

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.

1. Effective December 31, 1999, the wastewater volume rate shall be Four Dollars and Thirty-two Cents (\$4.32) per CCF for all premises except master-metered premises within an eligible project (as defined in Seattle Municipal Code Section 21.04.280) that has received funding from Seattle Public Utilities for sewer improvements. Effective January 1, 2001 the wastewater volume rate shall be Four Dollars and Forty-nine Cents (\$4.49) per CCF for all premises except master-metered premises within an eligible project (as defined in Seattle Municipal Code Section 21.04.280) that has received funding from Seattle Public Utilities for sewer improvements. Effective January 1, 2002, the wastewater volume rate shall be Four Dollars and Fifty-seven Cents (\$4.57) per CCF for all premises except master-metered premises within an eligible project (as defined by Seattle Municipal Code Section 21.04.280) that has received funding from

Seattle Public Utilities for sewer improvements. Effective December 31, 1999, the wastewater volume rate shall be Seven Dollars and Sixty-six Cents (\$7.66) per CCF for premises that are master-metered for water and located within an eligible project (as defined by Seattle Municipal Code Section 21.04.280) that has received funding from Seattle Public Utilities for public infrastructure (as defined by Seattle Municipal Code Section 21.04.280) for sewer purposes. Effective January 1, 2001, the wastewater volume rate shall be Seven Dollars and Eighty-three Cents (\$7.83) per CCF for premises that are master-metered for water and located within an eligible project (as defined by Seattle Municipal Code Section 21.04.280) that has received funding from Seattle Public Utilities for public infrastructure improvements (as defined by Seattle Municipal Code Section 21.04.280) for sewer purposes. Effective January 1, 2002 the wastewater volume rate shall be Seven Dollars and Ninety-one Cents (\$7.91)¹ per CCF for premises that are master-metered for water and located within an eligible project (as defined by Seattle Municipal Code Section 21.04.280) that has received funding from Seattle Public Utilities for public infrastructure (as defined by Seattle Municipal Code Section 21.04.280) for sewer purposes.

2. Beginning on the effective date of the franchise fee imposed by the City of Shoreline on The City of Seattle's operation of its sewer system in the City of Shoreline, premises within the City of Shoreline will be charged a City of Shoreline franchise charge of Two Dollars and Thirty-one Cents (\$2.31) per month.

(Ord. 120176 § 1, 2000; Ord. 119768 § 1, 1999; Ord. 119268 § 2, 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.)

1. Editor's Note: Ordinance 120176, amending SMC Section 21.28.040 B1 says "The wastewater rate shall be Eight Dollars (\$7.91)" but \$7.91 is the rate intended by the Department and is the rate more favorable to the ratepayers.

(Seattle 3-01)

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.

(Ord. 118396 § 128, 1996; Ord. 118176 § 2(part), 1996; Ord. 116393 § 2, 1992; Ord. 115955 § 1, 1991; Ord. 115424 § 1, 1990; Ord.

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Seattle Municipal Code
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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 (11) percent for industrial laundries and three (3) percent 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.

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(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 (30) percent of the waste-water 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 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.)

21.28.200 UTILITIES

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 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 (8) percent per year, or such rate as may hereafter be authorized by state law, computed on a monthly basis. Interest shall be added to all wastewater charges that remain unpaid thirty (30) days or more from their billing date and shall continue until such charges are 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 3-99)

(Ord. 119268 § 3, 1998: 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. If the applicable fund is solvent at the time payment is ordered, the Director may elect to make payment by check. (Ord. 120114 § 44, 2000: 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.**
- 21.32.120 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.)

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21.32.010 UTILITIES

21.32.030Retroactivity.

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

(Ord. 90181 § 7.08.030, 1961.)

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

21.32.040Designers certificate.

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

B. The fee for a sewage disposal system designers certificate of competency shall be Three Dollars (\$3) per year.

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

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

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

(Ord. 90181 § 7.08.040, 1961.)

21.32.050Installers certificate.

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

B. The fee for a sewage disposal system installers certificate of competency shall be Ten Dollars (\$10) per year.

C. Application for a sewage disposal system installers certificate of competency shall be made to the Director of Public Health, who may exam-

ine 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 installer certificate of competency if, after hearing, he shall find incompetence, negligence, misrepresentation, or failure to comply with this chapter or the rules and regulations of the Director of Public Health adopted pursuant to this chapter.

E. Sewage disposal system installers certificates of competency shall expire December 31st of each year.
(Ord. 90181 § 7.08.050, 1961.)

21.32.060 Permits.

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) for such system serving a single-family residence, or Fifty Dollars (\$50) 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.)

21.32.070 Required connection to private sewage disposal system.

Every plumbing fixture and every sanitary drainage system not connected to a public sewer, or not required by law to be connected to a public sewer, shall be connected to a private sewage disposal system.

(Ord. 90181 § 7.08.070, 1961.)

21.32.080 Location.

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

(Ord. 90181 § 7.08.080, 1961.)

21.32.090 Design.

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

21.28.040

UTILITIES

Seattle Municipal Code
April, 2001 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 12-00)

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21-54.12

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

21.32.130 UTILITIES

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.

(Seattle 3-90)

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

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

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

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

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

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

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

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

K. "Property owner of record" shall be the

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

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

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

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

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

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

Q. "Utility" means Seattle Public Utilities. (Ord. 118396 § 136, 1996; Ord. 114155 § 2, 1988.)

21.33.020 Charge system established—Charges imposed.

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

21.33.030 Drainage service charges—Schedule—Exemptions.

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

1. Houseboats and piers;

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21.33.030 UTILITIES

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

3. City streets;

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

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

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

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

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

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

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

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

	Effective Jan. 1, 1999	Effective Jan. 1, 2001
Single-family Residential	\$ 72.62 per parcel	\$99.00 per parcel
Open Space (0 — 2%)	68.00 per acre	92.70 per acre
All Other Properties Classification:		
1. (0 — 15%)	\$115.92 per acre	\$158.03 per acre
2. (16 — 35%)	195.82 per acre	266.95 per acre
3. (36 — 65%)	355.62 per acre	484.79 per acre
4. (66 — 85%)	462.14 per acre	630.01 per acre
5. (86 — 100%)	568.66 per acre	775.23 per acre

E. Each bill shall be rounded up to the nearest even number of cents. The minimum annual drainage service charge shall be Five Dollars (\$5) per parcel.

(Ord. 120177 § 1, 2000; Ord. 119268 § 1, 1998; Ord. 118803 § 1, 1997; Ord. 118380 § 1, 1996; Ord. 117391 § 2, 1994; Ord. 116393 § 4, 1992; Ord. 115376 § 1, 1990; Ord. 114898 § 2, 1989; Ord. 114782 § 2, 1989; Ord. 114155 § 3, 1988.)

21.33.050 Drainage service charges—Adjustments.

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

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

1. The area of the parcel is incorrect;

(Seattle 3-01)

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

3. The parcel meets the definition of exempted property;

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

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

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

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

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

(Ord. 114155 § 5, 1988.)

21.33.060 Billing included on property tax statements.

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

(Ord. 114155 § 6, 1988.)

21.33.070 Billing and collection procedures.

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

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**Seattle Municipal Code
April, 2001 code update file
Text provided for historic reference only.**

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

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

B. The drainage service charge shall be displayed and billed on the annual King County

April, 2018 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.

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21.33.030

UTILITIES

Seattle Municipal Code

April, 2001 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 3-01)

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the Office of the City Clerk

21-58.2

Seattle Municipal Code
April, 2001 code update
Text provided for historical reference only.

See ordinances creating sections for complete and tables and to consult this source file.

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

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

D. The total amount of the drainage service charge shall be due and payable on or before the thirtieth day of April and shall be delinquent after that date; however, if one-half ($\frac{1}{2}$) of such drainage service charge is paid on or before the thirtieth day of April, the remainder shall be due and payable on or before the thirty-first day of October and shall be delinquent after that date.

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

21.33.080 Drainage and Wastewater Fund.

The existing Sewer Fund is hereby renamed the Drainage and Wastewater Fund, and is to be used in the operation of the drainage and wastewater functions of the Seattle Public Utilities. Changing the name of the fund to the Drainage and Wastewater Fund shall not in any way impair any obligations of the City where reference to the "Sewer Fund" may have been made.

(Ord. 118396 § 137, 1996; Ord. 114155 § 8, 1988.)

21.33.090 Revenue disposition and expenditure conditions.

All moneys obtained pursuant to this chapter shall be credited and deposited in the Drainage and Wastewater Fund. Moneys deposited in the Drainage and Wastewater Fund from drainage service charges shall be expended for administering, operating, maintaining, or improving the drainage and wastewater system, including all or any part of the cost of planning, designing, acquiring, constructing, repairing, replacing, improving, regulating, educating the public, or operating present or future drainage and wastewater facilities owned by the Utility, or to pay or secure the payment of all or any portion of any debt issued for such purpose and the related reserve and coverage requirements. Moneys shall not be transferred to any other funds of the City

For current SMC
the Office of the City Clerk

UTILITIES

except to pay for expenses attributable to the system.
(Ord. 114155 § 10, 1988.)

21.33.100 Liability disclaimer.

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

21.33.110 Delinquent payments—Enforcement procedures.

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

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

(Ord. 114155 § 11, 1988.)

Subtitle III Solid Waste¹

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

Chapter 21.36 SOLID WASTE COLLECTION

Sections:

Subchapter I General Provisions

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

Subchapter II Solid Waste Collection

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

Subchapter III Flow-Control Special Provisions

(Seattle 3-01)

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

Subchapter IV Miscellaneous Provisions

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

Subchapter V Litter Control Code

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

Subchapter VI Penalties and Enforcement

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

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

Subchapter I General Provisions

21.36.010 Definitions A — B.

1. “Abandoned landfill” means a solid waste landfill disposal site which was completed prior to the requirement to obtain a closure permit.
2. “Alley” means a public or private way which is intended to provide or which provides a roadway for vehicular and pedestrian access to abutting properties and is generally located to the rear or side of those properties.
3. “A&E Services” means ancillary and elective services associated with collection of commercial solid waste and construction, demolition and landclearing waste.

21.36.012 UTILITIES

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

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

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

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

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

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

10. "Bulky waste" means cartons, boxes, crates, etc., or other MSW materials set out for disposal as overflow to a customer's regular can, cart or detachable collection service.

11. "Bundle" means one (1) box or carton empty or filled with solid waste, one (1) bag filled with solid waste, or bundle of solid waste, securely bundled so that none of the material blows about and so it is not easily broken apart and which is of such size that the longest dimension does not exceed three (3) feet, the volume does not exceed six (6) cubic feet and the total weight does not exceed sixty (60) pounds, and is in good condition for handling at the time of collection. The box, bag, or carton, if present, must be disposable.

12. "Bundle-of-yardwaste" means "yardwaste" defined in Section 21.36.016 that is placed in a container or securely tied so that none of the material blows away or falls out upon lifting and

so that it is not easily broken apart. Its longest dimension may not exceed four (4) feet in length; its diameter may not be over two (2) feet; and its weight may not exceed sixty (60) pounds.

(Ord. 120250 § 1(part), 2001: Ord. 116419 § 2, 1992: Ord. 114723 § 2, 1989: Ord. 114205 § 1(part), 1988: Ord. 113502 § 2(part), 1987: Ord. 112942 § 1(part), 1986: Ord. 112171 § 1(part), 1985: Ord. 96003 § 1(part), 1967.)

21.36.012 Definitions C — E.

1. "Can" means a watertight, galvanized, sheet metal or plastic container not exceeding thirty-two (32) gallons in capacity, fitted with at least one (1) sturdy handle and a tight cover equipped with a handle, except in the case of sunken cans, such can to be rodent and insect proof and to be kept in a sanitary condition at all times. Alternative containers such as bags, boxes and bundles may be used in place of cans for materials in excess of the customer's primary container. A can or alternate container shall not exceed sixty (60) pounds for each thirty-two (32) gallons of nominal capacity.

