dis-

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.030

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played and billed on the annual King County

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21.33.030

UTILITIES

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(Seattle 3-98)

property tax statement for the parcel and shall be

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.110

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(Seattle 3-98)

mailed to the name and address shown on the real

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UTILITIES

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(Seattle 3-98)

property tax roll at the time annual property bills

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.110

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are prepared. Properties not subject to property

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taxes and not otherwise exempted will receive a

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.110

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separate drainage service charge billing statement.

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(Seattle 3-98)

C. If payment is received for a combined

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STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.110

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(Seattle 3-98)

property tax and drainage service charge, the

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UTILITIES

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payment first shall be applied to the amount then

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due and payable (including delinquencies, if any)

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for the annual property tax on the parcel and then

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any remaining amount to the drainage service

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charge then due and payable (including delin-

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quencies, if any); however, in the case of payment

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of a combined bill for property tax, drainage

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service charge and street utility charge, the

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provisions of Chapter 21.101 SMC shall apply.

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D. The total amount of the drainage service

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charge shall be due and payable on or before the

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thirtieth day of April and shall be delinquent after

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that date; however, if one-half (  $1/2$  ) of such

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drainage service charge is paid on or before the

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thirtieth day of April, the remainder shall be due

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and payable on or before the thirty-first day of

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October and shall be delinquent after that date.

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(Ord. 116455 § 7, 1992; Ord. 114155 § 7, 1988.)

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**21.33.080 Drainage and Wastewater Fund.**

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The existing Sewer Fund is hereby renamed the

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Drainage and Wastewater Fund, and is to be used

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in the operation of the drainage and wastewater

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functions of the Seattle Public Utilities. Changing

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the name of the fund to the Drainage and

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Wastewater Fund shall not in any way impair any

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obligations of the City where reference to the

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“Sewer Fund” may have been made.

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(Ord. 118396 § 137, 1996: Ord. 114155 § 8,

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1988.)

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**21.33.090 Revenue disposition and expenditure**

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**conditions.**

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All moneys obtained pursuant to this chapter

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shall be credited and deposited in the Drainage

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and Wastewater Fund. Moneys deposited in the

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Drainage and Wastewater Fund from drainage

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service charges shall be expended for administer-

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ing, operating, maintaining, or improving the

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drainage and wastewater system, including all or

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any part of the cost of planning, designing, ac-

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quiring, constructing, repairing, replacing, im-

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proving, regulating, educating the public, or

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operating present or future drainage and

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wastewater facilities owned by the Utility, or to

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pay or secure the payment of all or any portion of

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any debt issued for such purpose and the related

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reserve and coverage requirements. Moneys shall

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not be transferred to any other funds of the City

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except to pay for expenses attributable to the

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system.

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(Ord. 114155 § 10, 1988.)

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**21.33.100**Liability disclaimer.

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Floods from stormwater runoff may occasion-

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ally occur which exceed the capacity of storm

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drainage facilities constructed and maintained by

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funds made available under this chapter. This

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chapter does not imply that property liable for the

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drainage service charge established herein will

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always be free from stormwater flooding or flood

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damage. This section does not purport to reduce

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the need or the necessity for the owner obtaining

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flood insurance.

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(Ord. 114155 § 12, 1988.)

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**21.33.110 Delinquent payments—Enforcement**

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**procedures.**

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A. Drainage service charges or any part there-

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of which become delinquent shall bear interest as

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provided in RCW 35.67.200 at the rate of eight

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percent (8%) per year, or such rate as may here-

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after be authorized by law, computed on a

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# Seattle Municipal Code

STORM DRAINAGE UTILITY RATES AND CHARGES

21.33.110

June, 1998 code update file  
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monthly basis from the date of delinquency until

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paid.

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B. The City shall have a lien for all delinquent

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and unpaid drainage service charges, including

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interest thereon, against any parcel for which the

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drainage service charges are delinquent as

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provided by RCW 35.67.200. The lien shall have

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superiority as established by RCW 35.67.200 and

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shall be foreclosed in the manner provided in

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RCW 35.67.210 through RCW 35.67.290. In the

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case of foreclosure actions to collect

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delinquencies, the City shall seek also to collect

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reimbursement of reasonable costs of collection

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including but not limited to attorney's fees, staff

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time, and filing fees.

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(Ord. 114155 § 11, 1988.)

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**Subtitle III Solid Waste<sup>1</sup>**

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

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“Director of Engineering.”

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**Chapter 21.36**

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**SOLID WASTE COLLECTION**

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**Sections:**

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**Subchapter I General Provisions**

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**21.36.010 Definitions A—B.**

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**21.36.012 Definitions C—E.**

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**21.36.014 Definitions F—P.**

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**21.36.016 Definitions R—Z.**

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**21.36.017 Title, declarations and**

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**administrative provisions.**

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**21.36.018 Enforcement authority.**

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**Subchapter II Solid Waste Collection**

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**21.36.025 Unlawful disposal.**

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**21.36.026 Household hazardous wastes.**

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**21.36.027 Small quantity generator**

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**hazardous wastes.**

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**21.36.028 Asbestos material and**

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**asbestos-containing waste**

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**material.**

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**21.36.029 Tires and special category wastes.**

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**21.36.030 Unlawful hauling of City's**

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**Waste—Exceptions.**

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**21.36.040 Unlawful disposal sites.**

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**21.36.042Solid waste disposal**

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**required—Nonresidential.**

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**21.36.044Containers**

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**required—Nonresidential.**

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**21.36.050 Garbage containers**

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**required—Residential.**

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**21.36.060 Garbage cans—Maintenance.**

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**21.36.070 Garbage containers—Weight.**

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**21.36.080 Placement of garbage containers,**

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**bundles and detachable**

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**containers.**

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**21.36.085Yardwaste programs.**

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**21.36.087 White goods and bulky items.**

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**21.36.088 Concrete and asphalt recycling.**

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**21.36.090** Paths to garbage storage area.

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**21.36.095** Right to determine disposition of

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**solid waste.**

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**21.36.096**Waste screening.

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**Subchapter III Flow-Control Special**

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**21.36.112 Designation of receiving facilities.**

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**21.36.113Containers—Billing—Unacceptab**

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**le waste.**

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**21.36.114Enforcement**

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**authority—Inspections.**

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**21.36.115 Penalties for noncompliance.**

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21.33.110

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**21.36.116 Third party action to effect**

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**compliance.**

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#### **Subchapter IV Miscellaneous Provisions**

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**21.36.180 Incineration and energy recovery**

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**facilities.**

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**21.36.185 Commercial composting facilities.**

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**21.36.190 Abandoned landfills.**

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**Subchapter V Litter Control Code**

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**21.36.400 Litter Control Code—Title.**

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**21.36.410 Littering.**

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**21.36.420 Unlawful dumping of solid waste.**

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**21.36.425 Accumulation of solid waste.**

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**21.36.430 Unlawful use of City litter**

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**receptacles.**

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**21.36.440 Unlawful use of solid waste**

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**container on private property.**

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**21.36.450 Fee on unsecured loads.**

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## **Subchapter VI Penalties and Enforcement**

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**21.36.920 Violation—Penalty.**

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**21.36.922 Civil infractions.**

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**21.36.924**Each day a separate violation.

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**21.36.965 Identification.**

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**21.36.970 Summary abatement.**

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**21.36.975 Reimbursement for City expenses.**

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**21.36.980 Crediting of reimbursement to**

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**Solid Waste Fund.**

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SOLID WASTE COLLECTION

21.36.012

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Severability: If any portion of this chapter is adjudged to be uncon-

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stitutional or otherwise invalid, such decision shall not affect the validity

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of the remaining portions.

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(Ord. 96003 § 12, 1967.)

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**Subchapter I General Provisions**

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**21.36.010 Definitions A — B.**

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1. "Abandoned landfill" means a solid waste

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landfill disposal site which was completed prior to

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the requirement to obtain a closure permit.

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2. "Alley" means a public or private way

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which is intended to provide or which provides a

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roadway for vehicular and pedestrian access to

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abutting properties and is generally located to the

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rear or side of those properties.

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3. "Apartment hotel" means a building pro-

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viding accommodations for transient guests in

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which at least fifty percent (50%) of the gross

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habitable floor area is used by permanent resi-

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dents.

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4. "Apartment house" means a building or

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portion thereof containing five (5) or more dwell-

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ing units.

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5. "Asbestos" means the asbestiform varieties

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of serpentinite (chrysotile), riebeckite

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(crocidolite), cummingtonite-grunerite,

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anthophyllite and actinolite-tremolite.

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6. "Asbestos material" means any material

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containing at least one percent (1%) asbestos as

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determined by polarized light microscopy using

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the Interim Method of the Determination of As-

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bestos in Bulk Insulation Samples contained in

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Appendix A of Subpart F in 40 C.F.R. Part 763,

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unless it can be demonstrated that the material

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does not release asbestos fibers when crumbled,

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pulverized or otherwise disturbed.

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7. "Asbestos-containing waste material"

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means any waste that contains asbestos. This term

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includes asbestos waste from control devices,

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contaminated clothing, asbestos waste material,

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materials used to enclose the work area during an

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asbestos project, and bags or containers that

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previously contained asbestos.

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8. "Boarding or rooming house" means a

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building other than a hotel, where meals and

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room, or rooms only, are provided for compensa-

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tion for nine (9) or more nontransient persons.

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9. "Bundle" means one (1) box or carton

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empty or filled with solid waste, one (1) bag filled

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with solid waste, or bundle of solid waste,

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securely bundled so that none of the material

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blows about and so it is not easily broken apart

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and which is of such size that the longest dimen-

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sion does not exceed three feet (3'), the volume

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does not exceed six (6) cubic feet and the total

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weight does not exceed sixty (60) pounds, and is

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in good condition for handling at the time of

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collection. The box, bag, or carton, if present,

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must be disposable.

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10. "Bundle-of-yardwaste" means "yardwaste"

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defined in Section 21.36.016 that is placed in a

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container or securely tied so that none of the

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material blows away or falls out upon lifting and

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so that it is not easily broken apart. Its longest

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dimension may not exceed four feet (4') in length;

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its diameter may not be over two feet (2'); and its

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weight may not exceed sixty (60) pounds.

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(Ord. 116419 § 2, 1992: Ord. 114723 § 2, 1989:

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Ord. 114205 § 1(part), 1988: Ord. 113502 §

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2(part), 1987: Ord. 112942 § 1(part), 1986: Ord.

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112171 § 1(part), 1985: Ord. 96003 § 1(part),

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1967.)

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**21.36.012 Definitions C — E.**

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1. "City" means The City of Seattle.

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2. "City's Waste" means all residential and

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nonresidential solid waste generated within the

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City, excluding Unacceptable Waste, Special

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Waste, Construction, Demolition and Landclear-

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ing Waste, and materials destined for recycling.

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City's Waste includes all such waste, regardless of

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which private or public entity collects or trans-

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ports the waste. City's Waste includes all waste

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remaining after recycling.

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3. "Clean wood waste" means and will consist

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of wood pieces generated as byproducts from

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manufacturing of wood products, hauling and

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storing of raw materials, tree limbs greater than

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four inches (4") in diameter and wood demolition

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waste (lumber, plywood, etc.) thrown away in the

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course of remodeling or construction, and waste

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approved for wood-waste recycling by the Direc-

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tor of the Seattle Public Utilities. It excludes clean

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yardwaste, treated lumber, wood pieces, or parti-

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cles containing chemical preservatives, composi-

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tion roofing, roofing paper, insulation, sheetrock,

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and glass.

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4. "Composting" means the controlled degra-

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dition of organic waste yielding a product for use

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as a soil conditioner.

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5. "Construction, Demolition and Landclear-

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ing Waste” or “CDL Waste” means waste com-

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prised primarily of the following materials:

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- a. Construction Waste: waste from build-

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ing construction such as scraps of wood, concrete,

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masonry, roofing, siding, structural metal, wire,

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fiberglass insulation, other building materials,

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plastics, styrofoam, twine, baling and strapping

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materials, cans and buckets, and other packaging

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materials and containers.

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- b. Demolition Waste: solid waste, largely

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inert waste, resulting from the demolition or

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razing of buildings, roads and other man-made

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structures. Demolition Waste consists of, but is

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not limited to, concrete, brick, bituminous con-

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crete, wood and masonry, composition roofing

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and roofing paper, steel, and minor amounts of

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metals like copper. Plaster (i.e., sheet rock or

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plaster board) or any other material, other than

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wood, that is likely to produce gases or leachate

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during its decomposition process and asbestos

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wastes are not considered to be Demolition

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Waste.

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c. Landclearing Waste: natural vegeta-

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tion and minerals from clearing and grubbing land

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for development, such as stumps, brush,

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blackberry vines, tree branches, tree bark, mud,

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dirt, sod and rocks.

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6. "Contaminated Soils" means soils removed

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during the cleanup of a remedial action site, or a

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dangerous waste site closure or other cleanup

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efforts and actions which contain harmful sub-

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stances but are not designated dangerous wastes.

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Contaminated Soils may include excavated soils

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surrounding underground storage tanks, vector

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wastes (street and sewer cleanings), and soil

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excavated from property underlying industrial

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activities.

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7. "Contractor" means those contracting with

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the City to collect and dispose of solid waste as

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described in this section, or the authorized repre-

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sentative of such contractors.

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8. "Dangerous waste" means those solid

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wastes designated in WAC 173-303-070 through

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WAC 173-303-103 as dangerous or extremely

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hazardous waste.

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9. “Detachable container” means a watertight,

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all-metal container, not less than one-half ( $1/2$ )

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cubic yard in capacity and equipped with a

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tight-fitting metal or other City-approved cover.

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The term shall also apply to containers of other

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material of similar size when approved by the

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Director of Seattle Public Utilities. Containers two

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(2) cubic yards and under shall be equipped with

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at least three (3) wheels.

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10. "Director of Seattle Public Utilities" means

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the Director of Seattle Public Utilities of The City

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of Seattle and authorized employees.

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11. "Disposal site" means the areas or facilities

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where any final treatment, utilization, processing

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or deposition of solid waste occurs. See also the

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definition of interim solid waste handling site.

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12. "Dwelling unit" in addition to its ordinary

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meaning includes a room or suite of rooms used

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as a residence and which has cooking facilities

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therein, but does not include house trailers in

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trailer courts, rooms in hotels or motels, or cells or

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rooms in jails or government detention centers.

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13. "Energy recovery" means a process oper-

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ating under federal and state environmental laws

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and regulations for converting solid waste into

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usable energy and for reducing the volume of

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solid waste.

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(Ord. 118396 § 138, 1996: Ord. 116412 § 3, 1992:

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Ord. 115589 § 1, 1991; Ord. 115231 § 1, 1990:

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Ord. 114723 § 3, 1989; Ord. 114205 § 1(part),

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1988: Ord. 113502 § 2(part), 1987: Ord. 112942 §

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1(part), 1986: Ord. 112171 § 1(part), 1985: Ord.

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96003 § 1(part), 1967.)

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**21.36.014 Definitions F — P.**

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1. "Fraternity, sorority or group student

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house” means a building occupied by and main-

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tained exclusively for students affiliated with an

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academic or professional college or university or

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other recognized institution of higher learning,

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which is regulated by such institution.

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2. "Garbage" means all discarded putrescible

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waste matter, including small dead animals

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weighing not over fifteen (15) pounds, but not

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including sewage or sewage sludge or human or

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animal excrement or yardwaste.

