

ORDINANCE No. 112171

COUNCIL BILL No. 104733

AN ORDINANCE relating to the Solid Waste Utility, amending Sections 21.36.010, 21.36.020, and 21.36.080 of the Seattle Municipal Code to include a provision for detachable containers of material other than metal and to change the definition of "Ordinance Unit" to "Bundle."

Law Department

The City of Seattle

REC'D OMB FEB 26 1985

Honorable President:

Your Committee on Environment

to which was referred the within Council report that we have considered the same

COMPTROLLER FILE No.

Introduced: <u>JAN 22 1985</u>	By: EXECUTIVE REQUEST
Referred: <u>JAN 22 1985</u>	To: <u>CEM</u>
Referred:	To:
Referred:	To:
Reported: <u>FEB 25 1985</u>	Second Reading: <u>FEB 25 1985</u>
Third Reading: <u>FEB 25 1985</u>	Signed: <u>FEB 25 1985</u>
Presented to Mayor: <u>FEB 25 1985</u>	Approved: <u>MAR 1 1985</u>
Returned to City Clerk: <u>MAR 1 1985</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

REC'D OMB DEC 05 1984

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Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

President:

Committee on Environmental Management

was referred the within Council Bill No. 104733

we have considered the same and respectfully recommend that the same:

DO PASS 2/15/85

Virginia Gale

Committee Chair

112171

ORDINANCE

1
2 AN ORDINANCE relating to the Solid Waste Utility, amending Sections
3 21.36.010, 21.36.020, and 21.36.080 of the Seattle Municipal Code to
4 include a provision for detachable containers of material other than
metal and to change the definition of "Ordinance Unit" to "Bundle."

5 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

6 Section 1. Subsections I and N of Seattle Municipal Code Section
7 21.36.010, are amended as follows:

8 21.36.010 Definitions.

9 I. "Detachable container" means a water-tight all metal con-
10 tainer, not less than one-half cubic yard in capacity and equipped with
11 a tight-fitting metal cover. The term shall also apply to containers
12 of other material of similar size when approved by the Director of
13 Engineering. Containers two cubic yards and under shall be equipped
with at least three wheels.

14 N. (~~"Ordinance unit"~~) "Bundle" means one box or carton empty
15 or filled with rubbish as defined in this section, one small shrub or
16 small tree, or bundle of rubbish, securely bundled so that none of the
17 material blows about and so it is not easily broken apart and which is
18 of such size that the longest dimension does not exceed three feet, the
19 volume does not exceed twelve cubic feet and the total weight does not
20 exceed eighty pounds, and is in good condition for handling at the time
of collection.

21 Section 2. Seattle Municipal Code Section 21.36.020 is amended as
22 follows:

23 21.36.020 Unlawful deposit of garbage or rubbish.

24 It is unlawful for anyone to deposit, throw, keep or place any garbage
25 or rubbish on any property public or private or in any lane, alley,
26 street or public place except in garbage cans, or detachable containers
27 where authorized or in (~~ordinance units~~) bundles as described in this
28 Chapter, placed on private property or on the street or alley when
necessary or required, or upon or at a refuse disposal, processing, or

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recovery site provided and/or designated by the Director of Engineering pursuant to Section 21.36.110.

Section 3. Seattle Municipal Code Section 21.36.080 is amended as follows:

21.36.080 Placement of garbage cans, (~~ordinance units~~) bundles and detachable containers.

All garbage cans and (~~ordinance units~~) bundles 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 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 (~~ordinance units~~) bundles may be placed on the sidewalk or in the alley for collection, but shall not be placed until a reasonable time prior to collection and shall be removed within a reasonable time thereafter. Detachable containers may be stored within a building but shall be readily accessible for servicing without unnecessary delay or special collection equipment.

Section 4. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

(To be used for all Ordinances except Emergency.)

Section 5.... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 25th day of February, 1985,
and signed by me in open session in authentication of its passage this 25th day of
February, 1985.

[Signature]
President of the City Council.

Approved by me this 15th day of March, 1985.

[Signature]
Mayor.

Filed by me this 15th day of March, 1985.

[Signature]

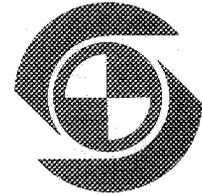
Attest: City Comptroller and City Clerk.

(SEAL)

Published

By *[Signature]*
Deputy Clerk.

Seattle
Engineering Department



Eugene V. Avery, Director of Engineering
Charles Royer, Mayor

REC'D OMB DEC 0 5 1984

December 4, 1984

Honorable Charles Royer
Mayor, City of Seattle
Seattle, Washington 98104

837940

Attention: Gary Zarker, Director
Office of Management and Budget

SUBJECT: Amendment to Solid Waste Collection
Seattle Municipal Code Chapter 21.36

Dear Mayor Royer:

REQUEST. We request City Council adoption of the attached ordinance amending Chapter 21.36 of the Seattle Municipal Code.

PURPOSE OF REQUEST. Amending the Seattle Municipal Code, Paragraph I of Section 21.36.010 to include a provision for detachable containers of material other than metal as approved by the Director of Engineering. The amendment also changes the definition of "Ordinance Unit" to "Bundle" in paragraph N of Section 21.36.010 and in Section § 21.36.020, and 21.36.080.