2. "Can-unit pickup" means a pickup of a group of cans made of durable corrosion-resistant, nonabsorbent material, watertight, with a close-fitting cover and two handles. Size to exceed twenty (20) gallons, but not to exceed thirty-two (32) gallons or four (4) cubic feet.

3. "Cart" (also at times referred to as "toter" or "wheeled container") means a watertight plastic container, not greater than one-half (1/2) cubic yard in capacity and equipped with wheels, handles and a tight-fitting cover. "Wheeled containers" means containers capable of being mechanically unloaded into the contractor's collection vehicles.

4. "City" means The City of Seattle.

5. "City's Waste" means all residential and nonresidential solid waste generated within the City, excluding Unacceptable Waste, Special Waste, Construction, Demolition and Landclearing Waste, and materials destined for recycling. City's Waste includes all such waste, regardless of which private or public entity collects or transports the waste. City's Waste includes all waste remaining after recycling.

6. "Clean wood waste" means and will consist of wood pieces generated as byproducts from manufacturing of wood products, hauling and storing of raw materials, tree limbs greater than

(Seattle 6-01)

four (4) inches in diameter and wood demolition waste (lumber, plywood, etc.) thrown away in the course of remodeling or construction, and waste approved for wood-waste recycling by the Director of the Seattle Public Utilities. It excludes clean yardwaste, treated lumber, wood pieces, or particles containing chemical preservatives, composition roofing, roofing paper, insulation, sheetrock, and glass.

7. "Commercial establishment" means any nonresidential location from which the solid waste is collected by the contractor, and includes the nonresidential portion of mixed use buildings.

8. "Commercial waste" means MSW and CDL collected from commercial establishments within the City.

9. "Compacted material" means material which has been compressed by any mechanical device either before or after it is placed in the receptacle handled by the collector.

10. "Compactor disconnect/reconnect cycle" means the service of disconnecting a compactor from a drop box or container prior to taking it to be dumped and then reconnecting the compactor when the drop box or container is returned to the customer's site.

11. "Compostable waste" means any organic waste materials that are source separated for processing or composting, such as yard waste and food waste.

12. "Composting" means the controlled degradation of organic waste yielding a product for use as a soil conditioner.

13. "Construction, Demolition and Landclearing Waste" or "CDL Waste" means waste comprised primarily of the following materials:

a. Construction waste: waste from building construction such as scraps of wood, concrete, masonry, roofing, siding, structural metal, wire, fiberglass insulation, other building materials, plastics, styrofoam, twine, baling and strapping materials, cans and buckets, and other packaging materials and containers.

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

is likely to produce gases or leachate during its decomposition process and asbestos wastes are not considered to be demolition waste.

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

14. "Container collection" means collection of commercial waste from cans, carts, and detachable containers.

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

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

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

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

21.36.014 UTILITIES

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

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

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

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

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

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

(Ord. 120250 § 1(part), 2001: Ord. 118396 § 138, 1996: Ord. 116412 § 3, 1992: Ord. 115589 § 1, 1991: Ord. 115231 § 1, 1990: Ord. 114723 § 3, 1989: Ord. 114205 § 1(part), 1988: Ord. 113502 § 2(part), 1987: Ord. 112942 § 1(part), 1986: Ord. 112171 § 1(part), 1985: Ord. 96003 § 1(part), 1967.)

21.36.014 Definitions F — P.

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

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

3. "Garbage can" means the same thing as "can." The term shall also apply to containers of similar size and weight when approved by the Director of Seattle Public Utilities.

4. "Garbage container" means either:
a. A garbage can; or

b. A micro-can, mini-can, or thirty-two (32), sixty (60) to sixty-five (65) gallon cart, or ninety (90) to ninety-six (96) gallon cart supplied by the City or collector and approved by the Director of Seattle Public Utilities for use under the solid waste collection contract.

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

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

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

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

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

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

11. "Micro-can" means a twelve (12) gallon container that is supplied by the City, made of galvanized metal or plastic, and meets the approval of the Director of Seattle Public Utilities.

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

13. "Mixed-use building" means a building with both residential and commercial solid waste with common garbage chute(s), and/or the resi-

(Seattle 6-01)

dential and commercial solid waste generated in such building cannot be readily separated.

14. "MSW" means solid waste excluding special wastes, unacceptable wastes, recyclable materials, compostable wastes and CDL.

15. "Overloaded" means a toter or container whose contents exceed one (1) foot above the top of the toter or container.

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

17. "Permanent service" means service provided for a period of more than ninety (90) days.

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

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

20. "Primary collection area" means for each contractor that area of the City within which that contractor has been designated the exclusive provider of commercial MSW collection services, except in special cases where individual customers have requested, and been granted by the City, the right to receive such services by the City's other commercial MSW collection contractor.

21. "Private transfer stations" means the transfer station owned and operated by Waste Management of Seattle at 7155 West Marginal Way S.W., the transfer station owned and operated by Rabanco at 3rd Avenue South and Lander Street, and such other transfer stations or facilities that a private entity may operate at present and in the future for handling the City's waste.

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

23. "Public transfer stations" means the City's South Transfer Station at 2nd Ave. South and South Kenyon, the North Transfer Station at North 34th Street and Carr Place North, and such other transfer stations that the City may operate in the future for handling the City's waste.

(Ord. 120250 § 1(part), 2001: Ord. 119737 § 1, 1999: Ord. 118396 § 139, 1996: Ord. 116419 § 4, 1992: Ord. 115589 § 2, 1991: Ord. 114723 § 4, 1989: Ord. 114205 § 1(part), 1988: Ord. 113502 §

2(part), 1987: Ord. 112942 § 1(part), 1986: Ord. 112171 § 1(part), 1985: Ord. 96003 § 1(part), 1967.)

21.36.016 Definitions R — Z.

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

2. "Recycling" or "recycle" means transforming or remanufacturing waste materials into usable or marketable materials for use other than incineration (including incineration for energy recovery) or other methods of disposal.

3. "Refuse" means either garbage or rubbish or both garbage and rubbish, and includes litter, but excludes yardwaste.

4. "Residence" or "residential" means any house, dwelling, multiunit residence, apartment house, trailer court or any building put to residential use. The term does not include mixed use buildings.

5. "Roll-off collection" means the collection of commercial waste by means of a drop box.

6. "Rubbish" means all discarded nonputrescible waste matter excluding yardwaste.

7. "Scavenging" means removal of material at a disposal site or interim solid waste handling site without the approval of the site owner or operator or of the Health Officer.

8. "Secondary collection area" means for each contractor that area of the City within which the City's other commercial MSW collection contractor is the designated primary MSW collection service provider, and in which the contractor may provide such services only to individual customers who have requested, and been granted by the City, the right to receive such services from the contractor.

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

10. "Small quantity generator hazardous waste" means any discarded liquid, solid, contained gas, or sludge, including any material, substance, product, commodity or waste used or generated by businesses, that exhibits any of the characteristics or criteria of dangerous waste set forth in Chapter 173.303 WAC, but which is exempt from regulation as dangerous waste.

**Seattle Municipal Code
April, 2001 code update file
Text provided for historic reference only.**

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

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

11. "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, yardwaste, ashes, industrial wastes, infectious wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials. This includes all liquid, solid and semisolid materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes, but is not limited to sludge from wastewater treatment plants, seepage from septic tanks, wood waste, dangerous waste, and problem wastes, as well as other materials and substances that may in the future be included in the definition of "solid waste" in RCW 70.95.030. Solid waste does not include recyclable materials (including compostable waste) collected from commercial establishments..

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

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

14. "Special pickup" means a pickup requested by the customer at a time other than the regularly scheduled pickup time, but which does not involve the dispatch of a truck.

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

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

17. "Street side litter collection" means collection of MSW from City-supplied containers located on public right-of-way.

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

19. "Temporary service" means service that is required for a period of ninety (90) days or less in conjunction with containers or drop boxes. Temporary service and its associated rates are not to be used for the first ninety (90) days of service when the customer requests, and the contractor provides, service for more than ninety (90) days.

20. "Toter" means the same as "cart."

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

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

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

(Ord. 120250 § 1(part), 2001: Ord. 118396 § 140, 1996: Ord. 116419 § 5, 1992: Ord. 115589 § 3, 1991: Ord. 115231 § 2, 1990: Ord. 114723 § 5, 1989: Ord. 114205 § 1(part), 1988: Ord. 113502 § 2(part), 1987: Ord. 112942 § 1(part), 1986: Ord. 112171 § 1(part), 1985: Ord. 96003 § 1(part), 1967.)

21.36.017 Title, declarations, and administrative provisions.

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

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

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

21.36.017 UTILITIES

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

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

(Ord. 116419 § 6, 1992.)

21.36.018 Enforcement authority.

A. The Director of Seattle Public Utilities is authorized and directed to supervise and manage the collection and disposal of solid waste under this chapter and to provide, designate, and supervise places for the disposal thereof, and shall with the assistance of the Chief of Police have

(Seattle 6-01)

general charge of supervision over the administration and enforcement of this chapter; provided the Health Officer shall enforce the provisions of Sections 21.36.096 (Waste screening), 21.36.180 (Incineration and energy recovery facilities), and 21.36.185 (Commercial composting facilities). The fire, health, engineering, construction and land use and other appropriate City departments are authorized to assist in enforcing the provisions of this chapter.

B. Upon a determination that in order to promote the public health, safety or welfare and that the successful operation of the system for collection and disposal of solid waste within the City requires such action, the Director of Seattle Public Utilities may direct that anyone, including but not limited to the persons or organizations exempted from the proscription of Section 21.36.030, must deposit solid waste hauled by them at designated disposal sites or interim solid-waste handling sites. The determination by the Director of Seattle Public Utilities shall set forth the reasons therefor, shall be filed with the City Clerk and mailed on the date of filing to all persons and organizations covered by exemptions A through D and F of Section 21.36.030, and shall be published within three (3) days thereafter in the City official newspaper.

C. The Director of Seattle Public Utilities may request that the Chief of Police commission authorized representatives of the Director as nonuniformed special police officers with powers to enforce the provisions of the Solid Waste Code. (Ord. 118396 § 141, 1996: Ord. 117441 § 5, 1994: Ord. 116419 § 7, 1992: Ord. 114723 § 19, 1989: Ord. 113502 § 6, 1987: Ord. 107208 § 3, 1978: Ord. 96003 § 10, 1967.)

Subchapter II Solid Waste Collection

21.36.025 Unlawful disposal.

A. The following shall not be deposited or discarded into any commercial or residential garbage can, container or receptacle: Dead animals over fifteen (15) pounds; sewage; human or animal excrement (including excrement from disposable diapers), with the exception of animal excrement deposited in a public or residential garbage can, provided the animal excrement is wrapped in a closed, leak-proof bag or container; hot ashes, household hazardous waste, as set forth

in Section 21.36.026; small quantity generator hazardous waste; asbestos material; asbestos-containing waste material; tires; dangerous waste; radioactive wastes; and explosives.

B. The following shall not be deposited or discarded at any interim solid waste handling site, except as specifically provided in Sections 21.36.026 through 21.36.029: Dead animals over fifteen (15) pounds; sewage; human or animal excrement (including excrement from disposable diapers); hot ashes; household hazardous waste, as set forth in Section 21.36.026; small quantity generator hazardous waste; asbestos material; asbestos-containing waste material; tires; special category waste; dangerous waste; radioactive wastes; and explosives.

C. Infectious waste shall be disposed according to the provisions of Seattle Municipal Code Chapter 21.43.

D. Operators and/or attendants at disposal sites and/or interim solid waste handling sites shall have the authority to refuse to accept any prohibited or restricted solid waste. (Ord. 117760 § 1, 1995: Ord. 114723 § 10, 1989.)