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3. "Garbage can" means a watertight contain-

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er not exceeding thirty-two (32) gallons in capac-

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ity, weighing not over twenty-six (26) pounds

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when empty and without cover, fitted with two (2)

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sturdy handles one (1) on each side and a tight

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cover, except in the case of sunken cans. The term

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shall also apply to containers of similar size and

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weight when approved by the Director of Seattle

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Public Utilities.

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4. "Garbage container" means either:

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- a. A garbage can; or

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- b. A mini-can, or thirty-two (32), sixty

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(60), or ninety (90) gallon cart supplied by the

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collector and approved by the Director of Seattle

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Public Utilities for use under the solid waste

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collection contract.

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5. "Hazardous substances" means any liquid,

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solid, gas or sludge, including any material,

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substance, product, commodity or waste, regard-

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less of quantity, that exhibits any of the physical,

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chemical or biological properties described in

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WAC 173-303-090, 173-303-101, 173-303-102 or

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173-303-103.

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6. "Health Officer" means the Director of the

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Seattle-King County Department of Public Health

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or his/her designated representative.

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7. "Household hazardous wastes" means any

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discarded liquid, solid, contained gas, or sludge,

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including any material, substance, product, com-

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modity or waste used or generated in the house-

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hold, regardless of quantity, that exhibits any of

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the characteristics or criteria of dangerous waste

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set forth in Chapter 173.303 WAC.

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8. "Incineration" means a process of reducing

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the volume of solid waste operating under federal

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and state environmental laws and regulations by

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use of an enclosed device using controlled flame

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combustion.

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9. “Interim solid waste handling site” means

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any interim treatment, utilization or processing

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site engaged in solid waste handling which is not

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the final site of disposal. Transfer stations, drop

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boxes, baling and compaction sites, source sepa-

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ration centers, and treatment are considered inter-

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in solid waste handling sites.

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10. "Litter" means solid waste such as, but not

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limited to, disposable packages and containers

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dropped, discarded or otherwise disposed of upon

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any property.

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11. "Mini-can" means a fifteen (15) to twenty

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(20) gallon container that is supplied by the

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contractor, made of galvanized metal or plastic,

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and meets the approval of the Director of Seattle

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Public Utilities.

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12. "Mixed-use building" means a building

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with both residential and commercial solid waste

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with common garbage chute(s), and/or the resi-

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dential and commercial solid waste generated in

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such building cannot be readily separated.

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13. "Passenger vehicle" means any motor vehi-

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cle with a passenger car license plate.

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14. "Person" means any governmental entity, or

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any public or private corporation, partnership or

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other form of association, as well as any indi-

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vidual.

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15. "Planting strip" means that part of a street

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right-of-way between the abutting property line

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and the curb or traveled portion of the street,

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exclusive of any sidewalk.

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16. "Public place" means and includes streets,

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avenues, ways, boulevards, drives, places, alleys,

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sidewalks and planting (parking) strips, squares,

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triangles, and rights-of-way, whether open to the

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use of the public or not, and the space above or

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beneath the surface of the same.

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(Ord. 118396 § 139, 1996: Ord. 116419 § 4, 1992:

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Ord. 115589 § 2, 1991; Ord. 114723 § 4, 1989:

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Ord. 114205 § 1(part), 1988: Ord. 113502 §

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2(part), 1987: Ord. 112942 § 1(part), 1986: Ord.

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112171 § 1(part), 1985: Ord. 96003 § 1(part),

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1967.)

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1. "Recyclable materials" means those solid

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wastes that are separated for recycling or reuse,

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such as papers, metals and glass, that are identi-

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ried as recyclable material pursuant to The City of

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Seattle's Comprehensive Solid Waste Plan.

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2. "Recycling" means transforming or reman-

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ufacturing waste materials into usable or market-

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able materials for use other than incineration

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(including incineration for energy recovery) or

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other methods of disposal.

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3. "Refuse" means either garbage or rubbish

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or both garbage and rubbish, and includes litter,

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but excludes yardwaste.

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4. "Rubbish" means all discarded

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nonputrescible waste matter excluding yardwaste.

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5. “Scavenging” means removal of material at

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a disposal site or interim solid waste handling site

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without the approval of the site owner or operator

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or of the Health Officer.

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6. "Service unit" means a "garbage contain-

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er.?"

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7. "Small quantity generator hazardous waste"

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means any discarded liquid, solid, contained gas,

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or sludge, including any material, substance,

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product, commodity or waste used or generated by

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businesses, that exhibits any of the characteristics

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or criteria of dangerous waste set forth in Chapter

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173.303 WAC, but which is exempt from

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regulation as dangerous waste.

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8. "Solid waste" means all putrescible and

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nonputrescible solid and semisolid wastes, in-

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cluding but not limited to garbage, rubbish,

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yardwaste, ashes, industrial wastes, infectious

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wastes, swill, demolition and construction wastes,

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abandoned vehicles or parts thereof, and recyclo-

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ble materials. This includes all liquid, solid and

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semisolid materials which are not the primary

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products of public, private, industrial, commer-

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cial, mining and agricultural operations. Solid

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waste includes, but is not limited to sludge from

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wastewater treatment plants, seepage from septic

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tanks, wood waste, dangerous waste, and problem

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wastes.

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9. "Solid waste container" means a garbage

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container, detachable container, or any other

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secure, rigid, watertight container with a

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tight-fitting lid.

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10. "Special category wastes" means wastes

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whose disposal is limited by certain restrictions

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and limitations, as identified in Section 21.36.029.

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11. "Special Waste" means contaminated soils,

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asbestos and other waste specified by Washington

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Waste Systems in the Special Waste Management

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Plan included in the Operations Plan as requiring

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special handling or disposal procedures.

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12. "Street" means a public or private way,

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other than alleys, used for public travel.

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13. "Sunken can" means a garbage can which is

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in a sunken covered receptacle specifically

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designed to contain garbage cans and where the

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top of the garbage can is approximately at the

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ground level.

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14. "Unacceptable Waste" means all waste not

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authorized for disposal at the Columbia Ridge

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Landfill and Recycling Center or successor site

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designated by the City, by those governmental

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entities having jurisdiction or any waste the dis-

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posal of which would constitute a violation of any

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governmental requirement pertaining to the

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environment, health or safety. Unacceptable

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Waste includes any waste that is now or hereafter

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defined by federal law or by the disposal juris-

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diction as radioactive, dangerous, hazardous or

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extremely hazardous waste and vehicle tires in

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excess of those permitted to be disposed of by the

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laws of the disposal jurisdiction.

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15. "Yardwaste" means plant material (leaves,

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grass clippings, branches, brush, flowers, roots,

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wood waste, etc.); debris commonly thrown away

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in the course of maintaining yards and gardens,

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including sod and rocks not over four inches (4")

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in diameter; and biodegradable waste approved

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for the yardwaste programs by the Director of the

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Seattle Public Utilities. It excludes loose soils,

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food waste; plastics and synthetic fibers; lumber;

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any wood or tree limbs over four inches (4") in

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diameter; human or animal excrement; and soil

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contaminated with hazardous substances.

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(Ord. 118396 § 140, 1996; Ord. 116419 § 5, 1992:

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Ord. 115589 § 3, 1991; Ord. 115231 § 2, 1990;

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Ord. 114723 § 5, 1989; Ord. 114205 § 1(part),

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1988: Ord. 113502 § 2(part), 1987: Ord. 112942 §

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1(part), 1986: Ord. 112171 § 1(part), 1985: Ord.

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96003 § 1(part), 1967.)

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**21.36.017 Title, declarations, and administra-**

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**tive provisions.**

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A. Chapters 21.36 and 21.40 of the Seattle

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Municipal Code shall be titled the "Solid Waste

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Code” of the City and may be referred to as such.

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B. The Solid Waste Code is declared to be an

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exercise of the police power of the City to pro-

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mote the public health, safety and general welfare,

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and its provisions shall be liberally construed for

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the accomplishment of that purpose.

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C. The Solid Waste Code shall be enforced for

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the benefit of the health, safety and welfare of the

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general public, and not for the benefit of any

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particular person or class of persons.

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D. Upon presentation of proper credentials, the

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enforcing authority or authorized representative of

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the enforcing authority may, with the consent of

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the owner or occupier of a building or premises,

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or pursuant to a lawfully issued warrant, enter at

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reasonable times any building or premises subject

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to the consent or warrant to enforce the provisions

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of or perform the duties imposed by the Solid

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Waste Code.

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E. Nothing in the Solid Waste Code is intend-

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ed to be nor shall be construed to create or form

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the basis for any liability of the City or any of its

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officers, employees, or agents for any injury or

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damages resulting from the failure of any person

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to comply with the provisions of this Code, or by

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reason of any inspection, notice, order, or other

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action or inaction by or of the City or any of its

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officers, employees or agents in connection with

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the implementation or enforcement of this Code.

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(Ord. 116419 § 6, 1992.)

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**21.36.018 Enforcement authority.**

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A. The Director of Seattle Public Utilities is

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authorized and directed to supervise and manage

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the collection and disposal of solid waste under

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this chapter and to provide, designate, and super-

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wise places for the disposal thereof, and shall with

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the assistance of the Chief of Police have general

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charge of supervision over the administration and

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enforcement of this chapter; provided the Health

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SOLID WASTE COLLECTION 21.36.016

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

(Seattle 3-98)

Officer shall enforce the provisions of Sections

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21.36.016 UTILITIES

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(Seattle 3-98)

21.36.096 (Waste screening), 21.36.180 (Inciner-

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SOLID WASTE COLLECTION 21.36.016

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(Seattle 3-98)

ation and energy recovery facilities), and

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21.36.016

UTILITIES

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(Seattle 3-98)

21.36.185 (Commercial composting facilities).

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SOLID WASTE COLLECTION

21.36.016

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(Seattle 3-98)

The fire, health, engineering, construction and

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21.36.016 UTILITIES

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(Seattle 3-98)

land use and other appropriate City departments

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SOLID WASTE COLLECTION

21.36.016

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(Seattle 3-98)

are authorized to assist in enforcing the provisions

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of this chapter.

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

B. Upon a determination that in order to pro-

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21.36.026

UTILITIES

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(Seattle 3-98)

mote the public health, safety or welfare and that

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SOLID WASTE COLLECTION

21.36.026

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the successful operation of the system for collec-

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21.36.026 UTILITIES

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(Seattle 3-98)

tion and disposal of solid waste within the City

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SOLID WASTE COLLECTION

21.36.026

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requires such action, the Director of Seattle Public

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21.36.026

UTILITIES

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(Seattle 3-98)

Utilities may direct that anyone, including but not

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

limited to the persons or organizations exempted

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21.36.026 UTILITIES

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from the proscription of Section 21.36.030, must

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

deposit solid waste hauled by them at designated

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21.36.026

UTILITIES

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(Seattle 3-98)

disposal sites or interim solid-waste handling

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

sites. The determination by the Director of Seattle

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21.36.026 UTILITIES

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(Seattle 3-98)

Public Utilities shall set forth the reasons therefor,

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

shall be filed with the City Clerk and mailed on

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21.36.026

UTILITIES

**Seattle Municipal Code**

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(Seattle 3-98)

the date of filing to all persons and organizations

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SOLID WASTE COLLECTION

21.36.026

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covered by exemptions A through D and F of

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21.36.026 UTILITIES

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Section 21.36.030, and shall be published within

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SOLID WASTE COLLECTION

21.36.026

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three (3) days thereafter in the City official

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21.36.026

UTILITIES

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(Seattle 3-98)

newspaper.

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21.36.026

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(Seattle 3-98)

C. The Director of Seattle Public Utilities may

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21.36.026 UTILITIES

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request that the Chief of Police commission

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21.36.026

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authorized representatives of the Director as

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21.36.026

UTILITIES

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nonuniformed special police officers with powers

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SOLID WASTE COLLECTION 21.36.026

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(Seattle 3-98)

to enforce the provisions of the Solid Waste Code.

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21.36.026

UTILITIES

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(Ord. 118396 § 141, 1996; Ord. 117441 § 5, 1994:

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Ord. 116419 § 7, 1992: Ord. 114723 § 19, 1989:

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21.36.026

UTILITIES

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Ord. 113502 § 6, 1987: Ord. 107208 § 3, 1978:

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SOLID WASTE COLLECTION 21.36.026

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Ord. 96003 § 10, 1967.)

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21.36.026

UTILITIES

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21.36.026

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21.36.026

UTILITIES

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## **Subchapter II Solid Waste Collection**

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SOLID WASTE COLLECTION

21.36.026

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21.36.026

UTILITIES

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**21.36.025 Unlawful disposal.**

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

A. The following shall not be deposited or

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21.36.026 UTILITIES

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(Seattle 3-98)

discarded into any commercial or residential

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(Seattle 3-98)

garbage can, container or receptacle: Dead ani-

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21.36.026

UTILITIES

# Seattle Municipal Code

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(Seattle 3-98)

mals over fifteen (15) pounds; sewage; human or

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

animal excrement (including excrement from

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21.36.026 UTILITIES

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(Seattle 3-98)

disposable diapers), with the exception of animal

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# Seattle Municipal Code

SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

excrement deposited in a public or residential

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21.36.026 UTILITIES

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(Seattle 3-98)

garbage can, provided the animal excrement is

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SOLID WASTE COLLECTION 21.36.026

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(Seattle 3-98)

wrapped in a closed, leak-proof bag or container;

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21.36.026

UTILITIES

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(Seattle 3-98)

hot ashes, household hazardous waste, as set forth

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21.36.026

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in Section 21.36.026; small quantity generator

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21.36.026

UTILITIES

# Seattle Municipal Code

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(Seattle 3-98)

hazardous waste; asbestos material;

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

asbestos-containing waste material; tires; danger-

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21.36.026

UTILITIES

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(Seattle 3-98)

ous waste; radioactive wastes; and explosives.

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21.36.026

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(Seattle 3-98)

B. The following shall not be deposited or

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21.36.026

UTILITIES

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(Seattle 3-98)

discarded at any interim solid waste handling site,

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(Seattle 3-98)

except as specifically provided in Sections

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21.36.026 UTILITIES

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(Seattle 3-98)

21.36.026 through 21.36.029: Dead animals over

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SOLID WASTE COLLECTION 21.36.026

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(Seattle 3-98)

fifteen (15) pounds; sewage; human or animal

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21.36.026

UTILITIES

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(Seattle 3-98)

excrement (including excrement from disposable

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# Seattle Municipal Code

SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

diapers); hot ashes; household hazardous waste, as

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21.36.026 UTILITIES

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(Seattle 3-98)

set forth in Section 21.36.026; small quantity

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21.36.026

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(Seattle 3-98)

generator hazardous waste; asbestos material;

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21.36.026

UTILITIES

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(Seattle 3-98)

asbestos-containing waste material; tires; special

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(Seattle 3-98)

category waste; dangerous waste; radioactive

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21.36.026

UTILITIES

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(Seattle 3-98)

wastes; and explosives.

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21.36.026

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(Seattle 3-98)

C. Infectious waste shall be disposed accord-

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21.36.026

UTILITIES

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(Seattle 3-98)

ing to the provisions of Seattle Municipal Code

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SOLID WASTE COLLECTION 21.36.026

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(Seattle 3-98)

Chapter 21.43.

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21.36.026

UTILITIES

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(Seattle 3-98)

D. Operators and/or attendants at disposal sites

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

and/or interim solid waste handling sites shall

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21.36.026

UTILITIES

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(Seattle 3-98)

have the authority to refuse to accept any

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SOLID WASTE COLLECTION

21.36.026

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(Seattle 3-98)

prohibited or restricted solid waste.