BACKGROUND FACTS. Rates for detachable container collection were raised in August 1984. The rate change resulted in customers requesting larger containers. A problem arises with the larger containers however, because metal lids on the larger containers are heavy and can be unsafe. The Seattle/King County Health Department favors plastic lids on larger containers because they are lighter and easier to handle.

The Seattle Municipal Code states that detachable containers must be metal and have a tight-fitting metal cover. The attached ordinance amends the Seattle Municipal Code so that detachable containers made of material other than metal can be used.

Also, included in the attached ordinance is an amendment to the term Ordinance Unit. Ordinance 110443, amended Section 21.36.050 by changing "Ordinance Unit" to "bundle." The attached amendments are consistent with Ordinance 110443. (Paragraph N of Section 21.36.010; Section 21.36.020; and Section 21.36.080.)

Honorable Charles Royer
December 4, 1984
Page 2

No additional funds are necessary for the attached legislation.

IMPORTANCE. Since the rate increase for detachable container collection in August 1984, customers have been requesting larger containers. Lids for the larger containers are heavy and unsafe due to their weight. It is necessary to make the attached amendment in the Seattle Municipal Code as quickly as possible to coincide with the August, 1984 rate increase. Therefore, a ratify and confirm prior acts clause is included in the attached ordinance.

Sincerely,



EUGENE V. AVERY, P.E.
Director of Engineering

EVA/BEL:em10.1

Attachments

cc: Office of Management and Budget
Ed Steyh, Engineering Department

City of Seattle

Executive Department-Office of Management and Budget

Gary Zarker, Director
Charles Royer, Mayor



January 4, 1985

The Honorable Douglas Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Engineering

SUBJECT: This ordinance would amend sections of the Seattle Municipal Code to include a provision for detachable garbage containers of materials other than metal and to change the definition of "Ordinance Unit" to "Bundle."

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- () Do not file with City Council but return the proposed legislation to OMB for our review. Return to _____.

Sincerely,

Charles Royer
Mayor

By

John Howell, for
GARY ZARKER
Budget Director

GZ/ca/ca

Enclosure

cc: Director, SED

GB #170413
Folder

COPY OF WITHIN RECEIVED

JAN 16 1985

Douglas N. Jewett
CITY ATTORNEY

OKay
AH

Affidavit of Publication



STATE OF WASHINGTON
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a _____
Ordinance No. 112171

_____ was published on March 5, 1985

[Handwritten Signature]

Subscribed and sworn to before me on
March 5, 1985

[Handwritten Signature: Joanne Summers]
Notary Public for the State of Washington,
residing in Seattle.

City of Seattle

ORDINANCE 112171

AN ORDINANCE relating to the Solid Waste Utility, amending Sections 21.36.010, 21.36.020, and 21.36.080 of the Seattle Municipal Code to include a provision for detachable containers of material other than metal and to change the definition of "Ordinance Unit" to "Bundle."

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsections I and H of Seattle Municipal Code Section 21.36.010, are amended as follows:

21.36.010 Definitions.

I. "Detachable container" means a water-tight all metal container, not less than one-half cubic yard in capacity and equipped with a tight-fitting metal cover. The term shall also apply to containers of other material of similar size when approved by the Director of Engineering. Containers two cubic yards and under shall be equipped with at least three wheels.

H. ~~("Ordinance-unit")~~ "Bundle" means one box or carton empty or filled with rubbish as defined in this section, one small shrub or small tree, or bundle of rubbish, securely bundled so that none of the material blows about and so it is not easily broken apart and which is of such size that the longest dimension does not exceed three feet, the volume does not exceed twelve cubic feet and the total weight does not exceed eighty pounds, and is in good condition for handling at the time of collection.

Section 2. Seattle Municipal Code Section 21.36.020 is amended as follows:

21.36.020 Unlawful deposit of garbage or rubbish.

It is unlawful for anyone to deposit, throw, keep or place any garbage or rubbish on any property public or private or in any lane, alley, street or public place except in garbage cans, or detachable containers where authorized or in ~~("ordinance-units")~~ bundles as described in this Chapter, placed on private property or on the street or alley when necessary or required, or upon or at a refuse disposal, processing, or recovery site provided and/or designated by the Director of Engineering pursuant to Section 21.36.110.

Section 3. Seattle Municipal Code Section 21.36.080 is amended as follows:

21.36.080 Placement of garbage cans, ~~("ordinance-units")~~ bundles and detachable containers.

All garbage cans and ~~("ordinance-units")~~ bundles 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 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 ~~("ordinance-units")~~ bundles may be placed on the sidewalk or in the alley for collection, but shall not be placed until a reasonable time prior to collection and shall be removed within a reasonable time thereafter. Detachable containers may be stored within a building but shall be readily accessible for servicing without unnecessary delay or special collection equipment.

Section 4. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 25th day of February, 1965, and signed by me in open session in authentication of its passage, this February 25th, 1965.

Approved by me this 15th day of March, 1965.

Filed by me this 15th day of March, 1965.

(SEAL)

William S. Green
President of the City Council

Charles Royer
Mayor

Jim Hill
Attest
City Controller and City Clerk

J. Hernandez
Deputy Clerk