21.36.026 Household hazardous wastes.

A. It is generally recommended that no household hazardous wastes are disposed in municipal solid waste. Specific household hazardous wastes which are prohibited from disposal as municipal solid waste include nonedible oils; flammable liquids and solids including fuels, solvents, paint thinners, and degreasers; pesticides, including herbicides, insecticides and wood preservatives; corrosive materials; PCB capacitors and ballasts; mercury (such as thermometers and mercury switches); vehicle batteries; hobby chemicals and artists' paints; and liquid paints.

B. The Director of Seattle Public Utilities by Administrative Rule, pursuant to Seattle Municipal Code Section 3.12.020, may prohibit additional substances from disposal or delete substances from the list in subsection A and authorize their disposal.

C. Household hazardous wastes prohibited from disposal as municipal solid waste are also prohibited from disposal in places where disposal of solid waste is prohibited.

D. Household hazardous wastes prohibited from municipal solid waste disposal shall be disposed of at special collection facilities, loca-

21.36.026 UTILITIES

tions, and/or events designated by the Director of Seattle Public Utilities.

E. When empty, containers for household hazardous products may be disposed of as refuse. (Ord. 118396 § 142, 1996; Ord. 114723 § 11, 1989.)

21.36.027 Small quantity generator hazardous wastes.

Small quantity generator hazardous waste shall be managed according to the provisions of Chapter 173.303 WAC, except that small quantity generator wastes are prohibited from disposal as municipal solid waste. (Ord. 114723 § 12, 1989.)

21.36.028 Asbestos material and asbestos-containing waste material.

Asbestos material shall be handled and disposed pursuant to 40 C.F.R. 61 Subpart M, WAC 173-303, and Article 10 of Regulation No. 1 Puget Sound Air Pollution Control Agency (PSAPCA) as follows:

A. Removal. Persons removing asbestos material shall provide advance notification to PSAPCA, which enforces regulations concerning removal and disposal. Asbestos-containing waste material must be wetted down during removal to reduce airborne emissions of particulate matter. The wet asbestos-containing wastes shall be sealed into leak-tight containers or placed in one or more plastic bags with a combined six (6) mils thickness or greater, identified with the proper warning label.

B. Disposal.

1. It shall be unlawful for anyone to deposit, throw, place, discard or deliver, or cause to be deposited, thrown, placed, discarded or delivered any asbestos-containing waste material on any property, public or private, or in any public place; provided asbestos-containing waste material may be delivered to disposal sites or interim solid waste handling sites designated by the Director of Seattle Public Utilities for such purpose.

2. Disposal sites or interim solid waste handling sites which are designated to receive asbestos-containing waste material must be approved by the Seattle-King County Department of Public Health for this purpose.

(Ord. 118396 § 143, 1996; Ord. 114723 § 13, 1989.)

21.36.029 Tires and special category wastes.

A. Tires. The Director of Seattle Public Utilities may authorize collection of tires at City of Seattle transfer stations according to restrictions established by Administrative Rule, in accordance with Seattle Municipal Code Section 3.12.020.

B. Special Category Wastes. The Director of Seattle Public Utilities may define by Administrative Rule, pursuant to Seattle Municipal Code Section 3.12.020, special restrictions and limitations on the disposal of certain types of wastes which cannot be handled safely through the municipal solid waste collection system. Restricted materials may include items over certain sizes or weights, and dust-producing materials.

C. Polystyrene Packaging Pieces. The Director of Seattle Public Utilities may set special restrictions and limitations on the disposal of polystyrene packaging pieces in solid waste to be collected by the City or a contractor making collection for the City. Restrictions may include containment requirements for polystyrene packaging pieces or restrictions on disposal locations for the packaging pieces.

(Ord. 118396 § 144, 1996; Ord. 116419 § 9, 1992; Ord. 115590 § 1, 1991; Ord. 114723 § 14, 1989.)

21.36.030 Unlawful hauling of City's Waste—Exceptions.

It is unlawful for anyone, except the following, to haul City's Waste through the streets in the City:

A. The University of Washington or its contractor;

B. Military establishments or their contractors;

C. The City's solid waste contractors;

D. Anyone authorized to collect solid waste in the City under RCW Chapter 81.77;

E. Business concerns, as to City's Waste originating within their own establishments; and

F. The Seattle Housing Authority or its contractor; provided, however, that the exempted persons and organizations may be required to deposit such City's Waste at disposal, processing, or recovery sites provided and/or designated by the Director of Seattle Public Utilities pursuant to Section 21.36.018.

(Seattle 6-01)

(Ord. 118396 § 145, 1996; Ord. 116419 § 10, 1992; Ord. 116220 § 1, 1992; Ord. 113502 § 4, 1987; Ord. 107208 § 2, 1978; Ord. 96003 § 3, 1967.)

21.36.040 Unlawful disposal sites.

It is unlawful for anyone to deliver and/or deposit any solid waste that is City's Waste generated within the City at any disposal site other than a disposal, processing, or recovery site provided and/or designated by the Director of Seattle Public Utilities pursuant to Sections 21.36.030 and 21.36.018.

(Ord. 118396 § 146, 1996; Ord. 116419 § 11, 1992; Ord. 113502 § 5, 1987; Ord. 107208 § 4, 1978; Ord. 96003 § 3A, 1967.)

21.36.042 Solid waste disposal required—Nonresidential.

For solid waste that is City's Waste, every owner, tenant, occupant, or other person responsible for the condition of private property that is not used as a residence or dwelling shall deliver, or shall ensure lawful delivery of, the City's Waste to the receiving facility designated by City and shall keep receipts as proof of delivery.

(Ord. 117441 § 6, 1994; Ord. 116419 § 12, 1992.)

21.36.044 Containers required—Nonresidential.

Every owner, tenant, occupant, and other person responsible for the condition of private property that is not used as a residence or dwelling shall have and use solid waste containers of a number and size sufficient to contain all solid waste generated on the site and shall provide for lawful disposal of all such solid waste.

(Ord. 117441 § 7, 1994.)

21.36.050 Garbage containers required—Residential.

A. All owners and occupants of residences and other dwellings shall have and use a sufficient number of garbage containers to hold all of their garbage and ashes. Additional amounts of rubbish, bundled in bundles as defined in this chapter, may be set out for collection. At least one (1) service unit must be a garbage can, mini-can, or collector-supplied cart for all service levels greater than zero (0) units.

B. Ashes, bagged or boxed, will be placed in garbage cans, collector-supplied containers, or detachable containers, but hot ashes shall not be put out for collection. No garbage shall be placed in bundles.

C. Yardwaste may be set out for separate curbside collection, but shall not be mixed with other solid waste.

(Ord. 117441 § 8, 1994; Ord. 116419 § 13, 1992; Ord. 116187 § 1, 1992; Ord. 114205 § 2, 1988; Ord. 112942 § 2, 1986; Ord. 110443 § 1, 1982; Ord. 109131 § 1, 1980; Ord. 96003 § 4, 1967.)

21.36.060 Garbage cans—Maintenance.

A. The owner and/or occupant of any premises shall be responsible for the safe and sanitary storage of all solid wastes accumulated at that premises until it is removed to a disposal site or interim solid waste handling site.

B. All garbage cans and detachable containers shall be kept tightly covered and in good condition for garbage storage and handling, and garbage cans and detachable containers which leak or have jagged edges or holes shall not be used. The Director of Seattle Public Utilities, at the request of the contractor, in writing, shall determine whether or not the condition of any garbage can, garbage container, or detachable container is satisfactory for use.

(Ord. 118396 § 147, 1996; Ord. 114723 § 16, 1989; Ord. 96003 § 5, 1967.)

21.36.070 Garbage containers—Weight.

A. Garbage containers, when filled, shall not exceed the following limits:

.....	Garbage can	60
.....	Mini-can	30
.....	30-gallon carts	60
.....	60-gallon carts	12
.....	90-gallon carts	18

B. The contents of a container shall dump out readily when it is inverted.

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

21.36.080 UTILITIES

21.36.080 Placement of garbage containers, bundles and detachable containers.

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

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

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

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

(Ord. 118396 § 148, 1996: Ord. 114205 § 4, 1988: Ord. 112171 § 3, 1985: Ord. 96003 § 7, 1967.)

21.36.085 Yardwaste programs.

Yardwaste shall not be mixed with garbage, refuse or rubbish for disposal.

A. Curbside Yardwaste Collection. Yardwaste for collection under the City's curbside program

shall be set apart from refuse for pickup in a manner that is readily identifiable by the collectors. Yardwaste shall be defined as set forth in Section 21.36.016, except that yardwaste for curbside collection shall not include wood or tree limbs over four feet (4') long. Only yardwaste generated at the dwelling unit shall be collected at curbside.

B. Transfer Station Yardwaste. All yardwaste delivered to the City's transfer stations shall be separated from garbage, refuse and rubbish and deposited in an area designated for yardwaste. Yardwaste shall be defined as set forth in Section 21.36.016, except that yardwaste delivered to the transfer station shall not include wood or tree limbs over eight feet (8') long.

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

21.36.087 White goods and bulky items.

A. The Director of Seattle Public Utilities may determine from time to time the items eligible for pickup under the Seattle Public Utilities' program for collection of white goods and bulky items, and after consultation with the Purchasing Agent, arrange for the disposition of the items collected without regard to the procedures of Section 3.18.824.

B. "White goods" are large household appliances, such as refrigerators, iceboxes, stoves, washing machines, dryers, dishwashing machines and air conditioners. "Bulky items" include and are illustrated by such articles for household use as furniture, mattresses, box springs, television sets, stereos, and wardrobes. Neither term includes motor vehicles or hulks; car parts and tires; commercial machinery or equipment; lumber and building materials; or hazardous wastes.

C. By delivering possession to the collector, the customer relinquishes title to the white goods and bulky items picked up. The Seattle Public Utilities may decline to accept such items that contain refuse, contraband, or hazardous wastes.

D. The Director of Seattle Public Utilities may:

1. Remove all hazardous and toxic constituents, including the recovery of CFCs (chloro-fluorocarbons), from white goods delivered to the City recycling and disposal stations and require that the resultant scrap metal not be landfilled;

(Seattle 6-01)

2. Accept a maximum of two (2) white goods per load at a rate established in subsection A of Section 21.40.080 and subsection D of Section 21.40.080;

3. Reject vehicle loads at the City's recycling and disposal stations which contain more than two (2) white goods or white goods from non-Seattle residents and provide information to the haulers of rejected loads on alternative disposal sites for white goods available within Seattle;

4. Direct white goods from charitable organizations qualified under Section 21.40.080 to the City's selected white-goods processor; (Ord. 118396 § 149, 1996; Ord. 116250 § 2, 1992; Ord. 114205 § 6, 1988.)

21.36.088 Concrete and asphalt recycling.

Any concrete, cement concrete, or asphalt (as defined in SMC Section 3.18.902) generated in the process of City street, bridge, drainage, or other public works projects, whether those projects are performed by the City or under contract with the City, shall be recycled or reused unless its quality or quantity preclude efficient recovery by a recycling facility.

(Ord. 116726 § 7, 1993.)

21.36.090 Paths to garbage storage area.

All walks, paths, and driveways from the garbage can storage area to the place of loading shall have an unrestricted overhead clearance of not less than eight feet (8').

(Ord. 96003 § 8, 1967.)

21.36.095 Right to determine disposition of solid waste.

The City acquires the right and power to determine the disposition of solid waste collected or delivered to the City's recycling, transfer and disposal facilities. Disposition may include the establishment of salvage operations. The City may decline to accept and may return hazardous wastes and other material ineligible for collection under the City's solid waste collection ordinances.

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

21.36.096 Waste screening.

A. Dangerous Waste. The Health Officer may screen any wastes that are being disposed, and that are suspected of being a regulated dangerous waste. The screening process may involve certi-

fied testing, a disclosure of the waste constituents and waste generation process, and other additional information. If the Health Officer determines that the waste is not a regulated dangerous waste but still poses a significant threat to the public health, safety or the environment, he/she may direct the generator or transporter to dispose of the waste at a specific type of disposal site. If the Health Officer determines that the waste is a regulated dangerous waste, he/she shall notify the Department of Ecology which shall have full jurisdiction regarding handling and disposal. The Dangerous Waste Regulations, WAC 173-303, shall be considered when screening and making waste determinations.