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21.36.026

UTILITIES

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(Seattle 3-98)

(Ord. 117760 § 1, 1995; Ord. 114723 § 10, 1989.)

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SOLID WASTE COLLECTION

21.36.026

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21.36.026 UTILITIES

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**21.36.026 Household hazardous wastes.**

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A. It is generally recommended that no

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household hazardous wastes are disposed in

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municipal solid waste. Specific household haz-

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ardous wastes which are prohibited from disposal

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as municipal solid waste include nonedible oils;

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flammable liquids and solids including fuels,

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solvents, paint thinners, and degreasers; pesti-

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cides, including herbicides, insecticides and wood

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preservatives; corrosive materials; PCB capacitors

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and ballasts; mercury (such as thermometers and

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mercury switches); vehicle batteries; hobby

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chemicals and artists' paints; and liquid paints.

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B. The Director of Seattle Public Utilities by

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Administrative Rule, pursuant to Seattle Munici-

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pal Code Section 3.12.020, may prohibit addi-

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tional substances from disposal or delete sub-

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stances from the list in subsection A and authorize

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their disposal.

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C. Household hazardous wastes prohibited

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from disposal as municipal solid waste are also

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prohibited from disposal in places where disposal

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of solid waste is prohibited.

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D. Household hazardous wastes prohibited

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from municipal solid waste disposal shall be

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disposed of at special collection facilities, loca-

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tions, and/or events designated by the Director of

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Seattle Public Utilities.

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E. When empty, containers for household

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hazardous products may be disposed of as refuse.

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(Ord. 118396 § 142, 1996: Ord. 114723 § 11,

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1989.)

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**21.36.027 Small quantity generator hazardous**

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21.36.026

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**wastes.**

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Small quantity generator hazardous waste shall

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be managed according to the provisions of Chap-

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ter 173.303 WAC, except that small quantity

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generator wastes are prohibited from disposal as

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municipal solid waste.

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(Ord. 114723 § 12, 1989.)

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**21.36.028 Asbestos material and**

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**asbestos-containing waste**

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**material.**

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Asbestos material shall be handled and dis-

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posed pursuant to 40 C.F.R. 61 Subpart M, WAC

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173-303, and Article 10 of Regulation No. 1 Puget

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Sound Air Pollution Control Agency (PSAPCA)

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as follows:

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A. Removal. Persons removing asbestos mate-

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rial shall provide advance notification to

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PSAPCA, which enforces regulations concerning

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removal and disposal. Asbestos-containing waste

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material must be wetted down during removal to

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reduce airborne emissions of particulate matter.

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The wet asbestos-containing wastes shall be

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sealed into leak-tight containers or placed in one

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or more plastic bags with a combined six (6) mils

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thickness or greater, identified with the proper

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warning label.

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B. Disposal.

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1. It shall be unlawful for anyone to

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deposit, throw, place, discard or deliver, or cause

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to be deposited, thrown, placed, discarded or

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delivered any asbestos-containing waste material

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on any property, public or private, or in any public

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place; provided asbestos-containing waste

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material may be delivered to disposal sites or

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interim solid waste handling sites designated by

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the Director of Seattle Public Utilities for such

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purpose.

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2. Disposal sites or interim solid waste

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handling sites which are designated to receive

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21.36.026

UTILITIES

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asbestos-containing waste material must be ap-

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proved by the Seattle-King County Department of

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Public Health for this purpose.

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SOLID WASTE COLLECTION 21.36.026

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(Ord. 118396 § 143, 1996; Ord. 114723 § 13,

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21.36.026

UTILITIES

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1989.)

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**21.36.029 Tires and special category wastes.**

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21.36.026

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A. Tires. The Director of Seattle Public Utili-

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21.36.026

UTILITIES

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ties may authorize collection of tires at City of

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Seattle transfer stations according to restrictions

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established by Administrative Rule, in accordance

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with Seattle Municipal Code Section 3.12.020.

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B. Special Category Wastes. The Director of

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21.36.026

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Seattle Public Utilities may define by Adminis-

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trative Rule, pursuant to Seattle Municipal Code

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Section 3.12.020, special restrictions and limita-

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tions on the disposal of certain types of wastes

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which cannot be handled safely through the mu-

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municipal solid waste collection system. Restricted

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materials may include items over certain sizes or

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weights, and dust-producing materials.

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the Office of the City Clerk**

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(Seattle 3-98)

C. Polystyrene Packaging Pieces. The Director

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21.36.026

UTILITIES

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of Seattle Public Utilities may set special restric-

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tions and limitations on the disposal of polysty-

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UTILITIES

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rene packaging pieces in solid waste to be col-

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SOLID WASTE COLLECTION

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lected by the City or a contractor making collec-

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21.36.026 UTILITIES

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tion for the City. Restrictions may include con-

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tainment requirements for polystyrene packaging

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21.36.026

UTILITIES

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pieces or restrictions on disposal locations for the

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packaging pieces.

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21.36.026

UTILITIES

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(Ord. 118396 § 144, 1996; Ord. 116419 § 9, 1992:

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Ord. 115590 § 1, 1991; Ord. 114723 § 14, 1989.)

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**21.36.030 Unlawful hauling of City's**

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21.36.026

UTILITIES

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**Waste—Exceptions.**

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It is unlawful for anyone, except the following,

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to haul City's Waste through the streets in the

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City:

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A. The University of Washington or its con-

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(Seattle 3-98)

tractor;

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UTILITIES

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B. Military establishments or their contractors;

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C. The City's solid waste contractors;

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21.36.026

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D. Anyone authorized to collect solid waste in

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the City under RCW Chapter 81.77;

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E. Business concerns, as to City's Waste

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originating within their own establishments; and

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F. The Seattle Housing Authority or its con-

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tractor; provided, however, that the exempted

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persons and organizations may be required to

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deposit such City's Waste at disposal, processing,

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21.36.026 UTILITIES

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or recovery sites provided and/or designated by

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the Director of Seattle Public Utilities pursuant to

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21.36.026

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Section 21.36.018.

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SOLID WASTE COLLECTION 21.36.070

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(Ord. 118396 § 145, 1996; Ord. 116419 § 10,

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21.36.080

UTILITIES

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1992: Ord. 116220 § 1, 1992: Ord. 113502 § 4,

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1987: Ord. 107208 § 2, 1978: Ord. 96003 § 3,

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21.36.080

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1967.)

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21.36.070

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**21.36.040 Unlawful disposal sites.**

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21.36.070

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It is unlawful for anyone to deliver and/or

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deposit any solid waste that is City's Waste

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generated within the City at any disposal site other

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than a disposal, processing, or recovery site

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provided and/or designated by the Director of

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Seattle Public Utilities pursuant to Sections

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SOLID WASTE COLLECTION 21.36.070

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21.36.030 and 21.36.018.

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21.36.080 UTILITIES

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(Ord. 118396 § 146, 1996: Ord. 116419 § 11,

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21.36.070

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1992: Ord. 113502 § 5, 1987: Ord. 107208 § 4,

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21.36.080

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1978: Ord. 96003 § 3A, 1967.)

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**21.36.042**Solid waste disposal

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**required—Nonresidential.**

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21.36.080

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For solid waste that is City's Waste, every own-

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er, tenant, occupant, or other person responsible

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(Seattle 3-98)

for the condition of private property that is not

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used as a residence or dwelling shall deliver, or

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shall ensure lawful delivery of, the City's Waste to

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the receiving facility designated by City and shall

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keep receipts as proof of delivery.

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(Ord. 117441 § 6, 1994; Ord. 116419 § 12,

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1992.)

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**21.36.044Containers**

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**required—Nonresidential.**

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Ever owner, tenant, occupant, and other person

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responsible for the condition of private property

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that is not used as a residence or dwelling shall

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have and use solid waste containers of a number

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and size sufficient to contain all solid waste

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generated on the site and shall provide for lawful

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disposal of all such solid waste.

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(Ord. 117441 § 7, 1994.)

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**21.36.050 Garbage containers**

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21.36.080 UTILITIES

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**required—Residential.**

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A. All owners and occupants of residences and

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other dwellings shall have and use a sufficient

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number of garbage containers to hold all of their

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garbage and ashes. Additional amounts of rubbish,

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bundled in bundles as defined in this chapter, may

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be set out for collection. At least one (1) service

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unit must be a garbage can, mini-can, or collec-

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tor-supplied cart for all service levels greater than

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zero (0) units.

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B. Ashes, bagged or boxed, will be placed in

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garbage cans, collector-supplied containers, or

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detachable containers, but hot ashes shall not be

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put out for collection. No garbage shall be placed

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in bundles.

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C. Yardwaste may be set out for separate

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curbside collection, but shall not be mixed with

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other solid waste.

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(Ord. 117441 § 8, 1994; Ord. 116419 § 13, 1992:

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Ord. 116187 § 1, 1992: Ord. 114205 § 2, 1988:

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Ord. 112942 § 2, 1986: Ord. 110443 § 1, 1982:

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Ord. 109131 § 1, 1980; Ord. 96003 § 4, 1967.)

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**21.36.060 Garbage cans—Maintenance.**

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A. The owner and/or occupant of any premises

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shall be responsible for the safe and sanitary

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storage of all solid wastes accumulated at that

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premises until it is removed to a disposal site or

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interim solid waste handling site.

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B. All garbage cans and detachable containers

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shall be kept tightly covered and in good condi-

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tion for garbage storage and handling, and garbage

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cans and detachable containers which leak or have

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jagged edges or holes shall not be used. The

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Director of Seattle Public Utilities, at the request

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of the contractor, in writing, shall determine

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whether or not the condition of any garbage can,

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garbage container, or detachable container is

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satisfactory for use.

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(Ord. 118396 § 147, 1996; Ord. 114723 § 16,

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1989: Ord. 96003 § 5, 1967.)

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**21.36.070 Garbage containers—Weight.**

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A. Garbage containers, when filled, shall not

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exceed the following limits:

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..... Garbage can                      60 pounds

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..... Mini-can 30 pounds

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..... 30-gallon carts                      60 pounds

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..... 60-gallon carts                      120 pounds

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.....90-gallon carts                      180 pounds

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B. The contents of a container shall dump out

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readily when it is inverted.

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(Ord. 114205 § 3, 1988; Ord. 96003 § 6, 1967.)

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SOLID WASTE COLLECTION 21.36.070

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(Seattle 3-98)

**21.36.080** Placement of garbage containers,

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21.36.080

UTILITIES

**Seattle Municipal Code**

**June, 1998 code update file**

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(Seattle 3-98)

**bundles and detachable**

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SOLID WASTE COLLECTION

21.36.070

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**containers.**

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21.36.080

UTILITIES

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A. All garbage cans and bundles for backyard

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collection shall be placed by the occupant in a

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UTILITIES

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convenient, accessible location as near as practi-

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cable to the approximate rear of the building or

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UTILITIES

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near the alley, upon the ground level or ground

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SOLID WASTE COLLECTION

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floor, or in a sturdy rack not over fourteen inches

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(14") above such level or floor, except that sunken

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cans may be below the ground level. Where no

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other suitable area is available, garbage cans or

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bundles may be placed at a location selected by

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UTILITIES

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the customer and the Director of Seattle Public

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SOLID WASTE COLLECTION

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Utilities. Garbage containers or bundles and bun-

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21.36.080 UTILITIES

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dles-of-yardwaste for curbside/alley collection

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shall be placed as follows:

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UTILITIES

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1. From properties with level planting

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strips, in the planting strip or driveway within one

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(1) yard of the curb;

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2. From properties with alleys of suffi-

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cient width, in the alley or within one (1) yard of

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the alley gate if the gate is within one (1) yard of

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the alley;

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3. From properties with sidewalks but

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not planting strips, on the owner's property, within

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one (1) yard of the sidewalk, if level;

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4. When the foregoing location slopes at

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a grade making placement of a container difficult,

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the nearest reasonable level area; and

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5. If the premises has no sidewalk or

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planting strip, dense shrubbery or extraordinary

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circumstances preclude such a location, from a

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placement suitable to the customer and convenient

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SOLID WASTE COLLECTION

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to the collection contractor.

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B. Containers and bundles for collection shall

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not be placed on the sidewalk or in the planting

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strip or the alley for collection until a reasonable

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time prior to collection. Containers shall be re-

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21.36.080

UTILITIES

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moved within a reasonable time thereafter.

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C. Detachable containers may be stored within

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a building but shall be readily accessible for

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21.36.070

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servicing without unnecessary delay or special

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collection equipment.

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(Ord. 118396 § 148, 1996; Ord. 114205 § 4, 1988:

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21.36.080

UTILITIES

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Ord. 112171 § 3, 1985; Ord. 96003 § 7, 1967.)

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UTILITIES

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**21.36.085 Yardwaste programs.**

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Yardwaste shall not be mixed with garbage,

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21.36.080

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refuse or rubbish for disposal.

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A. Curbside Yardwaste Collection. Yardwaste

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21.36.080

UTILITIES

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for collection under the City's curbside program

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shall be set apart from refuse for pickup in a

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21.36.080

UTILITIES

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manner that is readily identifiable by the collec-

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tors. Yardwaste shall be defined as set forth in

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21.36.080 UTILITIES

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Section 21.36.016, except that yardwaste for

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curbside collection shall not include wood or tree

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21.36.080

UTILITIES

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limbs over four feet (4') long. Only yardwaste

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generated at the dwelling unit shall be collected at

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21.36.080

UTILITIES

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(Seattle 3-98)

curbside.

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(Seattle 3-98)

B. Transfer Station Yardwaste. All yardwaste

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21.36.080 UTILITIES

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delivered to the City's transfer stations shall be

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SOLID WASTE COLLECTION

21.36.070

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separated from garbage, refuse and rubbish and

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21.36.080

UTILITIES

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deposited in an area designated for yardwaste.

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(Seattle 3-98)

Yardwaste shall be defined as set forth in Section

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21.36.080

UTILITIES

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(Seattle 3-98)

21.36.016, except that yardwaste delivered to the

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(Seattle 3-98)

transfer station shall not include wood or tree

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21.36.080

UTILITIES

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(Seattle 3-98)

limbs over eight feet (8') long.

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21.36.070

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(Ord. 114723 § 17, 1989; Ord. 114205 § 5, 1988.)

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21.36.080

UTILITIES

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**21.36.087 White goods and bulky items.**

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21.36.080

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A. The Director of Seattle Public Utilities may

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determine from time to time the items eligible for

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pickup under the Seattle Public Utilities' program

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SOLID WASTE COLLECTION

21.36.070

**June, 1998 code update file**  
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for collection of white goods and bulky items, and

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21.36.080

UTILITIES

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after consultation with the Purchasing Agent,

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SOLID WASTE COLLECTION 21.36.070

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arrange for the disposition of the items collected

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21.36.080

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without regard to the procedures of Section

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3.18.824.

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B. "White goods" are large household appli-

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ances, such as refrigerators, iceboxes, stoves,

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21.36.080

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washing machines, dryers, dishwashing machines

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SOLID WASTE COLLECTION

21.36.070

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and air conditioners. “Bulky items” include and

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UTILITIES

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are illustrated by such articles for household use

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as furniture, mattresses, box springs, television

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UTILITIES

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sets, stereos, and wardrobes. Neither term in-

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cludes motor vehicles or hulks; car parts and tires;

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commercial machinery or equipment; lumber and

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building materials; or hazardous wastes.