B. Disposal Sites. If during inspections of waste the Health Officer observes waste suspected of being regulated dangerous waste because of physical properties of the waste, he/she shall have the authority to require the site operator to segregate and hold any such waste. If the Health Officer determines that testing is required to identify the waste, the generator shall be responsible for such analysis, and if the generator is not known, the site operator shall be responsible for funding such analysis. The disposal site operator and/or attendants shall have similar authority not to accept suspect wastes.

C. Procedures. When such wastes are identified as being suspect dangerous wastes, the Health Officer may issue a notice for requirement of screening. This notice will specify requirements which must be met to satisfy the screening process and a schedule for compliance.

(Ord. 114723 § 18, 1989.)

Subchapter III Flow-Control Special Provisions

21.36.112 Designation of receiving facilities.

A. Union Pacific's Seattle Intermodal Facility or successor receiving facility specified by the City is hereby designated as the receiving facility for disposal of all City's Waste, including waste left over after separating out Special Waste, CDL Waste or materials destined for recycling. All generators, handlers, and collectors of City's Waste shall deliver or, for example, by taking City's Waste to a City transfer station, shall ensure delivery of all City's Waste to Union Pacific's Seattle Intermodal Facility or successor receiving

21.36.112 UTILITIES

facility designated by the City, in a manner specified by the Director of Seattle Public Utilities.

B. Special Waste (excluding Contaminated Soils) may be disposed at any permitted solid waste handling facility; provided, that no City's Waste, Special Waste or CDL Waste generated within The City of Seattle shall be disposed of at a facility owned or operated by King County, unless specifically agreed by the City and King County.

C. The City of Seattle's North and South Recycling Disposal Stations, Waste Management of Seattle's Eastmont Transfer Station and RABANCO's Third and Lander Transfer Station, or successor receiving facilities specified by the City, are hereby designated as the receiving facilities for disposal of all nonrecycled CDL Waste and Contaminated Soils generated within the City. All generators, handlers and collectors of CDL Waste and Contaminated Soils shall deliver or ensure delivery of all nonrecycled CDL Waste and Contaminated Soils to the receiving facilities hereby designated by the City.

D. Each receiving facility designated in subsection C of SMC Section 21.36.112 or successor receiving facility designated by the City, shall submit to the Director of Seattle Public Utilities by the twentieth day of each month, commencing February 20, 1993, on a form available from the Director of Seattle Public Utilities, a monthly flow report. The report shall document, for the previous month, (1) the number of trucks delivering waste and recyclables, (2) the type and amount (in tons) of waste and recyclables delivered to the receiving facility from each political jurisdiction in which waste or recyclables originated and (3) the type and amount (in tons) of all waste and recyclables leaving the receiving facility for each final destination. For waste, "type" means City's Waste, CDL Waste, Contaminated Soils, wood waste, Yardwaste or Special Waste; for recyclables, "type" means plastics, metal, paper, glass, wood waste, yardwaste and inert materials. Type of recyclables shall, at a minimum, be specified further as mixed waste paper, newspaper, corrugated paper, tin, iron, aluminum, glass, PET plastic, HDPE plastic, other plastic, and magazines.

E. In order to facilitate the designation of transfer stations and receiving facilities or successor receiving facilities, the Director of Seattle Public Utilities shall:

1. Establish any specifications and procedures determined necessary to address the manner in which waste is identified, packaged, loaded, containerized or delivered to transfer stations or receiving facilities and establish any other specifications and procedures determined necessary for the City to fulfill its obligations under its contract for the transportation and disposal of waste;

2. Mail, pursuant to SMC Section 21.36.018, a notice of the designated receiving facilities and specifications and procedures for delivery of waste to the facilities. In addition, the notice shall be mailed to all persons and organizations covered by exemptions A through E of SMC Section 21.36.030;

3. Publish such notice in the City official newspaper within three (3) days of mailing such notice.

(Ord. 118396 § 150, 1996; Ord. 116454 § 1, 1992; Ord. 116419 § 16, 1992; Ord. 115589 § 4, 1991.)

21.36.113 Containers—Billing—Unacceptable waste.

A. Containers shall be provided by Washington Waste Systems, Inc. to transfer stations in the City for delivery of City's Waste to the designated receiving facility. All transfer stations delivering City's Waste to the designated receiving facility shall load each container with waste, seal it with a cargo security seal and prepare a bill of lading in accordance with the procedures established by the Director of Seattle Public Utilities.

B. All persons shall use reasonable care in the handling of the containers supplied by Washington Waste Systems, Inc. and shall be responsible for repair or replacement of containers they damage or destroy through their own negligence. Washington Waste Systems, Inc. shall be responsible for ordinary wear and tear.

C. All persons required to deliver City's Waste to the designated receiving facility shall be billed by the City at the rates specified by ordinance.

D. City's Waste delivered to the designated receiving facility shall be in compliance with all applicable federal, state, and local environmental health laws, rules, and regulations. The designated receiving facility and the Columbia Ridge Landfill or successor landfill are authorized to reject all Unacceptable Waste and shall not take title to Unacceptable Waste.

(Ord. 118396 § 151, 1996; Ord. 116419 § 17, 1992; Ord. 115589 § 5, 1991.)

21.36.114 Enforcement authority—Inspections.

A. The Director of Seattle Public Utilities and designated solid waste enforcement officers are authorized and directed to enforce the flow provisions of this chapter.

B. The Director of Seattle Public Utilities and designated solid waste enforcement officers are authorized to make lawful inspection of the premises of any person suspected of violating the flow provisions of this chapter and to inspect the books and accounts related to the subject of this chapter.

(Ord. 118396 § 152, 1996; Ord. 115589 § 6, 1991.)

21.36.115 Penalties for noncompliance.

In addition to any other sanction or remedial procedure which may be available, including the penalties listed in SMC Section 21.36.920, any person violating or failing to comply with any provision of SMC 21.36.112 A shall:

A. On the first violation:

1. Pay to the City the amount that would have been owed to the City had the waste been delivered to the receiving facility as required; and in addition

2. Pay for the actual cost to the City of investigating and bringing the enforcement action.

B. On the second violation, pay double the amounts set forth in subsections A1 and A2 of this section.

C. On the third and subsequent violations, pay treble the amounts set forth in subsections A1 and A2 of this section.

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

21.36.116 Third party action to effect compliance.

Washington Waste Systems, Inc., on its own behalf or as the City's agent, is hereby authorized to make a claim and bring suit directly against any person who violates flow control provisions of this chapter, and is further authorized to recover the amount per ton that the City was contractually required to pay Washington Waste Systems, Inc., for each ton not actually delivered to the receiving facility, and recovery of amounts owed to the City for its services, penalties owed to the City for

repeat violations under SMC 21.36.115, plus recovery of Washington Waste Systems, Inc.'s costs, including witness fees and attorney fees, in detecting such diversion and in prosecuting the claim and suit for the violation.
(Ord. 115589 § 8, 1991.)

Subchapter IV Miscellaneous Provisions

21.36.180 Incineration and energy recovery facilities.

Incineration and energy recovery facilities shall be permitted and managed according to the provisions of Seattle Municipal Code Chapter 21.44. In addition, the following requirements shall apply:

A. Disposal of Process Water. All water from an incinerator or energy recovery facility shall be discharged into a disposal system approved by the Health Officer and Metro. The treated discharge water shall not violate applicable water quality standards.

B. Pre-Use Inspection and Performance Tests. Upon completion of the facility and prior to initial operation, the Health Officer and Puget Sound Pollution Control Agency (PSAPCA) shall be notified. The Health Officer shall inspect the facility both prior to and during the performance tests. A report covering the results of the performance test with all supporting data shall be certified by the design engineer of the project and submitted to the Health Officer.

C. Failure to Meet Standards. The Health Officer shall have the authority to close down an incinerator or energy recovery facility that does not meet all applicable federal, state and PSAPCA standards.

(Ord. 114723 § 21, 1989.)

21.36.185 Commercial composting facilities.

Commercial composting facilities shall be permitted and managed according to the provisions of Seattle Municipal Code Chapter 21.44 for recycling facilities. In addition, the following requirements shall apply:

A. Generators of compost for retail sales shall submit chemical analyses and reports to the Health Officer in sufficient frequency to demonstrate that the resulting product does not contain levels of chemicals or pathogens that could create a risk to the public health.

21.36.185 UTILITIES

B. If levels of chemicals or pathogens are found which could create a risk to the public health, the Health Officer may prohibit or restrict use of the product. Written notices shall be provided to the compost user of any restrictions imposed.

C. Generators of sewage sludge compost must follow the methods and procedures established in the Best Management Practices for Use of Municipal Sewage Sludge, developed by the Washington State Department of Ecology.

D. Odorous material such as spoiled foods, blood and slaughterhouse wastes shall be immediately processed to prevent odors.

E. The composted material shall contain no sharp particles which would cause injury to persons handling the compost.
(Ord. 114723 § 22, 1989.)

21.36.190 Abandoned landfills.

A. All abandoned landfills shall be maintained by the owner and/or operator so as not to create a risk to the public health. The Health Officer shall have the authority to perform methane monitoring, surface water, groundwater and leachate monitoring, and to monitor for any other environmental conditions at abandoned landfills.

B. The Health Officer may order the owner and/or operator to perform monitoring or any remedial measures necessary to protect the public health and the environment. Any person aggrieved by any order issued under this section may appeal the order to the Seattle Board of Health, by requesting in writing an appeal hearing before the Board of Health or its designee. The request shall be filed within ten (10) days of the service of the order, and shall briefly state the reasons for the appeal. Enforcement of the order shall be staged during the pendency of the appeal.
(Ord. 114723 § 23, 1989.)

Subchapter V Litter Control Code

21.36.400 Litter Control Code—Title.

This subchapter, Seattle Municipal Code Sections 21.36.400 through 21.36.450, shall be titled the “Litter Control Code” of the City and may be referred to as such.
(Ord. 116419 § 20(part), 1992.)

21.36.410 Littering.

A. This section applies only to litter in the amount of one (1) cubic foot or less which does not contain hazardous substances.

B. No person shall throw, discard, or deposit litter on any street, sidewalk, or other public property within the City, on any private property within the City and not owned by the person, or in or upon any body of water within the jurisdiction of the City, whether from a vehicle or otherwise; except:

1. When the property is designated by The State of Washington or any of its agencies or political subdivisions or by the City for the disposal of litter or other solid waste and such person is authorized to use the property in such manner; or

2. Into a litter receptacle, garbage container or other solid waste container in a manner in which the litter will be prevented from being carried or deposited by the elements or otherwise on any street, sidewalk, or other public or private property.

C. No owner, tenant, or other person responsible for the condition of a construction site shall cause or allow any litter from the site to be deposited by the elements or otherwise on any other public or private property in the City. During such time as the site is not being used, all litter shall be stored or deposited in garbage containers or other solid waste containers in such a manner as to prevent the litter from being deposited on any other public or private property.

D. No person shall throw, discard, sweep or deposit any accumulation of litter from public or private property into any gutter or stormwater drain within the City.

(Ord. 116708 § 3, 1993; Ord. 116419 § 20(part), 1992.)

21.36.420 Unlawful dumping of solid waste.

It is unlawful for anyone to dump, throw, or place solid waste on any property, public or private, or in any public place except, as authorized by city ordinance, in a litter container, solid waste container, or in a bundle as described in this chapter, or upon or at a disposal site or interim solid waste handling site provided and/or designated by the Director of Seattle Public Utilities pursuant to Section 21.36.018. Anyone who dumps, throws, or places solid waste in violation of this section shall remove and properly dispose of it. This section does not apply to dumping, throwing or placing litter in the amount of one (1) cubic foot or less which does not contain hazardous substances.

(Ord. 118396 § 153, 1996; Ord. 117441 § 9, 1994; Ord. 116419 § 21, 1992; Ord. 114723 § 6, 1989; Ord. 113502 § 2, 1987; Ord. 112171 § 2, 1985; Ord. 107208 § 1, 1978; Ord. 96003 § 2, 1967.)

21.36.425 Accumulation of solid waste.

A. It shall be unlawful for any person to keep solid waste or allow solid waste to accumulate on any property, or in any public place, except in a litter receptacle, in a solid waste container, or in a bundle as described in this chapter, or as otherwise authorized by ordinance or by the Director of Seattle Public Utilities. This subsection applies to any solid waste accumulation of which the total volume if gathered together is in an amount in excess of one (1) cubic foot or which contains any hazardous substances or which is an immediate threat to the health or safety of the public.

B. It shall be unlawful for any owner or occupant of abutting private property, residential or nonresidential, to allow the accumulation of any solid waste on sidewalks or planting strips, whether the solid waste is deposited by such owner or occupant or not. Solid waste that is prohibited to accumulate includes but is not limited to litter, cigarette butts, burning or smoldering materials, garbage, and rubbish. This subsection applies to any solid waste accumulation of which the total volume if gathered together is in an amount in excess of one (1) cubic foot or which contains any hazardous substances or which is an immediate threat to the health or safety of the public. This provision shall not apply:

1. To the Sheriff when removing the contents of a building to the sidewalk or planting strip

pursuant to an eviction ordered by the Superior Court;

2. To firefighters placing debris on the sidewalk or planting strip in the course of extinguishing a fire or explosion;

3. To the use of receptacles placed or authorized by the City for the collection of solid waste on sidewalks or planting strips; or

4. To accumulations temporarily authorized under a street use permit.

(Ord. 118396 § 154, 1996; Ord. 117441 § 10, 1994; Ord. 116419 § 22, 1992; Ord. 114723 § 9, 1989; Ord. 113502 § 3(part), 1987.)

21.36.430 Unlawful use of City litter receptacles.

Except as authorized by the Director of Seattle Public Utilities, it shall be unlawful to place in any receptacle provided by the City for litter disposal any solid waste accumulated on private property or generated by any business, including but not limited to burning or smoldering materials, asbestos material, asbestos-containing waste material, yardwaste, dangerous waste, household hazardous waste, small quantity generator hazardous waste, human or animal excrement and dead animals; nor shall the contents of any such litter receptacle be removed or disturbed by anyone except as authorized by the Director of Seattle Public Utilities.

(Ord. 118396 § 155, 1996; Ord. 117441 § 11, 1994; Ord. 116419 § 23, 1992; Ord. 114723 § 7, 1989; Ord. 113502 § 3 (part), 1987.)

21.36.440 Unlawful use of solid waste container on private property.

It is unlawful for anyone not authorized by the property owner or occupant to deposit any material in any solid waste container on private property or on a sidewalk or a planting strip abutting private property.

(Ord. 117441 § 12, 1994; Ord. 116419 § 24, 1992; Ord. 96003 § 9, 1967.)

21.36.450 Fee on unsecured loads.

A. Every vehicle delivering solid waste to a staffed interim solid waste handling site or a staffed disposal site shall have its load tied, covered, or confined in such a manner as to prevent any part of the load from leaving the vehicle while the vehicle is in motion. If the load is not secured in such a manner and the vehicle is not exempt

21.36.450 UTILITIES

pursuant to subsection B, the operator of the vehicle delivering the load shall pay, in addition to the basic disposal charge or rate, a fee at the staffed solid waste handling site or staffed disposal site according to the following scale, effective January 1, 1994:

Cars (vehicles with passenger license plates)	\$3.00
Trucks (vehicles with truck license plates)	\$5.00 for a load of a ton or less or \$10.00 for a load of more than a ton

B. A vehicle transporting sand, dirt or gravel in compliance with the provisions of RCW 46.61.655, as now existing or hereafter amended, shall not be required to secure or cover a load or pay a fee pursuant to this section.

C. The fee collected under subsection A of this section shall be paid to The City of Seattle no less often than quarterly and shall be deposited in the Solid Waste Fund. (Ord. 116927 § 1, 1993.)

Subchapter VI Penalties and Enforcement

21.36.920 Violation—Penalty.

A. Except for a violation designated by this chapter as a civil infraction, anyone who shall violate or fail to comply with any provision of this chapter may, upon conviction, be punished by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment in the City Jail for a period of not exceeding one (1) year, or by both such fine and imprisonment.

B. Alternatively, except for a violation designated by this chapter as a civil infraction, the violation of or failure to comply with any provision of this chapter shall be subject to a civil penalty in the amount of Fifty Dollars (\$50.00) for each violation and the amount of Fifty Dollars (\$50.00) per day for each additional day of a continuing violation. To collect the penalty imposed by this subsection, the City shall file a civil action in the Municipal Court.

C. The penalties provided in this section are in addition to any other sanction or remedial procedure which may be available. The criminal

or civil penalty, and the limitation on the amount of the penalty, does not including any amounts that may be recovered for reimbursement. Sums recovered for reimbursement shall be in addition to the penalty.

(Ord. 117441 § 13, 1994; Ord. 116419 § 26, 1992; Ord. 114723 § 20, 1989; Ord. 113502 § 7, 1987; Ord. 96003 § 11, 1967.)

21.36.922 Civil infractions.

A. The violation of or failure to comply with any section of this chapter identified in this section is designated as a civil infraction and shall be processed as contemplated by RCW Chapter 7.80.

B. The violation of or failure to comply with the following section shall be a civil infraction and subject as a Class 1 civil infraction under RCW 7.80.120 to a maximum monetary penalty and default amount of Two Hundred Fifty Dollars (\$250.00), not including statutory assessments:

SMC Section 21.36.420 (Unlawful dumping of solid waste)

C. The violation of or failure to comply with any of the following sections shall be a civil infraction and subject as a Class 3 civil infraction under RCW 7.80.120 to a maximum monetary penalty and default amount of Fifty Dollars (\$50.00), not including statutory assessments:

SMC Section 21.36.044 (Containers required — Nonresidential)

SMC Section 21.36.410 (Littering)

SMC Section 21.36.425 (Accumulation of solid waste)

SMC Section 21.36.430 (Unlawful use of City litter receptacles)

SMC Section 21.36.440 (Unlawful use of solid waste container on private property)

D. For purposes of RCW 7.80.040, the “enforcement officers” authorized to enforce the provisions of the Solid Waste Code are: (1) the Director of Seattle Public Utilities; (2) authorized representatives, assistants or designees of the Director of Seattle Public Utilities; and (3) commissioned officers of the Seattle Police Department and persons issued nonuniformed special police officer commissions by the Chief of Police with authority to enforce such provisions.

(Seattle 6-01)

E. An action for a civil infraction shall be processed in the manner contemplated by RCW Chapter 7.80.

F. The City Attorney is authorized for and on behalf of The City of Seattle to initiate legal action to enforce this chapter as deemed necessary and appropriate.

(Ord. 118396 § 156, 1996; Ord. 117441 § 1, 1994.)

21.36.924 Each day a separate violation.

For a continuing violation, each day a person shall continue to violate or fail to comply with a provision of this chapter shall be deemed and considered a separate violation.

(Ord. 117441 § 2, 1994.)

21.36.965 Identification.

Whenever solid waste deposited, thrown, placed, or kept in violation of Section 21.36.420 or Section 21.36.425 contains three (3) or more items bearing the name of one (1) individual, or whenever a motor vehicle or trailer used in the activity is identified by its license plate, it shall be presumed that the individual whose name appears on the items or to whom the vehicle or trailer is registered committed the unlawful act. The defendant shall have an opportunity to rebut the presumption and may show, for example, as full or partial mitigation of liability:

1. That the violation giving rise to the action was caused by the wilful act, neglect, or abuse of another; or

2. That correction of the violation was commenced promptly upon receipt of the notice thereof, but that full compliance within the time specified was prevented by inability to obtain necessary labor, inability to gain access to the subject property, or other condition or circumstances beyond the control of the defendant.

(Ord. 116419 § 31, 1992.)

21.36.970 Summary abatement.

A. The City Council may, after a report has been filed by the enforcing authority and the property owner, tenant or other person responsible for the condition has had an opportunity to be heard, by ordinance require such person to abate a nuisance by removal and proper disposal of solid waste from the property at such person's cost and expense within a time specified in the ordinance; and if the removal and disposal is not

accomplished within the time specified, the enforcing authority may abate the nuisance and recover the cost and expense thereof plus fifteen (15) percent in a civil action.

B. The enforcing authority may also seek relief in Superior Court to enjoin any acts or practices and abate any condition which constitutes or will constitute a violation of this chapter when the civil or criminal remedies provided herein are inadequate to effect compliance.

C. The procedures set forth herein are not exclusive and shall not in any manner limit or restrict the City from enforcing other City ordinances, abating nuisances, imposing penalties, or taking other legal action.

(Ord. 117441 § 14, 1994; Ord. 116419 § 32, 1992; Ord. 113502 § 8(part), 1987.)

21.36.975 Reimbursement for City expenses.

Whenever it furthers the safety or convenience of the public, the Director of Seattle Public Utilities may remove obstructions, hazards or nuisances composed of solid waste from public places, and anyone causing the obstruction, hazard or nuisance shall be responsible for reimbursing the City for the expense of removing the same and cleaning the public place together with a charge equal to fifteen (15) percent of the City's costs to cover administrative expenses and together with the costs of collection and interest.

(Ord. 118396 § 157, 1996; Ord. 117441 § 3, 1994.)

21.36.980 Crediting of reimbursement to Solid Waste Fund.

All sums received by the City in reimbursement for the Seattle Public Utilities' costs, expenses or charges relating to removal of solid waste or cleaning of property pursuant to any section of this chapter shall be credited to the Solid Waste Fund.

(Ord. 118396 § 158, 1996; Ord. 117441 § 4, 1994.)

21.40.010 UTILITIES

**Chapter 21.40
SOLID WASTE COLLECTION RATES
AND CHARGES**

Sections:

- 21.40.010 Definitions, title, declarations and administrative provisions.**
- 21.40.020 Public utility designated—Effective date.**
- 21.40.030 Administration.**
- 21.40.050 Residential can rates and charges.**
- 21.40.060 Residential detachable container rates and charges.**
- 21.40.070 Commercial collection rates and charges.**
- 21.40.080 Recycling and disposal station rates.**
- 21.40.085 Commercial railyard rate.**
- 21.40.090 Authority to make rules and regulations.**
- 21.40.100 Exemption for governmental agencies owning disposal site.**
- 21.40.110 Preparation and placement of garbage.**
- 21.40.120 Payment of charges—Delinquency and lien.**
- 21.40.130 Solid Waste Fund—Purchase of recyclable solid waste.**

Severability: If any part or portion of this chapter shall be held unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions thereof.
(Ord. 90379 § 12, 1961.)

21.40.010 Definitions, title, declarations and administrative provisions.

The definitions in Sections 21.36.010 through 21.36.016 and the title, declarations, and administrative provisions in Section 21.36.017 apply to this chapter.

(Ord. 116419 § 33, 1992; Ord. 114205 § 8, 1988; Ord. 111662 § 1, 1984; Ord. 90379 § 10, 1961.)

21.40.020 Public utility designated—Effective date.

Public necessity requires that the existing system of the City for the collection and disposal of garbage, rubbish and trade and other waste, together with such extensions, additions and betterments thereto as may from time to time be authorized, be maintained, conducted and operated as a public utility of the City beginning Sep-

Service Units Rates per

(Seattle 6-01)

tember 1, 1961, and the rates and charges provided for in this chapter be effective as of such date.
(Ord. 90379 § 1, 1961.)

21.40.030 Administration.

The Director of Seattle Public Utilities, through the Seattle Public Utilities, shall operate and administer such public utility and enforce this chapter; and there shall be kept by him or her 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 in such connection.