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UTILITIES

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C. By delivering possession to the collector,

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the customer relinquishes title to the white goods

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and bulky items picked up. The Seattle Public

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Utilities may decline to accept such items that

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contain refuse, contraband, or hazardous wastes.

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D. The Director of Seattle Public Utilities

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21.36.080

UTILITIES

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may:

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1. Remove all hazardous and toxic con-

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UTILITIES

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stituents, including the recovery of CFCs

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(chloro-fluorocarbons), from white goods

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delivered to the City recycling and disposal sta-

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tions and require that the resultant scrap metal not

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21.36.080

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be landfilled;

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2. Accept a maximum of two (2) white

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goods per load at a rate established in subsection

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A of Section 21.40.080 and subsection D of

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Section 21.40.080;

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3. Reject vehicle loads at the City's recy-

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cling and disposal stations which contain more

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than two (2) white goods or white goods from

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non-Seattle residents and provide information to

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the haulers of rejected loads on alternative dis-

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posal sites for white goods available within Seat-

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tle;

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4. Direct white goods from charitable

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organizations qualified under Section 21.40.080 to

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the City's selected white-goods processor;

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(Ord. 118396 § 149, 1996; Ord. 116250 § 2, 1992;

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Ord. 114205 § 6, 1988.)

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**21.36.088 Concrete and asphalt recycling.**

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Any concrete, cement concrete, or asphalt (as

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defined in SMC Section 3.18.902) generated in

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the process of City street, bridge, drainage, or

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other public works projects, whether those pro-

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jects are performed by the City or under contract

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with the City, shall be recycled or reused unless its

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quality or quantity preclude efficient recovery by a

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recycling facility.

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(Ord. 116726 § 7, 1993.)

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**21.36.090** Paths to garbage storage area.

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All walks, paths, and driveways from the gar-

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bage can storage area to the place of loading shall

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have an unrestricted overhead clearance of not

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less than eight feet (8').

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(Ord. 96003 § 8, 1967.)

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**21.36.095**Right to determine disposition of

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**solid waste.**

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The City acquires the right and power to deter-

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mine the disposition of solid waste collected or

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delivered to the City's recycling, transfer and

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disposal facilities. Disposition may include the

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establishment of salvage operations. The City may

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decline to accept and may return hazardous wastes

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and other material ineligible for collection under

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the City's solid waste collection ordinances.

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(Ord. 116419 § 14, 1992: Ord. 114205 § 7, 1988.)

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(Seattle 3-98)

**21.36.096Waste screening.**

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**Seattle Municipal Code**

SOLID WASTE COLLECTION

21.36.112

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A. Dangerous Waste. The Health Officer may

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21.36.112

UTILITIES

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screen any wastes that are being disposed, and that

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21.36.112

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are suspected of being a regulated dangerous

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waste. The screening process may involve certi-

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fied testing, a disclosure of the waste constituents

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and waste generation process, and other additional

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information. If the Health Officer determines that

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the waste is not a regulated dangerous waste but

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still poses a significant threat to the public health,

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safety or the environment, he/she may direct the

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generator or transporter to dispose of the waste at

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UTILITIES

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a specific type of disposal site. If the Health

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Officer determines that the waste is a regulated

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dangerous waste, he/she shall notify the

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Department of Ecology which shall have full

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jurisdiction regarding handling and disposal. The

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Dangerous Waste Regulations, WAC 173-303,

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shall be considered when screening and making

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waste determinations.

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B. Disposal Sites. If during inspections of

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waste the Health Officer observes waste suspected

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of being regulated dangerous waste because of

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physical properties of the waste, he/she shall have

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the authority to require the site operator to

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segregate and hold any such waste. If the Health

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Officer determines that testing is required to

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identify the waste, the generator shall be respon-

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sible for such analysis, and if the generator is not

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known, the site operator shall be responsible for

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funding such analysis. The disposal site operator

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and/or attendants shall have similar authority not

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to accept suspect wastes.

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C. Procedures. When such wastes are identi-

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fied as being suspect dangerous wastes, the Health

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Officer may issue a notice for requirement of

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screening. This notice will specify requirements

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which must be met to satisfy the screening process

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and a schedule for compliance.

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(Ord. 114723 § 18, 1989.)

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**Subchapter III Flow-Control Special**

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## Provisions

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UTILITIES

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**21.36.112 Designation of receiving facilities.**

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A. Union Pacific's Seattle Intermodal Facility

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or successor receiving facility specified by the

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City is hereby designated as the receiving facility

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for disposal of all City's Waste, including waste

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left over after separating out Special Waste, CDL

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Waste or materials destined for recycling. All

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generators, handlers, and collectors of City's

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Waste shall deliver or, for example, by taking

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City's Waste to a City transfer station, shall ensure

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delivery of all City's Waste to Union Pacific's

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Seattle Intermodal Facility or successor receiving

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21.36.112

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facility designated by the City, in a manner spec-

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ified by the Director of Seattle Public Utilities.

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B. Special Waste (excluding Contaminated

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Soils) may be disposed at any permitted solid

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waste handling facility; provided, that no City's

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Waste, Special Waste or CDL Waste generated

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within The City of Seattle shall be disposed of at a

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facility owned or operated by King County, unless

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specifically agreed by the City and King County.

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C. The City of Seattle's North and South Recy-

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cling Disposal Stations, Waste Management of

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Seattle's Eastmont Transfer Station and

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RABANCO's Third and Lander Transfer Station,

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or successor receiving facilities specified by the

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City, are hereby designated as the receiving

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facilities for disposal of all nonrecycled CDL

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Waste and Contaminated Soils generated within

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the City. All generators, handlers and collectors of

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CDL Waste and Contaminated Soils shall deliver

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21.36.112 UTILITIES

**Seattle Municipal Code**  
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(Seattle 3-98)

or ensure delivery of all nonrecycled CDL Waste

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**Seattle Municipal Code**

SOLID WASTE COLLECTION

21.36.112

**June, 1998 code update file**  
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(Seattle 3-98)

and Contaminated Soils to the receiving facilities

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21.36.112 UTILITIES

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(Seattle 3-98)

hereby designated by the City.

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SOLID WASTE COLLECTION 21.36.112

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(Seattle 3-98)

D. Each receiving facility designated in sub-

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21.36.112 UTILITIES

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(Seattle 3-98)

section C of SMC Section 21.36.112 or successor

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SOLID WASTE COLLECTION

21.36.112

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(Seattle 3-98)

receiving facility designated by the City, shall

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21.36.112 UTILITIES

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submit to the Director of Seattle Public Utilities

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SOLID WASTE COLLECTION

21.36.112

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by the twentieth day of each month, commencing

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(Seattle 3-98)

February 20, 1993, on a form available from the

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Director of Seattle Public Utilities, a monthly flow

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(Seattle 3-98)

report. The report shall document, for the previous

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SOLID WASTE COLLECTION

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(Seattle 3-98)

month, (1) the number of trucks delivering waste

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21.36.112 UTILITIES

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(Seattle 3-98)

and recyclables, (2) the type and amount (in tons)

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of waste and recyclables delivered to the receiving

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21.36.112 UTILITIES

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facility from each political jurisdiction in which

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(Seattle 3-98)

waste or recyclables originated and (3) the type

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21.36.112

UTILITIES

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and amount (in tons) of all waste and recyclables

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leaving the receiving facility for each final desti-

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(Seattle 3-98)

nation. For waste, “type” means City's Waste,

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CDL Waste, Contaminated Soils, wood waste,

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21.36.112 UTILITIES

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Yardwaste or Special Waste; for recyclables,

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“type” means plastics, metal, paper, glass, wood

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waste, yardwaste and inert materials. Type of

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recyclables shall, at a minimum, be specified

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further as mixed waste paper, newspaper, corru-

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gated paper, tin, iron, aluminum, glass, PET

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21.36.112

UTILITIES

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plastic, HDPE plastic, other plastic, and maga-

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zines.

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E. In order to facilitate the designation of

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(Seattle 3-98)

transfer stations and receiving facilities or suc-

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21.36.112

UTILITIES

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(Seattle 3-98)

cessor receiving facilities, the Director of Seattle

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21.36.112

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Public Utilities shall:

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(Seattle 3-98)

1. Establish any specifications and proce-

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dures determined necessary to address the manner

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21.36.112 UTILITIES

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in which waste is identified, packaged, loaded,

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SOLID WASTE COLLECTION 21.36.112

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containerized or delivered to transfer stations or

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receiving facilities and establish any other

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(Seattle 3-98)

specifications and procedures determined neces-

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21.36.112 UTILITIES

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sary for the City to fulfill its obligations under its

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(Seattle 3-98)

contract for the transportation and disposal of

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waste;

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2. Mail, pursuant to SMC Section

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(Seattle 3-98)

21.36.018, a notice of the designated receiving

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(Seattle 3-98)

facilities and specifications and procedures for

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delivery of waste to the facilities. In addition, the

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notice shall be mailed to all persons and organi-

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21.36.112 UTILITIES

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zations covered by exemptions A through E of

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SMC Section 21.36.030;

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(Seattle 3-98)

3. Publish such notice in the City official

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newspaper within three (3) days of mailing such

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notice.

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(Ord. 118396 § 150, 1996; Ord. 116454 § 1, 1992:

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Ord. 116419 § 16, 1992: Ord. 115589 § 4, 1991.)

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**21.36.113 Containers—Billing—Unacceptable**

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(Seattle 3-98)

**waste.**

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(Seattle 3-98)

A. Containers shall be provided by Washing-

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(Seattle 3-98)

ton Waste Systems, Inc. to transfer stations in the

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21.36.112

UTILITIES

# **Seattle Municipal Code**

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(Seattle 3-98)

City for delivery of City's Waste to the designated

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(Seattle 3-98)

receiving facility. All transfer stations delivering

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21.36.112

UTILITIES

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City's Waste to the designated receiving facility

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(Seattle 3-98)

shall load each container with waste, seal it with a

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21.36.112

UTILITIES

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cargo security seal and prepare a bill of lading in

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accordance with the procedures established by the

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Director of Seattle Public Utilities.

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(Seattle 3-98)

B. All persons shall use reasonable care in the

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21.36.112

UTILITIES

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handling of the containers supplied by Wash-

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(Seattle 3-98)

ington Waste Systems, Inc. and shall be responsi-

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ble for repair or replacement of containers they

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damage or destroy through their own negligence.

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21.36.112 UTILITIES

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Washington Waste Systems, Inc. shall be respon-

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21.36.112

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sible for ordinary wear and tear.

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21.36.112

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(Seattle 3-98)

C. All persons required to deliver City's Waste

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to the designated receiving facility shall be billed

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21.36.112 UTILITIES

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by the City at the rates specified by ordinance.

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21.36.112

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D. City's Waste delivered to the designated re-

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21.36.112

UTILITIES

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ceiving facility shall be in compliance with all

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SOLID WASTE COLLECTION 21.36.112

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applicable federal, state, and local environmental

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health laws, rules, and regulations. The designated

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receiving facility and the Columbia Ridge Landfill

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21.36.112 UTILITIES

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or successor landfill are authorized to reject all

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Unacceptable Waste and shall not take title to

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21.36.112

UTILITIES

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Unacceptable Waste.

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SOLID WASTE COLLECTION 21.36.185

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(Ord. 118396 § 151, 1996; Ord. 116419 § 17,

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21.36.185 UTILITIES

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1992: Ord. 115589 § 5, 1991.)

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**21.36.114Enforcement**

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**authority—Inspections.**

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A. The Director of Seattle Public Utilities and

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designated solid waste enforcement officers are

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authorized and directed to enforce the flow provi-

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sions of this chapter.

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B. The Director of Seattle Public Utilities and

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designated solid waste enforcement officers are

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UTILITIES

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authorized to make lawful inspection of the pre-

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mises of any person suspected of violating the

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flow provisions of this chapter and to inspect the

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books and accounts related to the subject of this

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UTILITIES

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chapter.

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SOLID WASTE COLLECTION 21.36.185

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(Ord. 118396 § 152, 1996: Ord. 115589 § 6,

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21.36.185

UTILITIES

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1991.)

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**21.36.115 Penalties for noncompliance.**

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In addition to any other sanction or remedial

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procedure which may be available, including the

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penalties listed in SMC Section 21.36.920, any

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person violating or failing to comply with any

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provision of SMC 21.36.112 A shall:

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A. On the first violation:

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1. Pay to the City the amount that would

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have been owed to the City had the waste been

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delivered to the receiving facility as required; and

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21.36.185

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in addition

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2. Pay for the actual cost to the City of

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investigating and bringing the enforcement action.

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B. On the second violation, pay double the

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amounts set forth in subsections A1 and A2 of this

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section.

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C. On the third and subsequent violations, pay

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treble the amounts set forth in subsections A1 and

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A2 of this section.

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(Ord. 116419 § 18, 1992; Ord. 115589 § 7, 1991.)

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**21.36.116 Third party action to effect compli-**

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21.36.185

UTILITIES

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**ance.**

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Washington Waste Systems, Inc., on its own

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behalf or as the City's agent, is hereby authorized

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to make a claim and bring suit directly against any

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UTILITIES

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person who violates flow control provisions of

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this chapter, and is further authorized to recover

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the amount per ton that the City was contractually

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required to pay Washington Waste Systems, Inc.,

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for each ton not actually delivered to the receiving

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facility, and recovery of amounts owed to the City

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for its services, penalties owed to the City for

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repeat violations under SMC 21.36.115, plus

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recovery of Washington Waste Systems, Inc.'s

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costs, including witness fees and attorney fees, in

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detecting such diversion and in prosecuting the

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claim and suit for the violation.

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(Ord. 115589 § 8, 1991.)

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**Subchapter IV Miscellaneous Provisions**

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**21.36.180 Incineration and energy recovery**

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21.36.185

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**facilities.**

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Incineration and energy recovery facilities shall

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be permitted and managed according to the

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provisions of Seattle Municipal Code Chapter

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21.44. In addition, the following requirements

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21.36.185

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shall apply:

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A. Disposal of Process Water. All water from

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an incinerator or energy recovery facility shall be

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discharged into a disposal system approved by the

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Health Officer and Metro. The treated discharge

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water shall not violate applicable water quality

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standards.

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B. Pre-Use Inspection and Performance Tests.

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Upon completion of the facility and prior to initial

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operation, the Health Officer and Puget Sound

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Pollution Control Agency (PSAPCA) shall be

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notified. The Health Officer shall inspect the

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facility both prior to and during the performance

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tests. A report covering the results of the perfor-

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mance test with all supporting data shall be certi-

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fied by the design engineer of the project and

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submitted to the Health Officer.

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C. Failure to Meet Standards. The Health

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Officer shall have the authority to close down an

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incinerator or energy recovery facility that does

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not meet all applicable federal, state and PSAPCA

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standards.

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(Ord. 114723 § 21, 1989.)

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**21.36.185 Commercial composting facilities.**

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Commercial composting facilities shall be

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permitted and managed according to the provi-

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sions of Seattle Municipal Code Chapter 21.44 for

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recycling facilities. In addition, the following

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requirements shall apply:

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A. Generators of compost for retail sales shall

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submit chemical analyses and reports to the

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Health Officer in sufficient frequency to demon-

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strate that the resulting product does not contain

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levels of chemicals or pathogens that could create

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a risk to the public health.

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B. If levels of chemicals or pathogens are

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found which could create a risk to the public

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health, the Health Officer may prohibit or restrict

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use of the product. Written notices shall be pro-

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vided to the compost user of any restrictions

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imposed.

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C. Generators of sewage sludge compost must

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follow the methods and procedures established in

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the Best Management Practices for Use of Mu-

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municipal Sewage Sludge, developed by the Wash-

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ington State Department of Ecology.

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D. Odorous material such as spoiled foods,

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blood and slaughterhouse wastes shall be imme-

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diately processed to prevent odors.

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E. The composted material shall contain no

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sharp particles which would cause injury to per-

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sons handling the compost.

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(Ord. 114723 § 22, 1989.)

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**21.36.190 Abandoned landfills.**

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A. All abandoned landfills shall be maintained

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by the owner and/or operator so as not to create a

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risk to the public health. The Health Officer shall

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have the authority to perform methane

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monitoring, surface water, groundwater and

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leachate monitoring, and to monitor for any other

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environmental conditions at abandoned landfills.

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B. The Health Officer may order the owner

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and/or operator to perform monitoring or any

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remedial measures necessary to protect the public

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health and the environment. Any person aggrieved

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by any order issued under this section may appeal

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the order to the Seattle Board of Health, by

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requesting in writing an appeal hearing before the

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Board of Health or its designee. The request shall

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be filed within ten (10) days of the service of the

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order, and shall briefly state the reasons for the

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appeal. Enforcement of the order shall be staged

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(Seattle 3-98)

during the pendency of the appeal.

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21.36.185

UTILITIES

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(Seattle 3-98)

(Ord. 114723 § 23, 1989.)

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SOLID WASTE COLLECTION

21.36.185

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**Subchapter V Litter Control Code**

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21.36.185

UTILITIES

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SOLID WASTE COLLECTION

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**21.36.400 Litter Control Code—Title.**

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This subchapter, Seattle Municipal Code Sec-

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SOLID WASTE COLLECTION 21.36.185

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tions 21.36.400 through 21.36.450, shall be titled

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21.36.185

UTILITIES

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the “Litter Control Code” of the City and may be

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SOLID WASTE COLLECTION

21.36.185

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referred to as such.

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21.36.185

UTILITIES

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(Seattle 3-98)

(Ord. 116419 § 20(part), 1992.)

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SOLID WASTE COLLECTION

21.36.185

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UTILITIES

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**21.36.410 Littering.**

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21.36.185

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A. This section applies only to litter in the

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UTILITIES

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amount of one (1) cubic foot or less which does

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not contain hazardous substances.

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UTILITIES

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B. No person shall throw, discard, or deposit

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litter on any street, sidewalk, or other public

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property within the City, on any private property

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SOLID WASTE COLLECTION 21.36.185

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within the City and not owned by the person, or in

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21.36.185

UTILITIES

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or upon any body of water within the jurisdiction

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of the City, whether from a vehicle or otherwise;

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21.36.185

UTILITIES

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except:

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1. When the property is designated by

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UTILITIES

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The State of Washington or any of its agencies or

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(Seattle 3-98)

political subdivisions or by the City for the

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UTILITIES

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disposal of litter or other solid waste and such

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person is authorized to use the property in such

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21.36.185

UTILITIES

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manner; or

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2. Into a litter receptacle, garbage con-

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UTILITIES

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tainer or other solid waste container in a manner

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in which the litter will be prevented from being

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UTILITIES

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carried or deposited by the elements or otherwise

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on any street, sidewalk, or other public or private

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UTILITIES

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property.

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C. No owner, tenant, or other person respon-

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sible for the condition of a construction site shall

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cause or allow any litter from the site to be de-

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UTILITIES

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posited by the elements or otherwise on any other

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public or private property in the City. During such

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UTILITIES

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time as the site is not being used, all litter shall be

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stored or deposited in garbage containers or other

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(Seattle 3-98)

solid waste containers in such a manner as to

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prevent the litter from being deposited on any

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UTILITIES

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(Seattle 3-98)

other public or private property.

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(Seattle 3-98)

D. No person shall throw, discard, sweep or

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21.36.185

UTILITIES

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deposit any accumulation of litter from public or

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(Seattle 3-98)

private property into any gutter or stormwater

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UTILITIES

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drain within the City.

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(Ord. 116708 § 3, 1993; Ord. 116419 § 20(part),

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21.36.185

UTILITIES

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1992.)

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**21.36.420 Unlawful dumping of solid waste.**

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21.36.450 UTILITIES

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It is unlawful for anyone to dump, throw, or

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place solid waste on any property, public or

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21.36.450 UTILITIES

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private, or in any public place except, as autho-

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SOLID WASTE COLLECTION 21.36.450

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rized by city ordinance, in a litter container, solid

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21.36.450 UTILITIES

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waste container, or in a bundle as described in this

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chapter, or upon or at a disposal site or interim

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solid waste handling site provided and/or

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designated by the Director of Seattle Public Utili-

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ties pursuant to Section 21.36.018. Anyone who

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21.36.450

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dumps, throws, or places solid waste in violation

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21.36.450 UTILITIES

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of this section shall remove and properly dispose

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21.36.450

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of it. This section does not apply to dumping,

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throwing or placing litter in the amount of one (1)

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cubic foot or less which does not contain hazard-

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21.36.450 UTILITIES

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ous substances.

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(Ord. 118396 § 153, 1996; Ord. 117441 § 9, 1994;

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21.36.450 UTILITIES

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Ord. 116419 § 21, 1992: Ord. 114723 § 6, 1989:

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Ord. 113502 § 2, 1987: Ord. 112171 § 2, 1985:

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21.36.450

UTILITIES

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Ord. 107208 § 1, 1978; Ord. 96003 § 2, 1967.)

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**21.36.425 Accumulation of solid waste.**

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SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

A. It shall be unlawful for any person to keep

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21.36.450 UTILITIES

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solid waste or allow solid waste to accumulate on

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SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

any property, or in any public place, except in a

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UTILITIES

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litter receptacle, in a solid waste container, or in a

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SOLID WASTE COLLECTION 21.36.450

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bundle as described in this chapter, or as other-

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UTILITIES

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wise authorized by ordinance or by the Director of

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21.36.450

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Seattle Public Utilities. This subsection applies to

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UTILITIES

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any solid waste accumulation of which the total

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volume if gathered together is in an amount in ex-

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cess of one (1) cubic foot or which contains any

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hazardous substances or which is an immediate

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threat to the health or safety of the public.

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B. It shall be unlawful for any owner or occu-

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part of abutting private property, residential or

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nonresidential, to allow the accumulation of any

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solid waste on sidewalks or planting strips,

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whether the solid waste is deposited by such

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owner or occupant or not. Solid waste that is

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prohibited to accumulate includes but is not

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limited to litter, cigarette butts, burning or smol-

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dering materials, garbage, and rubbish. This

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subsection applies to any solid waste accumula-

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tion of which the total volume if gathered together

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is in an amount in excess of one (1) cubic foot or

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which contains any hazardous substances or

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which is an immediate threat to the health or

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safety of the public. This provision shall not

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apply:

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1. To the Sheriff when removing the con-

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tents of a building to the sidewalk or planting strip

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pursuant to an eviction ordered by the Superior

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Court;

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2. To firefighters placing debris on the

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sidewalk or planting strip in the course of extin-

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guishing a fire or explosion;

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3. To the use of receptacles placed or

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authorized by the City for the collection of solid

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UTILITIES

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waste on sidewalks or planting strips; or

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4. To accumulations temporarily autho-

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rized under a street use permit.

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(Ord. 118396 § 154, 1996; Ord. 117441 § 10,

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(Seattle 3-98)

1994: Ord. 116419 § 22, 1992: Ord. 114723 § 9,

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1989: Ord. 113502 § 3(part), 1987.)

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**21.36.430 Unlawful use of City litter**

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21.36.450 UTILITIES

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**receptacles.**

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Except as authorized by the Director of Seattle

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21.36.450 UTILITIES

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Public Utilities, it shall be unlawful to place in

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any receptacle provided by the City for litter

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disposal any solid waste accumulated on private

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property or generated by any business, including

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but not limited to burning or smoldering materials,

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asbestos material, asbestos-containing waste

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material, yardwaste, dangerous waste, household

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hazardous waste, small quantity generator hazard-

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ous waste, human or animal excrement and dead

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animals; nor shall the contents of any such litter

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receptacle be removed or disturbed by anyone

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except as authorized by the Director of Seattle

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Public Utilities.

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(Ord. 118396 § 155, 1996; Ord. 117441 § 11,

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1994: Ord. 116419 § 23, 1992: Ord. 114723 § 7,

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1989: Ord. 113502 § 3 (part), 1987.)

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SOLID WASTE COLLECTION 21.36.450

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**21.36.440 Unlawful use of solid waste**

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**container on private property.**

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It is unlawful for anyone not authorized by the

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property owner or occupant to deposit any mate-

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rial in any solid waste container on private

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property or on a sidewalk or a planting strip

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abutting private property.

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(Ord. 117441 § 12, 1994: Ord. 116419 § 24, 1992:

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Ord. 96003 § 9, 1967.)

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**21.36.450 Fee on unsecured loads.**

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A. Every vehicle delivering solid waste to a

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staffed interim solid waste handling site or a

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21.36.450 UTILITIES

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staffed disposal site shall have its load tied, cov-

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SOLID WASTE COLLECTION

21.36.450

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ered, or confined in such a manner as to prevent

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any part of the load from leaving the vehicle while

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SOLID WASTE COLLECTION 21.36.450

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the vehicle is in motion. If the load is not secured

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21.36.450

UTILITIES

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in such a manner and the vehicle is not exempt

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SOLID WASTE COLLECTION

21.36.450

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pursuant to subsection B, the operator of the

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21.36.450 UTILITIES

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vehicle delivering the load shall pay, in addition to

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SOLID WASTE COLLECTION 21.36.450

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the basic disposal charge or rate, a fee at the

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21.36.450 UTILITIES

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staffed solid waste handling site or staffed

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21.36.450

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disposal site according to the following scale,

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21.36.450 UTILITIES

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effective January 1, 1994:

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21.36.450

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21.36.450 UTILITIES

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Cars (vehicles with \$3.00

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passenger license

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21.36.450

UTILITIES

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plates)

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21.36.450

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21.36.450 UTILITIES

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Trucks (vehicles with \$5.00 for a load of

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truck license plates) a ton or less or

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21.36.450 UTILITIES

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\$10.00 for a load of

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21.36.450

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more than a ton

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21.36.450

UTILITIES

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B. A vehicle transporting sand, dirt or gravel

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in compliance with the provisions of RCW

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46.61.655, as now existing or hereafter amended,

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shall not be required to secure or cover a load or

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SOLID WASTE COLLECTION

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pay a fee pursuant to this section.

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(Seattle 3-98)

C. The fee collected under subsection A of

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21.36.450

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this section shall be paid to The City of Seattle no

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21.36.450

UTILITIES

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less often than quarterly and shall be deposited in

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SOLID WASTE COLLECTION

21.36.450

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(Seattle 3-98)

the Solid Waste Fund.

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(Ord. 116927 § 1, 1993.)

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21.36.450

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21.36.450

UTILITIES

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## Subchapter VI Penalties and Enforcement

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21.36.450

UTILITIES

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SOLID WASTE COLLECTION 21.36.450

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**21.36.920 Violation—Penalty.**

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(Seattle 3-98)

A. Except for a violation designated by this

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21.36.450

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(Seattle 3-98)

chapter as a civil infraction, anyone who shall

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21.36.450

UTILITIES

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(Seattle 3-98)

violate or fail to comply with any provision of this

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21.36.450

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(Seattle 3-98)

chapter may, upon conviction, be punished by a

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fine of not more than Five Thousand Dollars

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21.36.450

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(\$5,000.00) or by imprisonment in the City Jail

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21.36.450 UTILITIES

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for a period of not exceeding one (1) year, or by

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21.36.450

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(Seattle 3-98)

both such fine and imprisonment.

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21.36.450 UTILITIES

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(Seattle 3-98)

B. Alternatively, except for a violation desig-

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SOLID WASTE COLLECTION

21.36.450

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(Seattle 3-98)

nated by this chapter as a civil infraction, the

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21.36.450 UTILITIES

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(Seattle 3-98)

violation of or failure to comply with any provi-

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(Seattle 3-98)

tion of this chapter shall be subject to a civil

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21.36.450

UTILITIES

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penalty in the amount of Fifty Dollars (\$50.00) for

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21.36.450

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each violation and the amount of Fifty Dollars

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21.36.450 UTILITIES

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(\$50.00) per day for each additional day of a

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SOLID WASTE COLLECTION

21.36.450

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(Seattle 3-98)

continuing violation. To collect the penalty im-

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21.36.450 UTILITIES

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(Seattle 3-98)

posed by this subsection, the City shall file a civil

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(Seattle 3-98)

action in the Municipal Court.

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(Seattle 3-98)

C. The penalties provided in this section are in

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(Seattle 3-98)

addition to any other sanction or remedial

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21.36.450

UTILITIES

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(Seattle 3-98)

procedure which may be available. The criminal

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21.36.450

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(Seattle 3-98)

or civil penalty, and the limitation on the amount

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of the penalty, does not including any amounts

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(Seattle 3-98)

that may be recovered for reimbursement. Sums

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21.36.450

UTILITIES

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recovered for reimbursement shall be in addition

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21.36.450

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to the penalty.

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(Seattle 3-98)

(Ord. 117441 § 13, 1994: Ord. 116419 § 26, 1992:

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Ord. 114723 § 20, 1989: Ord. 113502 § 7, 1987:

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Ord. 96003 § 11, 1967.)

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(Seattle 3-98)

**21.36.922 Civil infractions.**

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(Seattle 3-98)

A. The violation of or failure to comply with

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UTILITIES

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any section of this chapter identified in this sec-

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(Seattle 3-98)

tion is designated as a civil infraction and shall be

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UTILITIES

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processed as contemplated by RCW Chapter 7.80.

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(Seattle 3-98)

B. The violation of or failure to comply with

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UTILITIES

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the following section shall be a civil infraction

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(Seattle 3-98)

and subject as a Class 1 civil infraction under

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21.36.450

UTILITIES

**Seattle Municipal Code**  
**June, 1998 code update file**

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(Seattle 3-98)

RCW 7.80.120 to a maximum monetary penalty

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**Seattle Municipal Code**

SOLID WASTE COLLECTION

21.36.450

**June, 1998 code update file**  
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(Seattle 3-98)

and default amount of Two Hundred Fifty Dollars

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21.36.450 UTILITIES

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(Seattle 3-98)

(\$250.00), not including statutory assessments:

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**Seattle Municipal Code**

SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

SMC Section 21.36.420 (Unlawful dump-

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21.36.450 UTILITIES

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(Seattle 3-98)

ing of solid waste)

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**Seattle Municipal Code**

SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

C. The violation of or failure to comply with

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21.36.450

UTILITIES

**Seattle Municipal Code**

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(Seattle 3-98)

any of the following sections shall be a civil

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SOLID WASTE COLLECTION

21.36.450

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(Seattle 3-98)

infraction and subject as a Class 3 civil infraction

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21.36.450 UTILITIES

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(Seattle 3-98)

under RCW 7.80.120 to a maximum monetary

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**Seattle Municipal Code**

SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

penalty and default amount of Fifty Dollars

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21.36.450 UTILITIES

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(Seattle 3-98)

(\$50.00), not including statutory assessments:

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SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

SMC Section 21.36.044 (Containers re-

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21.36.450 UTILITIES

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(Seattle 3-98)

quired — Nonresidential)

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SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

SMC Section 21.36.410 (Littering)

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21.36.450 UTILITIES

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(Seattle 3-98)

SMC Section 21.36.425 (Accumulation of

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SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

solid waste)

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21.36.450 UTILITIES

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(Seattle 3-98)

SMC Section 21.36.430 (Unlawful use of

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SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

City litter receptacles)

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21.36.450 UTILITIES

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(Seattle 3-98)

SMC Section 21.36.440 (Unlawful use of

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SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

solid waste container on private property)

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21.36.450 UTILITIES

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(Seattle 3-98)

D. For purposes of RCW 7.80.040, the “en-

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SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

forcement officers” authorized to enforce the

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21.36.450 UTILITIES

**Seattle Municipal Code**  
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(Seattle 3-98)

provisions of the Solid Waste Code are: (1) the

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**Seattle Municipal Code**

SOLID WASTE COLLECTION

21.36.450

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(Seattle 3-98)

Director of Seattle Public Utilities; (2) authorized

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21.36.450 UTILITIES

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(Seattle 3-98)

representatives, assistants or designees of the

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SOLID WASTE COLLECTION

21.36.450

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(Seattle 3-98)

Director of Seattle Public Utilities; and (3) com-

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21.36.450 UTILITIES

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(Seattle 3-98)

missioned officers of the Seattle Police Depart-

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SOLID WASTE COLLECTION 21.36.450

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(Seattle 3-98)

ment and persons issued nonuniformed special

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21.36.450

UTILITIES

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(Seattle 3-98)

police officer commissions by the Chief of Police

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SOLID WASTE COLLECTION

21.36.450

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(Seattle 3-98)

with authority to enforce such provisions.