(Ord. 118396 § 159, 1996; Ord. 116368 § 288, 1992; Ord. 90379 § 2, 1961.)

21.40.050 Residential can rates and charges.

A. There is imposed upon all residences and other dwelling units within the City a charge for garbage and rubbish collection and disposal service in accordance with the following schedule, and the amounts stated below shall be charged for optional services:

1. All residences with curbside/alley garbage container pickup: a charge per month or portion thereof, for each dwelling unit for once-a-week service, billed directly to the owner or occupant thereof as follows:

Service Units	Rates per Service Unit
Micro-can	\$10.05
Mini-can	12.35
Garbage can	16.10
60 to 65 gallon cart	32.20
90 to 96 gallon cart	48.30

2. All residences with backyard garbage container pickup: a charge per month or portion thereof, for each dwelling unit for once-a-week service, billed directly to the owner or occupant as follows:

Service Units Rates per Service Unit

For current SMC, contact the Office of the City Clerk

Garbage can	\$22.50
60 to 65 gallon cart	45.00
90 to 96 gallon cart	67.50

3. Minimum Charge, No Pickup Service. A charge per month or portion thereof, for each dwelling unit, including single-family dwellings not being used as residences, billed directly to the owner or occupant of Six Dollars and Twenty-five Cents (\$6.25) to cover landfill closure costs, billing, collection, Low Income Rate Assistance, hazardous waste costs, and litter cleanup costs. To be eligible for the minimum charge (zero (0) container rate) a customer may not generate any garbage or rubbish for collection or disposal. With occupied premises, the customer must demonstrate a consistent and effective practice of selective purchasing to minimize refuse, of recycling materials whenever practical, and of composting any yardwastes generated on the premises and the customer must have qualified for the rate on or before December 31, 1988. A customer is not eligible for the zero (0) container rate by hauling his or her garbage and rubbish to a transfer station, disposal site, or by disposal in another customer's containers or by the use of prepaid stickers. Vacant multifamily units do not qualify for the minimum charge.

4. Extra Bundles. A charge of Five Dollars and Fifty Cents (\$5.50) for a bundle. A customer may place an extra bundle with its container for regular pickup. The charge will be billed directly to the owner or occupant, unless a prepaid sticker is used. A prepaid sticker authorizes pickup of the bundle when placed with the customer's container. The sticker must be affixed to the bundle in order for the bundle to be picked up by the collector, and the customer not to be billed.

5. Bulky and White Goods Pickup. A charge of Twenty Dollars (\$20) for each item plus an additional charge of Five Dollars (\$5) per item for items containing hazardous waste such as chlorofluorocarbons (CFCs).

6. Curbside/Alley Yardwaste.

a. A charge per month or portion thereof for each dwelling unit, billed directly to the owner or occupant, of Four Dollars and Twenty-five Cents (\$4.25). To receive this service, a customer must be signed up with the Seattle Public Utilities for a minimum of twelve

(12) months' service and place his or her yardwaste at the curbside/alley for collection on the scheduled date. The maximum allowed to any customer is five (5) bundles-of-yardwaste per week per subscription.

b. Beginning April 1, 2000, a charge per month or portion thereof for each dwelling unit, billed directly to the owner or occupant, of Four Dollars and Twenty-five Cents (\$4.25) for up to four (4) bundles-of-yardwaste per collection plus an additional charge of One Dollar and Fifty Cents (\$1.50) for each extra bundle-of-yardwaste beyond four (4) per collection. To receive this service, a customer must be signed up with the Seattle Public Utilities for a minimum of twelve (12) months' service and place his or her yardwaste at the curbside/alley for collection on the scheduled date.

7. Providing, Exchanging and Replacing Containers. There will be a charge of Nineteen Dollars (\$19) per container to customers on curbside/alley service for providing a container or exchanging or replacing lost, stolen or damaged collector-supplied containers with the same size or larger containers.

8. New/Changed Account. A charge of Ten Dollars (\$10) for the establishment of a new account or for each change in an existing account. This charge shall apply when the owner or property manager of any single-family residence or multifamily structure (duplex, triplex, fourplex, or structure with five (5) or more units) establishes a new account or requests any change in his/her account requiring a change in account number or customer number. The new/changed account charge is not applicable to customers qualified for Low Income Rate Assistance.

9. Physical Disability Exemption. An exemption will be provided to qualified residents to allow for backyard collection at curbside rates when the resident is physically unable to take his or her garbage and rubbish containers to the curb. Qualifying criteria shall include, but are not limited to, the resident's physical condition, qualification for backyard service in other City programs, a physician's recommendation, the presence of other physically capable persons in the household, special topography and other unique property conditions, taking into account the contractors' ability to provide different combinations of container sizes to make curbside pickup feasible.

For current SMC, contact the Office of the City Clerk

21.40.050 UTILITIES

B. The City shall calculate the charge for each dwelling unit within apartment houses and apartment hotels and for each resident within boarding, rooming, fraternity, sorority and group student houses for two (2) times a week service, billed directly to the owner or agent for the entire building, by doubling the applicable garbage container rates in subsection A1 of this section and reducing this calculated amount by Three Dollars and Sixty-five Cents (\$3.65) per unit to adjust for billing, collection, hazardous waste, and litter cleanup costs that occur only once a month.

C. All Residential Customers Requesting and Receiving Nondetachable Container Special, Nonroutine Collection Service for Garbage, Yardwaste, or Recyclable Materials. The following charges shall apply to special collections of all nondetachable containers, bundles or bundles-of-yardwaste: a per-pickup charge of Twenty-four Dollars (\$24) for first unit collected plus Two Dollars and Fifty Cents (\$2.50) for each additional unit;

D. The charges imposed by subsections A1 through A3 of this section inclusive shall not apply to dwelling units which elect to use detachable containers supplied either by the City's contractor or by the customer for the storage of garbage and rubbish. Application for detachable container service for a minimum period of six (6) months shall be made to the Director of Seattle Public Utilities on forms supplied by him/her, and collection of garbage and rubbish from such premises shall be made at such frequency as is necessary as determined by the Director of Seattle Public Utilities, but in no event less than once each week. The monthly charges for detachable container service for the container and frequency selected shall be in accordance with the rates set forth in Section 21.40.060.

E. The Director of Seattle Public Utilities may adjust the service level to a single-family residence to match the garbage and rubbish actually collected from the premises, or, for multi-family structures, to match the amount of garbage and rubbish reasonably anticipated from the dwelling units on the premises.

(Ord. 120250 § 3(part), 2001: Ord. 119737 § 2, 1999: Ord. 118396 § 160, 1996: Ord. 117813 § 1, 1995: Ord. 117184 § 1, 1994: Ord. 116754 § 1, 1993: Ord. 116725 § 1, 1993: Ord. 116187 § 2, 1992: Ord. 115231 § 3, 1990: Ord. 114205 § 9, 1988: Ord. 113533 § 2, 1987: Ord. 113374 § 1,

1987: Ord. 112942 § 3, 1986: Ord. 111661 § 1, 1984: Ord. 110448 § 1, 1982: Ord. 109130 § 1, 1980: Ord. 109022 § 1, 1980: Ord. 106017 § 1, 1976: Ord. 105544 § 1, 1976: Ord. 103458 § 1, 1974: Ord. 98130 § 1, 1969: Ord. 96301 § 1, 1967: Ord. 94711 § 1, 1966: Ord. 94022 § 1, 1965: Ord. 91048 § 1, 1962: Ord. 90379 § 4, 1961.)

21.40.060 Residential detachable container rates and charges.

A. Uncompacted Rates. There is imposed upon residential premises that use detachable containers without mechanical compactors a monthly charge for garbage and rubbish collection and disposal service in accordance with the following formula:

(Seattle 6-01)

SOLID WASTE COLLECTION RATES AND CHARGES 21.40.080

$(\$7.80 + \$15.50f + \$24.20fn + \$40.10fns + \$0.60d)$, where:

- n = number of containers served;
- f = number of pickups per week;
- s = size of container in cubic yards; and
- d = number of dwelling units.

B. Compacted Rates. There is imposed upon residential premises that use detachable containers with compactors a monthly charge for garbage and rubbish collection and disposal service in accordance with the following formula:

$(\$7.80 + \$15.50f + \$24.20fn + \$97.85fns + \$0.60d)$ where:

- n = number of containers served;
- f = number of pickups per week; and
- s = size of container in cubic yards; and
- d = number of dwelling units.

C. Mixed-use Building. The Director of Seattle Public Utilities will determine the appropriate residential collection service level for a mixed-use building according to the estimated amount of residential garbage or refuse generated and to be collected by the City.

D. Charges for Lockable Containers. Customers using detachable containers (compacted or noncompacted) may have a lock installed by the collection contractors. A fee of Fifty-three Dollars and Forty Cents (\$53.40) will be assessed for installation of the lock. Additional keys are Three Dollars and Sixty Cents (\$3.60) and an extra padlock is Eight Dollars and Thirty Cents (\$8.30). Only customers who own their own containers may install their own locks.

E. Residential Customers Receiving Special, Nonroutine Collection of Detachable Containers. The following charges shall apply:

Detachable Container Size	Uncompacted Service	Compacted Service		
3/4 cubic yards			-First container	42.25 62.05
-First container	\$ 34.90	\$ 44.80	-Each additional	17.25 37.05
-Each Additional	9.90	19.80	2 cubic yards	
1 cubic yard			-First container	53.84 80.25
-First container	37.20	50.40	-Each additional	28.84 55.25
-Each additional	12.20	25.40	3 cubic yards	
1.5 cubic yards			-First container	64.00 103.60
			-Each additional	39.00 78.60
			4 cubic yards	
			-First container	74.20 127.00
			-Each additional	49.20 102.00
			6 cubic yards	
			-First container	93.50 172.70
			-Each additional	68.50 147.70

21.40.070 UTILITIES

8 cubic yards		
-First container	113.35	218.95
-Each additional	88.35	193.95
10 cubic yards		
-First container	216.70	348.70
-Each additional	191.70	323.70
20 cubic yards		
-First container	308.35	572.35
-Each additional	283.35	547.35

(Ord. 120250 § 3(part), 2001; Ord. 119737 § 3, 1999; Ord. 118396 § 161, 1996; Ord. 117184 § 2, 1994; Ord. 116346 § 1, 1992; Ord. 116187 § 3, 1992; Ord. 115231 § 3, 1990; Ord. 114205 § 10, 1988; Ord. 113374 § 2, 1987; Ord. 112942 § 4, 1986; Ord. 112687 § 1, 1986; Ord. 111661 § 2, 1984; Ord. 110440 § 2, 1982; Ord. 109130 § 1.1, 1980; Ord. 109022 § 1.1, 1980; Ord. 106017 § 2, 1976; Ord. 105544 § 2, 1976; Ord. 103458 § 2, 1974; Ord. 98130 § 2, 1969; Ord. 96301 § 2, 1967; Ord. 90379 § 4.1, 1961.)