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21.40.010

UTILITIES

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(Seattle 3-98)

E. An action for a civil infraction shall be

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

processed in the manner contemplated by RCW

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21.40.010

UTILITIES

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Chapter 7.80.

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

F. The City Attorney is authorized for and on

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21.40.010

UTILITIES

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(Seattle 3-98)

behalf of The City of Seattle to initiate legal

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SOLID WASTE COLLECTION

21.36.980

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(Seattle 3-98)

action to enforce this chapter as deemed necessary

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21.40.010

UTILITIES

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(Seattle 3-98)

and appropriate.

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

(Ord. 118396 § 156, 1996; Ord. 117441 § 1,

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21.40.010 UTILITIES

# Seattle Municipal Code

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(Seattle 3-98)

1994.)

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**Seattle Municipal Code**

SOLID WASTE COLLECTION

21.36.980

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(Seattle 3-98)

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21.40.010

UTILITIES

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(Seattle 3-98)

**21.36.924**Each day a separate violation.

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**Seattle Municipal Code**

SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

For a continuing violation, each day a person

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21.40.010

UTILITIES

**Seattle Municipal Code**

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(Seattle 3-98)

shall continue to violate or fail to comply with a

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**Seattle Municipal Code**

SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

provision of this chapter shall be deemed and

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21.40.010

UTILITIES

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(Seattle 3-98)

considered a separate violation.

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

(Ord. 117441 § 2, 1994.)

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21.40.010

UTILITIES

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(Seattle 3-98)

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

**21.36.965 Identification.**

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21.40.010

UTILITIES

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(Seattle 3-98)

Whenever solid waste deposited, thrown,

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placed, or kept in violation of Section 21.36.420

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21.40.010

UTILITIES

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or Section 21.36.425 contains three (3) or more

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SOLID WASTE COLLECTION

21.36.980

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(Seattle 3-98)

items bearing the name of one (1) individual, or

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21.40.010

UTILITIES

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(Seattle 3-98)

whenever a motor vehicle or trailer used in the

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SOLID WASTE COLLECTION

21.36.980

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(Seattle 3-98)

activity is identified by its license plate, it shall be

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21.40.010

UTILITIES

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(Seattle 3-98)

presumed that the individual whose name appears

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(Seattle 3-98)

on the items or to whom the vehicle or trailer is

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21.40.010

UTILITIES

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(Seattle 3-98)

registered committed the unlawful act. The

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

defendant shall have an opportunity to rebut the

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21.40.010

UTILITIES

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(Seattle 3-98)

presumption and may show, for example, as full

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21.36.980

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(Seattle 3-98)

or partial mitigation of liability:

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21.40.010

UTILITIES

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(Seattle 3-98)

1. That the violation giving rise to the

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

action was caused by the wilful act, neglect, or

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21.40.010

UTILITIES

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(Seattle 3-98)

abuse of another; or

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(Seattle 3-98)

2. That correction of the violation was

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21.40.010

UTILITIES

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(Seattle 3-98)

commenced promptly upon receipt of the notice

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SOLID WASTE COLLECTION

21.36.980

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(Seattle 3-98)

thereof, but that full compliance within the time

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21.40.010

UTILITIES

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(Seattle 3-98)

specified was prevented by inability to obtain

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SOLID WASTE COLLECTION

21.36.980

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(Seattle 3-98)

necessary labor, inability to gain access to the

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21.40.010

UTILITIES

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(Seattle 3-98)

subject property, or other condition or circum-

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

stances beyond the control of the defendant.

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21.40.010

UTILITIES

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(Seattle 3-98)

(Ord. 116419 § 31, 1992.)

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SOLID WASTE COLLECTION

21.36.980

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(Seattle 3-98)

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21.40.010

UTILITIES

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(Seattle 3-98)

**21.36.970 Summary abatement.**

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(Seattle 3-98)

A. The City Council may, after a report has

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21.40.010

UTILITIES

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been filed by the enforcing authority and the

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SOLID WASTE COLLECTION

21.36.980

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property owner, tenant or other person responsible

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for the condition has had an opportunity to be

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heard, by ordinance require such person to abate a

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nuisance by removal and proper disposal of solid

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waste from the property at such person's cost and

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expense within a time specified in the ordinance;

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and if the removal and disposal is not

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accomplished within the time specified, the en-

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forcing authority may abate the nuisance and

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recover the cost and expense thereof plus fifteen

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percent (15%) in a civil action.

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B. The enforcing authority may also seek

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relief in Superior Court to enjoin any acts or

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practices and abate any condition which consti-

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tutes or will constitute a violation of this chapter

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when the civil or criminal remedies provided

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herein are inadequate to effect compliance.

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C. The procedures set forth herein are not

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exclusive and shall not in any manner limit or

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restrict the City from enforcing other City ordi-

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nances, abating nuisances, imposing penalties, or

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taking other legal action.

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(Ord. 117441 § 14, 1994: Ord. 116419 § 32, 1992:

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Ord. 113502 § 8(part), 1987.)

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**21.36.975 Reimbursement for City expenses.**

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Whenever it furthers the safety or convenience

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of the public, the Director of Seattle Public Utili-

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ties may remove obstructions, hazards or nui-

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sances composed of solid waste from public

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places, and anyone causing the obstruction, hazard

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or nuisance shall be responsible for reimbursing

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the City for the expense of removing the same and

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cleaning the public place together with a charge

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equal to fifteen percent (15%) of the City's costs

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to cover administrative expenses and together

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with the costs of collection and interest.

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(Ord. 118396 § 157, 1996: Ord. 117441 § 3,

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1994.)

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**21.36.980 Crediting of reimbursement to Solid**

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**Waste Fund.**

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All sums received by the City in reimbursement

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for the Seattle Public Utilities' costs, expenses or

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charges relating to removal of solid waste or

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cleaning of property pursuant to any section of

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this chapter shall be credited to the Solid Waste

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Fund.

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(Ord. 118396 § 158, 1996: Ord. 117441 § 4,

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1994.)

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**Chapter 21.40**

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#### **SOLID WASTE COLLECTION RATES**

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**AND CHARGES**

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**21.40.010 Definitions, title, declarations and**

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administrative provisions.

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**21.40.020 Public utility**

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**designated—Effective date.**

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**21.40.030 Administration.**

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**21.40.040** Fixing of rates and charges.

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**21.40.050 Collection rates.**

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**21.40.060 Detachable container rates.**

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**21.40.080**Transfer station and disposal site

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**rates.**

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**21.40.085 Commercial railyard rate.**

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**21.40.090 Authority to make rules and**

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**regulations.**

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**21.40.100 Exemption for governmental**

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**agencies owning disposal site.**

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**21.40.110**Preparation and placement of

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**garbage.**

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**21.40.120 Payment of charges—Delinquency**

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21.40.010

UTILITIES

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**and lien.**

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SOLID WASTE COLLECTION 21.36.980

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**21.40.130 Solid Waste Fund—Purchase of**

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21.40.010

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**recyclable solid waste.**

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Severability: If any part or portion of this chapter shall be held

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unconstitutional or otherwise invalid, such decision shall not affect the

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validity of the remaining portions thereof.

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(Ord. 90379 § 12, 1961.)

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**21.40.010 Definitions, title, declarations and**

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**administrative provisions.**

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The definitions in Sections 21.36.010 through

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21.36.016 and the title, declarations, and admin-

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Administrative provisions in Section 21.36.017 apply to

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this chapter.

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(Ord. 116419 § 33, 1992: Ord. 114205 § 8, 1988:

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Ord. 111662 § 1, 1984; Ord. 90379 § 10, 1961.)

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**21.40.020 Public utility designated—Effective**

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**date.**

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Public necessity requires that the existing

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system of the City for the collection and disposal

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of garbage, rubbish and trade and other waste,

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together with such extensions, additions and

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betterments thereto as may from time to time be

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authorized, be maintained, conducted and operat-

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ed as a public utility of the City beginning Sep-

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tember 1, 1961, and the rates and charges provid-

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ed for in this chapter be effective as of such date.

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(Ord. 90379 § 1, 1961.)

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**21.40.030 Administration.**

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The Director of Seattle Public Utilities, through

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the Seattle Public Utilities, shall operate and ad-

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minister such public utility and enforce this chap-

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ter; and there shall be kept by him or her a clas-

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sified system of accounts of revenues and dis-

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bursements as prescribed by the State Auditor,

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Division of Municipal Corporations, in conjunc-

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tion with the City Finance Director, as required by

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law in such connection.

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(Ord. 118396 § 159, 1996: Ord. 116368 § 288,

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1992: Ord. 90379 § 2, 1961.)

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**21.40.040** Fixing of rates and charges.

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The City fixes rates and charges as provided in

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Section 21.40.050 for the collection and disposal

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of garbage and rubbish as defined by Ordinance

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86373<sup>1</sup> from the residences and other dwelling

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units referred to in Section 21.40.050.

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(Ord. 90379 § 3, 1961.)

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1.Editor's Note: Ord. 86373 was repealed by Ord. 91356. The current

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City ordinance on collection and disposal of garbage and rubbish is

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Ord. 96003, codified in Chapter 21.36 of this Code.

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**21.40.050 Collection rates.**

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A. There is imposed upon all residences and

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other dwelling units within the City a charge for

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garbage and rubbish collection and disposal ser-

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vice in accordance with the following schedule,

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and the amounts stated below shall be charged for

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optional ancillary services:

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1. All single-family residences with curb-

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21.40.010 UTILITIES

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side/alley pickup: a charge per month or portion

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thereof, for each dwelling unit for once-a-week

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service, billed directly to the owner or occupant

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thereof as follows:

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**Service Units**

**Rates**

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Micro-can \$10.05

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Mini-can

12.35

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1

16.10

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21.40.010

UTILITIES

**Seattle Municipal Code**

**June, 1998 code update file**

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(Seattle 3-98)

2

32.15

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**Seattle Municipal Code**

SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

3

48.25

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Each additional

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

service unit

16.10

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21.40.010

UTILITIES

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SOLID WASTE COLLECTION 21.36.980

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2. All single-family residences with

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UTILITIES

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backyard pickup: a charge per month or portion

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SOLID WASTE COLLECTION

21.36.980

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thereof, for each dwelling unit for once-a-week

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UTILITIES

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service, billed directly to the owner or occupant as

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SOLID WASTE COLLECTION

21.36.980

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follows:

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UTILITIES

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

**Service Units**

**Rates**

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21.40.010

UTILITIES

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SOLID WASTE COLLECTION 21.36.980

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(Seattle 3-98)

1

\$22.50

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UTILITIES

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2

45.00

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SOLID WASTE COLLECTION 21.36.980

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3

67.55

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Each additional

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.050

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(Seattle 3-98)

service unit 22.50

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21.40.050

UTILITIES

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3. Multifamily variable can rate schedule

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UTILITIES

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for curbside/alley pickup: A charge per month or

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portion thereof, for each dwelling unit for

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UTILITIES

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once-a-week service, billed directly to the owner

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.050

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(Seattle 3-98)

or agent for the entire building as follows:

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21.40.050

UTILITIES

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.050

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**Service Units**

**Rates**

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

21.40.050

UTILITIES

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.050

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Micro-can \$ 9.75

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UTILITIES

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Mini-can

12.05

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1 15.80

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UTILITIES

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(Seattle 3-98)

2

31.85

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3 47.90

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Each additional

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service unit 16.10

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UTILITIES

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4. Multifamily variable can rate schedule

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UTILITIES

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for backyard pickup: A charge per month or

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portion thereof, for each dwelling unit for

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21.40.050

UTILITIES

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once-a-week service, billed directly to the owner

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**Seattle Municipal Code**

SOLID WASTE COLLECTION RATES AND CHARGES 21.40.050

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or agent for the entire building as follows:

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UTILITIES

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.050

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**Service Units**

**Rates**

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21.40.050

UTILITIES

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.050

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(Seattle 3-98)

1 \$23.10

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UTILITIES

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2

44.60

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3

67.10

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UTILITIES

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Each additional

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service unit 22.50

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5. Minimum Charge, No Pickup Service.

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A charge per month or portion thereof, for each

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dwelling unit, including single-family dwellings

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UTILITIES

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not being used as residences, billed directly to the

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owner or occupant of Six Dollars and Twenty-five

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UTILITIES

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Cents (\$6.25) to cover landfill closure costs,

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billing, collection, Low Income Rate Assistance,

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UTILITIES

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hazardous waste costs, and litter cleanup costs. To

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be eligible for the minimum charge (zero (0) con-

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21.40.050

UTILITIES

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(Seattle 3-98)

tainer rate) a customer may not generate any

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.050

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garbage or rubbish for collection or disposal. With

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UTILITIES

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occupied premises, the customer must demon-

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strate a consistent and effective practice of selec-

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UTILITIES

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tive purchasing to minimize refuse, of recycling

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materials whenever practical, and of composting

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UTILITIES

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any yardwastes generated on the premises and the

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customer must have qualified for the rate on or

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UTILITIES

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(Seattle 3-98)

before December 31, 1988. A customer is not

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eligible for the zero (0) container rate by hauling

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21.40.050

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his or her garbage and rubbish to a transfer station,

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disposal site, or by disposal in another customer's

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containers or by the use of prepaid stickers.

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Vacant multifamily units do not qualify for the

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UTILITIES

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(Seattle 3-98)

minimum charge.

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(Seattle 3-98)

6. Extra Bundles. A charge of Five Dol-

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21.40.050

UTILITIES

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lars (\$5.00) for a bundle. A customer may place

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an extra bundle with its container for regular

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pickup. The charge will be billed directly to the

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owner or occupant, unless a prepaid sticker is

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used. A prepaid sticker authorizes pickup of the

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bundle when placed with the customer's container.

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The sticker must be affixed to the bundle in order

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for the bundle to be picked up by the collector,

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and the customer not to be billed.

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7. Bulky and White Goods Pickup. A

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charge of Twenty-six Dollars and Eight-five Cents

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(\$26.85) for each item.