(Seattle 6-01)

21.40.070 Commercial collection rates and charges.

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

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

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

**Container Service
Noncompacted Material**

Service Type	Size or Type of Container									
	60 Gal. Toter	90 Gal. Toter	1 Yd	1.5 Yd	2 Yd	3 Yd	4 Yd	5 Yd	6 Yd	8 Yd
Permanent Account										
First pickup	\$ 5.95	\$ 7.05	\$15.70	\$22.35	\$ 27.25	\$ 38.15	\$ 49.20	\$ 60.40	67.35	85.35
Each additional pickup	5.95	7.05	15.70	22.35	27.25	38.15	49.20	60.40	67.35	85.35
Special pickups	7.45	8.30	23.75	29.70	35.30	46.65	57.95	67.35	76.60	95.60
Monthly rent	1.75	1.75	4.65	6.80	8.75	10.85	12.40	17.05	19.10	21.70
Flat monthly pickup charge*	25.78	30.55	68.03	96.85	118.08	165.32	213.20	261.73	291.85	369.85
Temporary Account										
Initial delivery			12.65	12.65	12.65	12.65	12.65	12.65	12.65	12.65
Pickup rate			23.75	29.70	35.30	46.65	57.95	67.35	76.60	95.60
Rent per calendar day			3.10	3.10	3.10	3.10	3.10	3.10	3.10	3.10

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21.40.070 UTILITIES

**Container Service
Compacted Material, 1 to 2 Ratio**

Service Type	Size or Type of Container					
	1 Yd	2 Yd	3 Yd	4 Yd	5 Yd	6 Yd
Permanent Account						
First pickup	\$ 31.60	\$ 48.95	\$ 71.25	\$ 93.45	\$115.65	\$138.05
Each additional pickup	31.60	48.95	71.25	93.45	115.65	138.05
Special pickups	40.10	57.20	80.00	102.45	124.00	147.55
Monthly rent	14.45	28.90	32.00	36.10	39.20	43.25
Flat monthly pickup charge*	136.93	212.12	308.75	404.95	501.15	598.22

**Container Service
Compacted Material, 1 to 5 Ratio**

Service Type	Size or Type of Container					
	1 Yd	2 Yd	3 Yd	4 Yd	5 Yd	6 Yd
Permanent Account						
First pickup	\$ 45.30	\$ 76.80	\$109.70	\$142.60	\$177.50	\$216.75
Each additional pickup	45.30	76.80	109.70	142.60	177.50	216.75
Special pickups	50.80	82.55	115.70	148.85	183.50	223.50
Monthly rent	15.60	31.25	33.05	39.05	42.50	46.85
Flat monthly pickup charge*	196.30	332.080	475.37	617.93	769.17	939.25

*"Flat monthly pickup" rate schedules exclude rental rates.

- Can-unit Pickup. Customers receiving regularly scheduled can-unit pickup service for one (1) or more cans will be charged Three Dollars and Fifteen Cents (\$3.15) per can pickup, with a minimum monthly charge of Twenty Dollars and Seventy Cents (\$20.70). When a set number of units are serviced each week, the customer may be billed at a flat rate equal to four and one-third (4¹/₃) times the applicable unit rate, subject to the same Twenty Dollars and Seventy Cents (\$20.70) minimum monthly charge.
- Bulky Waste Collection. Customers setting out bulky waste will be charged at the rate of Thirteen Dollars and Twenty-five Cents (\$13.25) per cubic yard for such waste. The charges for bulky waste collection will be assessed per one-quarter (1/4) cubic yard. Any such charges will be in addition to the customer's regular container collection service charges.
- Overload Container Charges. A toter or container whose contents exceed one (1) foot above the top of the toter or container will be charged at the bulky waste collection rate on a per one-quarter (1/4) cubic yard basis.

SOLID WASTE COLLECTION RATES AND CHARGES 21.40.070

2. Drop Box Service Rates. The following charges shall apply to commercial establishments receiving primary drop box service. Customers receiving secondary drop box service shall pay fifteen (15) percent more than the corresponding rate for primary drop box service (the basic service charge including container rent and related taxes all multiplied by 1.15).

**Drop Box Service
Noncompacted Material**

Service Type	Size or Type of Container										
	3—4 Yd	6 Yd	8 Yd	10 Yd	12 Yd	15 Yd	16 Yd	20 Yd	25 Yd	30 Yd	40 Yd
Permanent Account											
First pickup	\$61.90	\$61.90	\$61.90	\$83.00	\$83.00	\$83.00	\$83.00	\$83.00	\$83.00	\$83.00	\$83.00
Each additional pickup	61.90	61.90	61.90	83.00	83.00	83.00	83.00	83.00	83.00	83.00	83.00
Special pickups	71.75	71.75	71.75	91.55	91.55	91.55	91.55	91.55	91.55	91.55	91.55
Monthly rent	12.80	24.55	26.65	28.80	32.00	35.20	37.70	40.50	51.20	61.85	67.15
Temporary Account											
Pickup rate			71.75	91.55	91.55	91.55	91.55	91.55	91.55	91.55	91.55
Rent per calendar day			3.20	3.20	3.20	3.20	4.25	4.25	4.25	5.35	5.35

**Drop Box Service
Compacted Material**

Service Type	10 Yd	15 Yd	20 Yd	25 Yd	30 Yd	40 Yd
Permanent Account						
First pickup	\$127.75	\$127.75	\$127.75	\$127.75	\$127.75	\$127.75
Each additional pickup	127.75	127.75	127.75	127.75	127.75	127.75
Special pickups	138.45	138.45	138.45	138.45	138.45	138.45

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21.40.080 UTILITIES

3. A&E (Ancillary and Elective) Service Charges. The following charges shall apply to commercial establishments receiving any of the A&E (Ancillary and Elective Services) listed in the table below. Customers receiving secondary container service shall pay twenty (20) percent more than for A&E Services than primary container service customers (the applicable A&E service charge(s) multiplied by 1.2). Customers receiving secondary drop box service shall pay fifteen (15) percent more than for A&E Services than primary drop box service customers (the applicable A&E service charge(s) multiplied by 1.15).

A&E Service Charges

Type of Service	Charge to Customer
Deliveries	
Toter initial delivery - Permanent	\$11.40
Container initial delivery - Temporary 1-8 CY	13.40
Container initial delivery - Permanent 1-8 CY	13.40
Drop box initial delivery - Temporary 3-8 CY	19.00
Drop box initial delivery - Permanent 3-8 CY	19.00
Drop box initial delivery - Temporary 10-40 CY	30.00
Drop box initial delivery - Permanent 10-40 CY	30.00
Pickup Ancillary Services	
Temporary pickup	\$13.50
Return trip - Can	4.25
Return trip - Container or drop box	9.00
Container, Drop Box, and Compactor Special Services	
Pickup/redelivery up to 8 CY	\$13.50
Pickup/redelivery over 8 CY	30.00
Washing and steam cleaning, per CY	2.00
Washing and steam cleaning, minimum payment	15.00
Sanitizing containers, per CY	0.90
Sanitizing containers, minimum payment	10.00
Compactor disconnect/reconnect cycle	20.00
Drop box compactor turnaround	15.90
Drop box solid lid monthly provision	11.80
Overtime service, hourly premium	34.50

4. Disposal Fee for MSW Drop Box Service. Disposal fees for MSW drop box service shall be assessed on each MSW drop box load at the rate of Seventy-seven Dollars and Eighty-seven Cents (\$77.87) per ton, measured on a per tip basis rounded to the next highest one-hundredth (1/100) ton.

5. Application of Taxes and Local Hazardous Waste Plan Fee. The following taxes and fees shall be added to the collection and disposal charges set forth in this section.

a. Household Hazardous Waste Collection Fees, corresponding to the fees currently contained in Seattle Municipal Code Section 21.44.060 D;

b. Seattle Solid Waste Collection Taxes contained in Seattle Municipal Code, Section 5.48.055;

c. State Solid Waste Collection Taxes; and

d. Retail Sales Tax levies on container rental charges.

6. Payment of Charges—Delinquency and Lien.

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

b. Penalty interest at the rate of twelve (12) percent per year, computed monthly, shall be added to collection and disposal charges that become delinquent. Penalty interest shall be imposed on all such charges that remain unpaid thirty (30) days after their bill date and shall continue until such charges are paid. (Ord. 120301 § 1, 2001; Ord. 120250 § 4, 2001.)

21.40.080 Recycling and disposal station rates.

A. Basic Rates. The following rates are established for the use of the City's recycling and disposal stations.

Types of Waste and Vehicle	Rate
1. Deposit of Contaminant-free Clean Recyclables. Any vehicle	No Charge

SOLID WASTE COLLECTION RATES AND CHARGES 21.40.080

Types of Waste and Vehicle	Rate	Types of Waste and Vehicle	Rate
2. Deposit of Refuse. Sedans, station wagons, sport utility vehicles (all without trailers) Other vehicles (e.g., trucks, vans (including minivans), vehicles with trailers, travel-alls, motor homes, and modified buses, aid cars and commercial vehicles)	\$13.35 per entry	8. Deposit of White Goods Only, Seattle Residents Only. All vehicles	\$15.70 per white good; a maximum of two (2) white goods per load
3. Deposit of Source Separated Yard Waste at Yard Waste Collection Areas. Sedans, station wagons, sport utility vehicles (all without trailers) Other vehicles (e.g., trucks, vans (including minivans), vehicles with trailers, travel-alls, motor homes, and modified buses, aid cars and commercial vehicles)	\$96.25 per ton; minimum charge of \$13.35 per vehicle	B. Collection of Charges. It shall be the duty of the Director of Seattle Public Utilities, or his/her authorized agent, to issue and sell tickets at City recycling and disposal stations for the privilege of such disposal; provided, that such disposal charges shall not apply to the disposal of earth or other material suitable for road construction when disposal of same has been approved by the Director of Seattle Public Utilities or his/her authorized agent.	
4. Deposit of Source Separated Clean Wood at Clean Wood Collection Areas. Sedans, station wagons, sport utility vehicles (all without trailers) Other vehicles (e.g., trucks, vans (including minivans), vehicles with trailers, travel-alls, motor homes, and modified buses, aid cars and commercial vehicles)	\$11.05 per entry	C. State Tax Collection and Refund. The Director of Seattle Public Utilities, or his/her authorized agent, has the authority to collect taxes due as required by state law and to make refunds to any person entitled thereto under state law.	
5. Deposit of Passenger Vehicle Tires:	\$70.60 per ton; minimum charge of \$11.05 per vehicle	D. Charitable Organizations Reusing Goods. 1. A qualified charitable organization shall be charged at the rate of Fifty-five Dollars (\$55) per ton for the disposal on an ongoing basis, rather than on an occasional or incidental basis, of refuse generated within Seattle only, that is deposited at City recycling and disposal stations.	
6. Deposit of Household Hazardous Waste Only. Passenger and other noncommercial vehicles	\$11.05 per entry	2. Qualified charitable organizations may dispose of white goods at no charge under the following conditions: a. White goods must be delivered directly to the City's selected vendor for white good processing ("vendor"). b. By the tenth of each month, the qualified charitable organization must provide Seattle Public Utilities with dated receipts from the vendor for all of the white goods disposed of in the previous month. c. The number of white goods disposed of in a calendar year may not exceed the average the number of white goods delivered to City recycling and disposal stations by the qualified charitable organization in 1997 and 1998. If the above conditions are not met or if limits set forth in subsection D2c are exceeded, qualified charitable organizations shall be charged at a per-unit rate equal to that established by contract between the City and its selected vendor.	
7. Deposit of a Combination of Refuse and White Goods, Seattle Residents Only. All vehicles	\$8.00 per load; maximum of four (4) tires per load		
	No charge		
	\$96.25 per ton plus \$5.55 per white good; a maximum of two (2) white goods per load		

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21.40.080 UTILITIES

3. For purposes of this subsection D, a charitable organization shall be considered a qualified charitable organization if found by the Director of Seattle Public Utilities, or his/her authorized agent, after application by such organization to the Director, to:

a. Be a credit customer of the Seattle Public Utilities;

b. Be a nonprofit charitable organization recognized as such by the Internal Revenue Service; and

c. Be engaged, as a primary form of its doing business, in processing abandoned goods for resale or reuse.

E. Interest on Delinquent City Recycling and Disposal Stations Payments. Interest shall accrue on delinquent payments of customers at City recycling and disposal stations at the rate of twelve (12) percent per annum from thirty (30) days after the bill date and shall continue until the bill is paid.

F. Requirements for Special Event, Free Disposal. Under certain conditions, Seattle Public Utilities shall offer free disposal at City recycling and disposal stations for special events. An organization shall be qualified for free disposal for a special event if the organization's written application to the Director of Seattle Public Utilities is found by the Director, or his/her authorized agent, to:

1. Be the only such request from the organization for the calendar year;

2. Support the City's goals for cleaner neighborhoods and environments;

3. Not to supplant any current or existing agency responsibilities or activities; and

4. Provide benefit to the community or City.

G. Waiver of Residential Disposal Rates Under Certain Circumstances. The Director of Seat-

Seattle Municipal Code

SOLID WASTE COLLECTION RATES AND CHARGES 21.40.080

April, 2001 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.

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21-66.14e

(Seattle 6-01)

Seattle Municipal Code
April, 2001 code update
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The Public Utilities has discretion to waive disposal rates for City residents for yard waste or refuse for up to sixty (60) days at a time when the Director determines that unique or emergency situations, such as transitions in collection service, incidents of arson, windstorms, etc., make it prudent to encourage self-haul of refuse or yard waste to City recycling and disposal stations by waiving the disposal fee for a limited period.

H. The Seattle Housing Authority shall be charged at the rate of Fifty-five Dollars (\$55) per ton for the disposal of up to five thousand eight hundred (5,800) tons per calendar year of refuse that is deposited at City recycling and disposal stations. If the actual tons delivered in a calendar year exceed this maximum, Seattle Housing Authority shall be charged the per ton rate for refuse set forth in subsection A of this section for the additional tons.

(Ord. 119737 § 4, 1999; Ord. 119266 § 1, 1998; Ord. 117813 § 2, 1995; Ord. 117184 § 3, 1994; Ord. 116426 § 1, 1992; Ord. 116250 §§ 3, 4, 1992; Ord. 116187 § 4, 1992; Ord. 115926 § 1, 1991; Ord. 115231 § 4, 1990; Ord. 114205 § 11, 1988; Ord. 113882 § 2, 1988; Ord. 113374 § 3, 1987; Ord. 113163 § 1, 1986; Ord. 112942 § 5, 1986; Ord. 111662 § 2, 1984; Ord. 110399 § 1, 1982; Ord. 109130 § 2, 1980; Ord. 109022 § 2, 1980; Ord. 106017 § 3, 1976; Ord. 105544 § 3, 1976; Ord. 103458 § 3, 1974; Ord. 99122 § 1, 1970; Ord. 98130 § 3, 1969; Ord. 94711 § 2, 1966; Ord. 94022 § 2, 1965; Ord. 90379 § 5, 1961.)

21.40.085 Commercial railyard rate.

A. 1. Nonresidential solid waste generated within the City and directed by the City to the Argo Yard or its successor facility for transport and disposal shall be charged Sixty-two Dollars and Twenty Cents (\$62.20) per ton with a minimum charge of One Thousand Five Hundred Fifty-five Dollars (\$1,555).

2. Beginning January 17, 2000 (seventy-five (75) days after notification pursuant to RCW 70.95.212), nonresidential solid waste generated within the City and directed by the City to the Argo Yard or its successor facility for transport and disposal shall be charged Sixty-three Dollars and Ninety-five Cents (\$63.95) per ton with a minimum charge of One Thousand Five Hundred Ninety-eight Dollars and Seventy-five Cents (\$1,598.75).

B. A hauler depositing waste at the Argo Yard or its successor receiving facility shall be subject to an hourly shipping container rental charge if any shipping container supplied for transport and disposal of waste is detained by the hauler more

For current SMC
the Office of the City Clerk

than twenty-four (24) hours. The charge shall be One Dollar and Fifty Cents (\$1.50) for each hour and for each container detained beyond twenty-four (24) hours. The Director of Seattle Public Utilities will provide exemptions from this charge consistent with the City's operating agreement with Washington Waste Systems, Incorporated.

C. In the event the receiving facility turnaround time experienced by all trucks hauling waste to the Argo Yard or its successor receiving facility averages more than twenty (20) minutes in a calendar month, a hauler shall be entitled to receive a portion of any liquidated damage paid to the City by Washington Waste Systems as a result of this excessive turnaround time. The total liquidated damage for any calendar month will be equal to One Dollar and Twenty-five Cents (\$1.25) for each minute exceeding twenty (20) minutes multiplied by the total number of containers deposited at the receiving facility during the month. A hauler shall receive a portion of this liquidated damage equal to the total liquidated damage multiplied by the hauler's share of containers deposited at the receiving facility during the calendar month for which the liquidated damage applies.

D. A hauler who deposits waste at the Argo Yard or its successor receiving facility shall be subject to payment of any cost incurred for the separation and proper disposal of any hazardous or unacceptable waste found in the deposited waste.

(Ord. 119737 § 5, 1999; Ord. 118396 § 162, 1996; Ord. 117184 § 4, 1994; Ord. 116188 § 2, 1992; Ord. 115475 § 1, 1990.)

21.40.090 Authority to make rules and regulations.

To carry out the provisions of this chapter, the Director of Seattle Public Utilities is authorized to make, modify and enforce regulations for all operations at garbage and rubbish disposal sites, which regulations shall designate what material may be disposed of at particular disposal sites, may establish and provide for the collection of reasonable fees for special services rendered to persons requesting the same at such disposal sites.

(Ord. 118396 § 163, 1996; Ord. 94711 § 3, 1966; Ord. 90379 § 6, 1961.)

21.40.100 Exemption for governmental agencies owning disposal site.

The charge imposed by Section 21.40.090 shall not apply to any governmental agency owning in whole or in part the property upon which the disposal site is located.

(Ord. 90379 § 7, 1961.)

21.40.110 Preparation and placement of garbage.

All garbage and rubbish shall be prepared and placed for collection as required by ordinance. Failure to meet such requirements may result in discontinuation of collection service, but not of the charges therefor.

(Ord. 90379 § 8, 1961.)

21.40.120 Payment of charges—Delinquency and lien.

A. Garbage and rubbish collection charges imposed by this chapter shall be payable up to three (3) months in advance at the office of the City Finance Director and at the same time that water utility charges are due and payable with respect to residences or other dwelling units contemporaneously served, and partial payment on

any bill will first be credited to amounts due for garbage and rubbish collection services, then to charges for wastewater services, and the balance to outstanding charges for water services. The charges imposed under Sections 21.40.050, 21.40.060, and 21.40.080 shall apply to all residences and other dwelling units, whether occupied or not; provided, however, that where no portion of the premises is being used and occupied as a dwelling place the owner or agent responsible therefor may apply to the Director of Seattle Public Utilities for an adjustment to garbage and rubbish collection charges. In such connection the Director of Seattle Public Utilities may from time to time reduce the liability for such charges upon request therefor whenever he or she is satisfied that the premises are not being used and occupied as a dwelling place. Garbage and rubbish collection charges shall be computed and billed from time to time by the Director of Seattle Public Utilities as a separate charge on the water bill for residences or dwelling units served, and the Director of Seattle Public Utilities shall establish common billing practices and procedures to the extent permitted by law.

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

C. Penalty interest at the rate of twelve (12) percent per year, computed monthly, shall be added to garbage and rubbish collection charges imposed under Sections 21.40.050 and 21.40.060 through the combined utility bill, or any part thereof, that become delinquent. Penalty interest shall be imposed on all such charges that remain unpaid thirty (30) days after their bill date and shall continue until such charges are paid.

(Ord. 119266 § 2, 1998; Ord. 118396 § 164, 1996; Ord. 116368 § 289, 1992; Ord. 111818 § 1, 1984; Ord. 111661 § 3, 1984; Ord. 94711 § 4, 1966; Ord. 90379 § 9, 1961.)

21.40.130 Solid Waste Fund—Purchase of recyclable solid waste.

A. The solid waste functions authorized by this chapter shall be operated by the Seattle Public Utilities, and the Garbage Collection and Disposal Fund in the City Treasury is renamed the Solid Waste Fund. All revenues from the garbage and rubbish collection and disposal charges set forth in this chapter, the use of disposal sites, and from the sale of recyclable solid waste shall be credited to the fund; all expenses for the operation of the collection system, operation and maintenance of the disposal sites, operation and maintenance of recyclable solid waste purchase accounts, and transportation expense, servicing of bonds, cost of operation and maintenance of the disposal system as constructed or added to, and to maintain the solid waste functions of the Seattle Public Utilities in sound financial condition, shall be charged to the fund in the manner and to the extent provided by ordinance, including the cost of billing and collection and all interdepartmental charges for service rendered by other City departments to the utility.

B. The Seattle Public Utilities is authorized to purchase at the City's solid waste disposal facilities, recyclable solid waste at a price which shall be equal to the gross revenue received from the sale by the City of such recyclable solid waste, less costs of handling, accounting, and transportation. Such purchase price shall be computed and paid quarterly as to recyclable solid waste purchased and sold by the City in the preceding quarterly period.

(Ord. 118396 § 165, 1996: Ord. 104455 § 1, 1975: Ord. 99322 § 1, 1970: Ord. 90379 § 11, 1961.)

**Chapter 21.43
INFECTIOUS WASTE MANAGEMENT**

Sections:

- 21.43.010 Definitions.**
- 21.43.020 Authority—Administration, inspection and enforcement.**
- 21.43.030 Infectious waste management plan.**
- 21.43.040 Storage and containment of infectious waste.**
- 21.43.050 Infectious waste treatment.**

- 21.43.060 Transfer of infectious waste.**
- 21.43.070 Infectious waste transport.**
- 21.43.090 Violation—Penalty.**

21.43.010 Definitions.

- A. "City" means The City of Seattle.
- B. "Disposal site" means the areas or facilities where any final treatment, utilization, processing or deposition of solid waste occurs.
- C. "Health Officer" means the Director of the Seattle-King County Department of Public Health or his/her designated representative.
- D. "Infection control staff/committee" means those individuals designated by an infectious waste generator or an infectious waste storage/treatment operator whose responsibility includes but is not limited to developing and maintaining the infectious waste generator's or infectious waste storage/treatment operator's infectious waste management plan.
- E. "Infectious waste" means and includes solid waste which is:
 1. Cultures and stocks of etiologic agents and associated biologicals, including, without limitations, specimen cultures, cultures and stocks of etiologic agents, wastes from production of biologicals and serums, and discarded live and attenuated vaccines;
 2. Laboratory waste which has come into contact with cultures and stocks of etiologic agents or blood specimens. Such waste includes but is not limited to culture dishes, blood specimen tubes, devices used to transfer, inoculate and mix cultures, paper and cloth which has come into contact with cultures and stocks of etiologic agents;
 3. Sharps, which means medical and laboratory equipment generated by an infectious waste generator that may cause punctures or cuts. Such waste includes, but is not limited to, needles, syringes, lancets, scalpel blades, contaminated broken or sharp laboratory glassware including slides, coverslips, and pasteur pipettes;
 4. Pathological waste, which means all human tissues and anatomical parts which emanate from surgery, obstetrical procedures, autopsy, and the laboratory;
 5. Human blood and blood products, including but not limited to serum and plasma, in fluid form exceeding fifty (50) milliliters per container;

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21.43.010 UTILITIES

6. Wastes that have come into contact with human body substances infected with anthrax, smallpox, rabies, plague and viral hemorrhagic fevers such as lassa fever and Ebola-Marburg virus disease;

7. As determined by and solely at the discretion of the infectious waste generator's infection control staff/committee, wastes that have come into contact with human body substances or other sources which may contain pathogenic microbial agents or other biologically active materials in sufficient concentrations that exposure to the waste directly or indirectly creates a significant risk of disease;

8. Animal carcasses exposed to pathogens in research, their bedding, and other waste from such animals.

F. "Infectious waste collection/transportation vehicle" means a collection/transportation vehicle used for the collection and transportation of infectious waste over the highways.

G. "Infectious waste generator" means any producer of infectious waste, to include without limitation the following categories: General acute care hospitals, skilled nursing facility or convalescent hospitals, intermediate care facilities, inpatient care facilities for the developmentally disabled, chronic dialysis clinics, community clinics, health maintenance organizations, surgical clinics, urgent care clinics, acute psychiatric hospitals, laboratories, medical buildings, physicians' offices and clinics, veterinary offices and clinics, dental offices and clinics, funeral homes, or other similar facilities. Home generated syringe wastes are excluded from this category if the containment and disposal requirements specified in Section 21.43.040 K4 are followed.