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8. Curbside/Alley Yardwaste. A charge

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per month or portion thereof for each dwelling

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unit, billed directly to the owner or occupant, of

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Four Dollars and Twenty-five Cents (\$4.25) ex-

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cept that such charge shall be Two Dollars and

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Fifteen Cents (\$2.15) for customers qualifying for

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Low Income Rate Assistance. To receive this

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service, a customer must be signed up with the

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Seattle Public Utilities for a minimum of twelve

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(12) months' service and place his or her

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yardwaste at the curbside/alley for collection on

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the scheduled date. The maximum allowed to any

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customer is five (5) bundles of yardwaste per

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week per subscription.

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9. Providing, Exchanging and Replacing

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Containers. A charge to customers on curb-

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side/alley service for (a) providing, exchanging or

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replacing micro-cans, (b) exchanging or replacing

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collector-supplied containers for larger containers;

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or (c) replacing lost, stolen or damaged

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collector-supplied containers in accordance with

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written policy promulgated by the Director of the

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Seattle Public Utilities, as follows:

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Micro-can

\$ 6.00

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|                    |       |
|--------------------|-------|
| Mini-can container | 10.00 |
|--------------------|-------|

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32-gallon container

12.25

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|                     |       |
|---------------------|-------|
| 60-gallon container | 30.00 |
|---------------------|-------|

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90-gallon container

40.00

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In order to encourage proper subscription levels

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during the initiation of the extra bundle program,

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this charge will not apply to collector-supplied

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containers until April 1, 1996. The charge for

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micro-cans will be applied regardless of the

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reason for, or the timing of, delivery.

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10. New/Changed Account. A charge of

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Ten Dollars and Seventy-five Cents (\$10.75) for

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the establishment of a new account or for each

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change in an existing account. This charge shall

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apply when the owner or property manager of any

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single-family residence or multifamily structure

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(duplex, triplex, four-plex, or structure with five

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(5) or more units) establishes a new account or

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requests any change in his/her account requiring a

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change in account number or customer number.

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The new/changed account charge is not applicable

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to customers qualified for Low Income Rate

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Assistance.

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11. Physical Disability Exemption. An

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exemption will be provided to qualified residents

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to allow for backyard collection at curbside rates

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when the resident is physically unable to take his

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or her garbage and rubbish containers to the curb.

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Qualifying criteria shall include, but are not

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limited to, the resident's physical condition,

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qualification for backyard service in other City

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programs, a physician's recommendation, the

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presence of other physically capable persons in

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the household, special topography and other

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unique property conditions, taking into account

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the contractors' ability to provide different com-

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binations of container sizes to make curbside

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pickup feasible.

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B. The City shall calculate the charge for each

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multifamily dwelling unit within apartment

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houses and apartment hotels and for each resident

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within boarding, rooming, fraternity, sorority and

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group student houses for two (2) times a week

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service, billed directly to the owner or agent for

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the entire building, by doubling the applicable one

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(1) container and multifamily rates in subsection

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A4 of this section and reducing this calculated

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amount by Three Dollars and Sixty-five Cents

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(\$3.65) per unit to adjust for billing, collection,

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hazardous waste, and litter cleanup costs that

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occur only once a month.

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C. All Single-Family and Multifamily Cus-

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tomers Requesting and Receiving Special,

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Nonroutine Collection Service for Garbage,

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Yardwaste, or Recyclable Materials. A per-pickup

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charge of Twenty-three Dollars and Ninety Cents

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(\$23.90) for first container collected plus One

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Dollar and Eighty Cents (\$1.80) for each

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additional container.

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The following charges shall apply to detachable

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container customers requesting special col-

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lections:

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Uncompacted

Compacted

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**Service Unit**

**Service**

**Service**

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$\frac{3}{4}$  cubic yards

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|                  |          |          |
|------------------|----------|----------|
| -First container | \$ 42.90 | \$ 58.25 |
|------------------|----------|----------|

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-Each Additional

21.35

36.70

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1 cubic yard

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|                  |       |       |
|------------------|-------|-------|
| -First container | 44.15 | 64.60 |
|------------------|-------|-------|

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-Each additional

22.65

43.10

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1½ cubic yards

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|                  |       |       |
|------------------|-------|-------|
| -First container | 52.55 | 83.15 |
|------------------|-------|-------|

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-Each additional

31.05

61.70

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2 cubic yards

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|                  |       |        |
|------------------|-------|--------|
| -First container | 60.90 | 101.80 |
|------------------|-------|--------|

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-Each additional                      39.40                      80.30

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3 cubic yards

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|                  |       |        |
|------------------|-------|--------|
| -First container | 77.70 | 139.00 |
|------------------|-------|--------|

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-Each additional

56.20

117.50

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4 cubic yards

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|                  |       |        |
|------------------|-------|--------|
| -First container | 94.45 | 176.20 |
|------------------|-------|--------|

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-Each additional

73.00

154.75

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6 cubic yards

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|                  |        |        |
|------------------|--------|--------|
| -First container | 122.20 | 244.80 |
|------------------|--------|--------|

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-Each additional

100.65

223.30

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8 cubic yards

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|                  |        |        |
|------------------|--------|--------|
| -First container | 149.85 | 313.40 |
|------------------|--------|--------|

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-Each additional                      128.35                      291.85

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10 cubic yards

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|                  |        |        |
|------------------|--------|--------|
| -First container | 189.25 | 393.65 |
|------------------|--------|--------|

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-Each additional

167.75

372.15

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D. The charges imposed by subsections A1

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through A5 of this section inclusive shall not

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apply to dwelling units which elect to use detach-

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(Seattle 3-98)

able containers supplied either by the City's con-

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21.40.050

UTILITIES

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tractor or by the customer for the storage of gar-

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bage and rubbish. Application for detachable

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container service for a minimum period of six (6)

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(Seattle 3-98)

months shall be made to the Director of Seattle

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(Seattle 3-98)

Public Utilities on forms supplied by him/her, and

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21.40.050

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collection of garbage and rubbish from such

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(Seattle 3-98)

premises shall be made at such frequency as is

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necessary as determined by the Director of Seattle

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Public Utilities, but in no event less than once

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each week. The monthly charges for detachable

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UTILITIES

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container service for the container and frequency

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selected shall be in accordance with the rates set

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forth in Section 21.40.060.

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E. The Director of Seattle Public Utilities may

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UTILITIES

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adjust the service level to a single-family

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residence to match the garbage and rubbish actu-

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ally collected from the premises, or, for multi-

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family structures, to match the amount of garbage

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and rubbish reasonably anticipated from the

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dwelling units on the premises.

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(Ord. 118396 § 160, 1996; Ord. 117813 § 1, 1995;

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Ord. 117184 § 1, 1994: Ord. 116754 § 1, 1993:

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Ord. 116725 § 1, 1993: Ord. 116187 § 2, 1992:

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Ord. 115231 § 3, 1990; Ord. 114205 § 9, 1988:

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Ord. 113533 § 2, 1987: Ord. 113374 § 1, 1987:

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Ord. 112942 § 3, 1986: Ord. 111661 § 1, 1984:

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Ord. 110448 § 1, 1982: Ord. 109130 § 1, 1980:

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Ord. 109022 § 1, 1980: Ord. 106017 § 1, 1976:

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Ord. 105544 § 1, 1976: Ord. 103458 § 1, 1974:

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Ord. 98130 § 1, 1969: Ord. 96301 § 1, 1967:

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Ord. 94711 § 1, 1966: Ord. 94022 § 1, 1965: Ord.

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91048 § 1, 1962: Ord. 90379 § 4, 1961.)

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**21.40.060 Detachable container rates.**

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21.40.060

UTILITIES

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(Seattle 3-98)

A. Uncompacted Rates. Effective September

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(Seattle 3-98)

1, 1994 there is imposed upon residential premis-

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21.40.060

UTILITIES

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(Seattle 3-98)

es that use detachable containers without me-

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(Seattle 3-98)

chanical compactors a monthly charge for garbage

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21.40.060

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(Seattle 3-98)

and rubbish collection and disposal service in

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21.40.060

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accordance with the following formula:

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.060

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(Seattle 3-98)

$(\$6.65 + cn + f (\$13.25 + \$20.70n + \$36.95ns) +$

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21.40.060

UTILITIES

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(Seattle 3-98)

\$.60d) where:

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21.40.060

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c = capital cost per container/60 months;

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n = number of containers served;

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f = number of pickups per week;

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s = size of container in cubic yards; and

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d = number of dwelling units

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The capital cost per container/sixty (60) months

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for various container sizes is as follows:

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21.40.060

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<sup>3</sup>/<sub>4</sub> cubic yard..... \$ 4.95

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1 cubic yard ..... 4.95

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1½ cubic yards ..... 5.50

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2 cubic yards..... 6.10

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3 cubic yards..... 7.55

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4 cubic yards..... 9.20

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6 cubic yards..... 11.05

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8 cubic yards..... 15.20

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10 cubic yards..... 43.90

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(Seattle 3-98)

B. Compacted Rates. Effective September 1,

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21.40.060

UTILITIES

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1994, there is imposed upon residential premises

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that use detachable containers with compactors a

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monthly charge for garbage and rubbish collection

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and disposal service in accordance with the

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following formula:

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21.40.060

UTILITIES

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$\$6.65 + cn + f (\$13.25 + \$20.70n + \$90.10ns) +$

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SOLID WASTE COLLECTION RATES AND CHARGES

21.40.060

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\$.60d), where:

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c = capital cost per container/60 months;

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n = number of containers served;

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f = number of pickups per week; and

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s = size of container in cubic yards; and

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d = number of dwelling units.

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The capital cost per container/sixty (60) months

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for various container sizes is as follows:

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$\frac{3}{4}$  cubic yard..... \$ 4.95

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1 cubic yard ..... 4.95

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1½ cubic yards ..... 5.50

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2 cubic yards ..... 6.10

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3 cubic yards ..... 7.55

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4 cubic yards ..... 9.20

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6 cubic yards ..... 11.05

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8 cubic yards ..... 15.20

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10 cubic yards ..... 43.90

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C. Recycling Setup Fee. There is assessed on

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all accounts of residential structures of five (5)

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units or more, who opt for City-provided recycling

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collection services, except those customers

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selecting recycling collection services from Nuts

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and Bolts Recycling and West Seattle Recycling,

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a setup fee according to the following schedule:

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1. Uncompacted Dumpster Accounts.

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| <b>Weekly Collection Service</b> | <b>Fee</b> |
|----------------------------------|------------|
|----------------------------------|------------|

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1 cubic yard..... \$ 50.00

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1.5—2 cubic yards ..... 100.00

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3—5 cubic yards ..... 200.00

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6—8 cubic yards ..... 350.00

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9—10 cubic yards..... 500.00

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2. Can Service Accounts will be assessed

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a Fifty Dollar (\$50.00) setup fee.

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3. Compacted Dumpster Accounts will

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be assessed a Five Hundred Dollar (\$500.00)

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setup fee.

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No setup fee will be assessed on three-quarter (

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<sup>3</sup>/<sub>4</sub>) cubic yard per week garbage accounts, and no

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setup fee will be assessed on those accounts which

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are at minimum garbage collection service levels.

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D. Mixed-Use Building. The Director of Seat-

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the Public Utilities will determine the appropriate

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residential collection service level for a mixed-use

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building according to the estimated amount of

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residential garbage or refuse generated and to be

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collected by the City.

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E. Charges for Lockable Containers. Custom-

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ers using detachable containers (compacted or

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noncompacted) may have a lock installed by the

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collection contractors. A fee of Fifty-three Dollars

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and Forty Cents (\$53.40) will be assessed for

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installation of the lock. Additional keys are Three

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Dollars and Sixty Cents (\$3.60) and an extra pad-

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lock is Eight Dollars and Thirty Cents (\$8.30).

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Only customers who own their own containers

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may install their own locks.

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F. Customers who own their own detachable

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containers shall have the factor for the capital cost

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of containers in the formulas in subsections A and

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B of this section omitted in calculating the

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collection charge.

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(Ord. 118396 § 161, 1996; Ord. 117184 § 2, 1994:

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Ord. 116346 § 1, 1992: Ord. 116187 § 3, 1992:

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Ord. 115231 § 3, 1990; Ord. 114205 § 10, 1988:

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Ord. 113374 § 2, 1987; Ord. 112942 § 4, 1986:

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Ord. 112687 § 1, 1986; Ord. 111661 § 2, 1984:

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21.40.060

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Ord. 110440 § 2, 1982: Ord. 109130 § 1.1, 1980:

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Ord. 109022 § 1.1, 1980: Ord. 106017 § 2, 1976:

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Ord. 105544 § 2, 1976: Ord. 103458 § 2, 1974:

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Ord. 98130 § 2, 1969: Ord. 96301 § 2, 1967: Ord.

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90379 § 4.1, 1961.)

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**21.40.080** Transfer station and disposal site

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**rates.**

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A. Basic Rates. The following rates are estab-

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lished for the use of the City's transfer stations.

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**Passenger Vehicle and**

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21.40.060

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**Commercial Rate Schedules**

**Rate**

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1. Any vehicle that only delivers

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contaminant-free, clean recyclables

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to the transfer station

No charge

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2. Passenger vehicles

\$ 8.50

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3. Minimum charge for passenger

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vehicles with trailers and all other non-

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passenger vehicles (trucks, motor homes,

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travel-alls, commercial vehicles, etc.)

\$15.50

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4. Refuse deposited at transfer stations

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from passenger vehicles with trailers and

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all other nonpassenger vehicles (trucks,

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motor homes, travel-alls, commercial

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vehicles, etc.)

\$93.65

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(Seattle 3-98)

per ton

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5. Passenger vehicle delivering only

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clean yardwaste

\$ 6.50

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6. Minimum charge for passenger

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vehicles with trailers and all other

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the Office of the City Clerk**

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nonpassenger vehicles (trucks, motor

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homes, travel-alls, commercial vehicles,

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etc.) delivering only clean yardwaste

\$10.75

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7. Passenger vehicles with trailers

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and all other nonpassenger vehicles

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(trucks, motor homes, travel-alls,

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commercial vehicles, etc.) delivering

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only clean yardwaste

\$68.70

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per ton

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8. Passenger vehicles delivering

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only clean wood waste

\$ 4.50

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9. Minimum charge for passenger

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vehicles with trailers and nonpassen-

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ger vehicles delivering only clean

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|            |         |
|------------|---------|
| wood waste | \$ 6.25 |
|------------|---------|

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10. Passenger vehicles with trailers

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and nonpassenger vehicles delivering

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only clean wood waste \$48.05

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per ton

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11. Passenger vehicle tires

\$ 7.75 per load;

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maximum of

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four (4) tires

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per

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load

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12. Passenger and other noncommercial

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vehicles delivering only household

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hazardous waste

No charge

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13. White goods, Seattle residents only

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Passenger vehicles with trailers and all

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21.40.060

UTILITIES

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other nonpassenger vehicles (trucks,

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.060

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motor homes, travel-alls, commercial

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21.40.060

UTILITIES

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vehicles, etc.) delivering a combination

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of refuse and white goods

\$93.65 per ton

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21.40.060

UTILITIES

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plus \$5.40 per

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unit; a maxi-

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UTILITIES

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num of two (2)

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white goods per

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UTILITIES

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load

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21.40.080 UTILITIES

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14. White goods, Seattle residents only

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.080

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Vehicles delivering white goods only \$15.25 per unit;

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21.40.080 UTILITIES

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a maximum of

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SOLID WASTE COLLECTION RATES AND CHARGES

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two (2) white

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goods per load

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B. Collection of Charges. It shall be the duty

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SOLID WASTE COLLECTION RATES AND CHARGES

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of the Director of Engineering, or his/her autho-

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rized agent, to issue and sell tickets at the City's

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transfer stations for the privilege of such disposal;

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provided, that such disposal charges shall not

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21.40.080

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apply to the disposal of earth or other material

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suitable for road construction when disposal of

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same has been approved by the Director of Engi-

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neering or his/her authorized agent.

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SOLID WASTE COLLECTION RATES AND CHARGES 21.40.080

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C. State Tax Collection and Refund. The

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Director of Engineering, or his/her authorized

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agent, has the authority to collect taxes due as

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required by state law and to make refunds to any

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person entitled thereto under state law and RCW

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43.155.050.

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D. Charitable Organizations Reusing Goods.

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21.40.080 UTILITIES

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Effective September 1, 1994, a charitable orga-

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nization qualified by the Director of Engineering

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or his/her authorized agent, in accordance with

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SOLID WASTE COLLECTION RATES AND CHARGES

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Seattle Municipal Code Section 21.40.080 E, shall

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21.40.080 UTILITIES

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be charged at the rate of Forty-six Dollars and

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SOLID WASTE COLLECTION RATES AND CHARGES

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Seventy Cents (\$46.70) per ton for the disposal on

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an ongoing basis, rather than on an occasional or

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incidental basis, of refuse generated within Seattle

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only, that is deposited at a transfer station. This

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SOLID WASTE COLLECTION RATES AND CHARGES

21.40.080

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rate shall increase each April 1st during the rate

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period to coincide with the fee paid to Washington

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Waste Systems at the Columbia Ridge Landfill or

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its successor facility.

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The City shall continue to accept white goods

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from charitable organizations qualified by the

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Director of Engineering in a number equal to the

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number of white goods delivered to the City

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recycling and disposal stations by the qualified

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charitable organization in 1991, subject to the

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21.40.080

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conditions set forth in subsection D of Section

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21.36.087. Upon exceeding this number, qualified

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charitable organizations may be charged at a

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per-unit rate equal to that established by contract

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between the City and its selected vendor for CFC

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(chlorofluorocarbon) recovery.

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A charitable organization shall be qualified for

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the rate established in Seattle Municipal Code

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Section 21.40.080 if found by the Director of

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Engineering, after application by such organiza-

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tion to the Director, to:

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1. Be a credit customer of the Solid

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Waste Utility;

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2. Be a nonprofit charitable organization

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recognized as such by the Internal Revenue Ser-

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vice; and

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3. Be engaged, as a primary form of its

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doing business, in processing abandoned goods

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for resale or reuse.

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E. Interest on Delinquent Accounts. Interest

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shall accrue on delinquent charges of credit cus-

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tomers at the City's transfer stations at the legal

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21.40.080

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rate established by RCW 19.52.010.

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F. Requirements for Special Reduced Fees for

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Dumping. Under certain conditions, the Solid

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Waste Utility will offer reduced-fee dumping at

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the transfer stations. An organization may be

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qualified for a one (1) time reduced-fee rate for a

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special event if found, after written application to

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the Director of the Solid Waste Utility to:

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1. Be the only such request from the

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organization for the calendar year;

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2. Support the City's goals for cleaner

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neighborhoods and environments;

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3. Not to be supplanting any current or

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existing agency responsibilities or activities;

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4. Have presented in the letter requesting

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reduced fee evidence that the event is a City

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program, or sponsored by a City Department.

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The fee to organizations meeting such

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criteria shall be at the discretion of the Director of

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the Utility.

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G. Waiver of Residential Disposal Rates

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Under Certain Circumstances. The Director of the

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Utility has discretion to waive disposal rates for

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City residents for yardwaste or refuse for up to

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sixty (60) days at a time when the Director

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determines that unique or emergency situations,

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such as transitions in collection service, incidents

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of arson, windstorms, etc., make it prudent to

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encourage self-haul of refuse or yardwaste to the

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transfer stations by waiving the disposal fee for a

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limited period.

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(Ord. 117813 § 2, 1995; Ord. 117184 § 3, 1994:

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Ord. 116426 § 1, 1992: Ord. 116250 §§ 3, 4,

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1992; Ord. 116187 § 4, 1992: Ord. 115926 § 1,

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1991; Ord. 115231 § 4, 1990; Ord. 114205 § 11,

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1988: Ord. 113882 § 2, 1988; Ord. 113374 § 3,

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1987: Ord. 113163 § 1, 1986: Ord. 112942 § 5,

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1986: Ord. 111662 § 2, 1984: Ord. 110399 § 1,

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1982: Ord. 109130 § 2, 1980: Ord. 109022 § 2,

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1980: Ord. 106017 § 3, 1976: Ord. 105544 § 3,

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1976: Ord. 103458 § 3, 1974: Ord. 99122 § 1,

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1970: Ord. 98130 § 3, 1969: Ord. 94711 § 2,

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1966: Ord. 94022 § 2, 1965: Ord. 90379 § 5,

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1961.)

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**21.40.085 Commercial railyard rate.**

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A. Nonresidential solid waste generated within

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the City and directed by the City to the Argo Yard

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or its successor facility for transport and disposal

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shall be charged Sixty-two Dollars and Twenty

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Cents (\$62.20) per ton with a minimum charge of

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One Thousand Five Hundred Fifty-five Dollars

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(\$1,555.00).

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B. A hauler depositing waste at the Argo Yard

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or its successor receiving facility shall be subject

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to an hourly shipping container rental charge if

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any shipping container supplied for transport and

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disposal of waste is detained by the hauler more

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than twenty-four (24) hours. The charge shall be

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One Dollar and Fifty Cents (\$1.50) for each hour

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and for each container detained beyond

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twenty-four (24) hours. The Director of Seattle

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Public Utilities will provide exemptions from this

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charge consistent with the City's operating agree-

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ment with Washington Waste Systems, Incorpo-

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rated.

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C. In the event the receiving facility turn-

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around time experienced by all trucks hauling

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waste to the Argo Yard or its successor receiving

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facility averages more than twenty (20) minutes in

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a calendar month, a hauler shall be entitled to

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receive a portion of any liquidated damage paid to

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the City by Washington Waste Systems as a result

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of this excessive turnaround time. The total

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liquidated damage for any calendar month will be

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equal to One Dollar and Twenty-five Cents

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(\$1.25) for each minute exceeding twenty (20)

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minutes multiplied by the total number of con-

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ainers deposited at the receiving facility during

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the month. A hauler shall receive a portion of this

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liquidated damage equal to the total liquidated

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damage multiplied by the hauler's share of

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containers deposited at the receiving facility

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during the calendar month for which the liquidat-

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ed damage applies.

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D. A hauler who deposits waste at the Argo

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Yard or its successor receiving facility shall be

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subject to payment of any cost incurred for the

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separation and proper disposal of any hazardous

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or unacceptable waste found in the deposited

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waste.

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(Ord. 118396 § 162, 1996: Ord. 117184 § 4, 1994:

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Ord. 116188 § 2, 1992; Ord. 115475 § 1, 1990.)

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**21.40.090 Authority to make rules and**

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**regulations.**

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To carry out the provisions of this chapter, the

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Director of Seattle Public Utilities is authorized to

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make, modify and enforce regulations for all

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operations at garbage and rubbish disposal sites,

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which regulations shall designate what material

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may be disposed of at particular disposal sites,

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may establish and provide for the collection of

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reasonable fees for special services rendered to

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persons requesting the same at such disposal sites.

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(Ord. 118396 § 163, 1996: Ord. 94711 § 3, 1966:

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Ord. 90379 § 6, 1961.)

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**21.40.100 Exemption for governmental**

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**agencies owning disposal site.**

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The charge imposed by Section 21.40.090 shall

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not apply to any governmental agency owning in

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whole or in part the property upon which the

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disposal site is located.

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(Ord. 90379 § 7, 1961.)

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**21.40.110**Preparation and placement of

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**garbage.**

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All garbage and rubbish shall be prepared and

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placed for collection as required by ordinance.

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Failure to meet such requirements may result in

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discontinuation of collection service, but not of

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the charges therefor.

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(Ord. 90379 § 8, 1961.)

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**21.40.120 Payment of charges—Delinquency**

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and lien.

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A. Garbage and rubbish collection charges

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imposed by this chapter shall be payable up to

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three (3) months in advance at the office of the

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City Finance Director and at the same time that

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water utility charges are due and payable with

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respect to residences or other dwelling units con-

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temporarily served, and partial payment on

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any bill will first be credited to amounts due for

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garbage and rubbish collection services and the

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balance to outstanding charges for water services.

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The charges imposed under Sections 21.40.050,

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21.40.060, and 21.40.080 shall apply to all resi-

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dences and other dwelling units, whether occupied

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or not; provided, however, that where no portion

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of the premises is being used and occupied as a

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dwelling place the owner or agent responsible

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therefor may apply to the Director of Seattle

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Public Utilities for an adjustment to garbage and

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rubbish collection charges. In such connection the

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SOLID WASTE COLLECTION RATES AND CHARGES

21.40.080

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Director of Seattle Public Utilities may from time

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to time reduce the liability for such charges upon

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request therefor whenever he or she is satisfied

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that the premises are not being used and occupied

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as a dwelling place. Garbage and rubbish

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collection charges shall be computed and billed

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from time to time by the Director of Seattle Public

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Utilities as a separate charge on the water bill for

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residences or dwelling units served, and the

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Director of Seattle Public Utilities establishes

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common billing practices and procedures to the

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extent permitted by law.

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B. Garbage and rubbish collection charges

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shall be against the premises served and when

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such charges have not been paid within ninety

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(90) days after billing, they shall be delinquent

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and constitute a lien against the residence or

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dwelling units served. Notice of the City's lien

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specifying the amount due, the period covered and

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giving the legal description of the premises sought

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to be charged may be filed with the County

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Auditor within the time required and may be

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foreclosed in the manner and within the time

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prescribed for liens for labor and material as

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authorized by RCW 35.21.140.

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(Ord. 118396 § 164, 1996: Ord. 116368 § 289,

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1992; Ord. 111818 § 1, 1984; Ord. 111661 § 3,

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1984; Ord. 94711 § 4, 1966: Ord. 90379 § 9,

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1961.)

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**21.40.130 Solid Waste Fund—Purchase of**

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**recyclable solid waste.**

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A. The solid waste functions authorized by

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this chapter shall be operated by the Seattle Public

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Utilities, and the Garbage Collection and Disposal

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Fund in the City Treasury is renamed the Solid

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Waste Fund. All revenues from the garbage and

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rubbish collection and disposal charges set forth in

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this chapter, the use of disposal sites, and from the

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sale of recyclable solid waste shall be credited to

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the fund; all expenses for the operation of the

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collection system, operation and maintenance of

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the disposal sites, operation and maintenance of

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recyclable solid waste purchase accounts, and

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transportation expense, servicing of bonds, cost of

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operation and maintenance of the disposal system

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as constructed or added to, and to maintain the

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solid waste functions of the Seattle Public Utilities

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in sound financial condition, shall be charged to

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the fund in the manner and to the extent provided

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by ordinance, including the cost of billing and col-

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lection and all interdepartmental charges for

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service rendered by other City departments to the

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utility.

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B. The Seattle Public Utilities is authorized to

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purchase at the City's solid waste disposal

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facilities, recyclable solid waste at a price which

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shall be equal to the gross revenue received from

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the sale by the City of such recyclable solid waste,

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less costs of handling, accounting, and

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transportation. Such purchase price shall be com-

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puted and paid quarterly as to recyclable solid

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waste purchased and sold by the City in the

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preceding quarterly period.

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(Ord. 118396 § 165, 1996; Ord. 104455 § 1, 1975:

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Ord. 99322 § 1, 1970: Ord. 90379 § 11, 1961.)

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**Chapter 21.43**

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## **INFECTIOUS WASTE MANAGEMENT**

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**21.43.010 Definitions.**

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**21.43.020 Authority—Administration,**

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**inspection and enforcement.**

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**21.43.030 Infectious waste management**

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**plan.**

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**21.43.040 Storage and containment of**

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**infectious waste.**

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**21.43.050 Infectious waste treatment.**

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**21.43.060**Transfer of infectious waste.

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**21.43.070 Infectious waste transport.**

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**21.43.090 Violation—Penalty.**

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A. "City" means The City of Seattle.

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B. "Disposal site" means the areas or facilities

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where any final treatment, utilization, processing

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or deposition of solid waste occurs.

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C. "Health Officer" means the Director of the

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Seattle-King County Department of Public Health

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or his/her designated representative.

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D. "Infection control staff/committee" means

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those individuals designated by an infectious

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waste generator or an infectious waste stor-

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age/treatment operator whose responsibility in-

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cludes but is not limited to developing and main-

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taining the infectious waste generator's or infec-

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tious waste storage/treatment operator's infectious

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waste management plan.

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E. "Infectious waste" means and includes

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solid waste which is:

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1. Cultures and stocks of etiologic agents

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and associated biologicals, including, without

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limitations, specimen cultures, cultures and stocks

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of etiologic agents, wastes from production of

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biologicals and serums, and discarded live and

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attenuated vaccines;

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2. Laboratory waste which has come into

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contact with cultures and stocks of etiologic

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agents or blood specimens. Such waste includes

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but is not limited to culture dishes, blood speci-

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men tubes, devices used to transfer, inoculate and

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mix cultures, paper and cloth which has come into

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contact with cultures and stocks of etiologic

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agents;

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3. Sharps, which means medical and

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laboratory equipment generated by an infectious

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waste generator that may cause punctures or cuts.

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Such waste includes, but is not limited to, needles,

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syringes, lancets, scalpel blades, contaminated

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broken or sharp laboratory glassware including

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slides, coverslips, and pasteur pipettes;

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4. Pathological waste, which means all

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human tissues and anatomical parts which ema-

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nate from surgery, obstetrical procedures, autopsy,

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and the laboratory;

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5. Human blood and blood products,

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including but not limited to serum and plasma, in

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fluid form exceeding fifty (50) milliliters per

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container;

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6. Wastes that have come into contact

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with human body substances infected with an-

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thrax, smallpox, rabies, plague and viral hemor-

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rhagic fevers such as lassa fever and

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Ebole-Marburg virus disease;

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7. As determined by and solely at the

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discretion of the infectious waste generator's

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infection control staff/committee, wastes that have

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come into contact with human body substances or

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other sources which may contain pathogenic

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microbial agents or other biologically active

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materials in sufficient concentrations that

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exposure to the waste directly or indirectly creates

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a significant risk of disease;

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8. Animal carcasses exposed to patho-

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gens in research, their bedding, and other waste

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from such animals.

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F. "Infectious waste collection/transportation

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vehicle” means a collection/transportation vehicle

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used for the collection and transportation of

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infectious waste over the highways.

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G. "Infectious waste generator" means any

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producer of infectious waste, to include without

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limitation the following categories: General acute

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care hospitals, skilled nursing facility or conva-

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lescent hospitals, intermediate care facilities,

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inpatient care facilities for the developmentally

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disabled, chronic dialysis clinics, community

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clinics, health maintenance organizations, surgical

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clinics, urgent care clinics, acute psychiatric

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hospitals, laboratories, medical buildings,

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physicians' offices and clinics, veterinary offices

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and clinics, dental offices and clinics, funeral

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homes, or other similar facilities. Home generated

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syringe wastes are excluded from this category if

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the containment and disposal requirements

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specified in Section 21.43.040 K4 are followed.

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