



SEATTLE CITY COUNCIL

Legislative Summary

CB 118935

Record No.: CB 118935

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125288

In Control: City Clerk

File Created: 12/15/2016

Final Action: 04/14/2017

Title: AN ORDINANCE relating to Seattle Public Utilities; updating and consolidating provisions relating to Seattle recycling requirements; and amending Sections 21.36.082 and 21.36.083 of the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: bob.hennessey@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	01/10/2017	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	01/10/2017	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	01/13/2017	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee						
	Notes:						

Legislative Summary Continued (CB 118935)

- | | | | | | |
|---|---|------------|------------------------------------|--|------|
| 1 | Full Council | 03/20/2017 | referred | Civil Rights,
Utilities, Economic
Development, and
Arts Committee | |
| | Action Text: The Council Bill (CB) was referred. to the Civil Rights, Utilities, Economic Development, and Arts Committee | | | | |
| | Notes: | | | | |
| 1 | Civil Rights, Utilities,
Economic Development,
and Arts Committee | 03/31/2017 | pass | | Pass |
| | Action Text: The Committee recommends that Full Council pass the Council Bill (CB). | | | | |
| | In Favor: 2 Chair Herbold, Member O'Brien | | | | |
| | Opposed: 0 | | | | |
| 1 | Full Council | 04/10/2017 | passed | | Pass |
| | Action Text: The Appointment was confirmed by the following vote: | | | | |
| | In Favor: 9 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant | | | | |
| | Opposed: 0 | | | | |
| 1 | City Clerk | 04/12/2017 | submitted for
Mayor's signature | Mayor | |
| 1 | Mayor | 04/14/2017 | Signed | | |
| 1 | Mayor | 04/14/2017 | returned | City Clerk | |
| 1 | City Clerk | 04/14/2017 | attested by City
Clerk | | |
| | Action Text: The Ordinance (Ord) was attested by City Clerk. | | | | |
| | Notes: | | | | |
-

CITY OF SEATTLE

ORDINANCE 125288

COUNCIL BILL 118935

AN ORDINANCE relating to Seattle Public Utilities; updating and consolidating provisions relating to Seattle recycling requirements; and amending Sections 21.36.082 and 21.36.083 of the Seattle Municipal Code.

WHEREAS, The City of Seattle adopted recycling requirements in 2004 and additional requirements for food waste and compostable paper in 2014; and

WHEREAS, Seattle Public Utilities seeks to update and consolidate Seattle Municipal Code provisions relating to recycling requirements; and

WHEREAS, Seattle Public Utilities intends to update and clarify enforcement procedures by amending its administrative rules in 2017; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 21.36.082 of the Seattle Municipal Code, last amended by Ordinance 124582, is amended as follows:

21.36.082 Commercial recycling required ((-))

A. ~~((Required Recycling of Paper, Cardboard, and Yard Waste.))~~ Required recycling of paper, cardboard, glass, plastic, aluminum, tin, food waste, compostable paper, and yard waste

1. ~~((As of January 1, 2005, a))~~ All commercial establishments, including those hauling their own waste, shall separate paper (including paper cups), cardboard, glass and plastic bottles and jars, aluminum and tin cans, food waste, compostable paper, and yard waste for recycling, and no paper, cardboard, glass or plastic bottles and jars, plastic cups, aluminum or tin cans, food waste, compostable paper, or yard waste shall be deposited in garbage containers or drop boxes or disposed as garbage at the City's transfer stations.

2. ~~((Enforcement.))~~ Any violation of this subsection 21.36.082.A shall result in an additional collection fee of \$50 per collection.

B. ~~((Required Recycling of Glass, Plastic, Aluminum and Tin.~~

1. ~~As of July 1, 2014, all commercial establishments, including those hauling their own waste, shall separate glass bottles and jars, plastic cups, bottles and jars, and aluminum and tin cans for recycling, and no glass bottles and jars, plastic cups, bottles and jars, nor aluminum or tin cans shall be deposited in garbage containers or drop boxes or disposed as garbage at the City's transfer stations.~~

2. ~~Enforcement.~~

a. ~~As of July 1, 2014, the Director of Seattle Public Utilities shall monitor commercial containers and provide educational notices or tags for commercial garbage cans, detachable containers and drop boxes with significant amounts of glass bottles and jars, plastic cups, bottles and jars, and aluminum or tin cans.~~

b. ~~As of July 1, 2015, any violation of this subsection shall result in an additional collection fee of \$50 per collection.~~

C. ~~Required Recycling of Food Waste and Compostable Paper.~~

1. ~~As of January 1, 2015, all commercial establishments, including those hauling their own waste, shall separate food waste and compostable paper for recycling, and no food waste or compostable paper shall be deposited in garbage containers or drop boxes or disposed as garbage at the City's transfer stations.))~~ All commercial establishments that generate food waste or compostable paper shall subscribe to a composting service, process their food waste onsite, or self-haul their food waste for processing. All building owners shall provide composting service for their tenants or provide space for tenants' own food waste containers. ~~((The Director~~

of Seattle Public Utilities is authorized to promulgate rules, in accordance with the provisions of the Administrative Code, SMC Chapter 3.02, for purposes of interpreting and clarifying the requirements of this subsection.

2. Enforcement.

a. As of October 1, 2014, the Director of Seattle Public Utilities shall begin a program of customer outreach and assistance regarding these new recycling requirements.

b. As of January 1, 2015, the Director of Seattle Public Utilities shall monitor commercial containers and provide educational notices or tags for containers with significant amounts food waste and compostable paper.

c. As of July 1, 2015, any violation of this section shall result in an additional collection fee of \$50 per collection.

~~D.)~~C. Exceptions ((.))

1. ((Existing Structures: Existing e)) Commercial structures that do not have adequate storage space for recyclable materials may be exempt from all or portions of this Section 21.36.082 if so determined by the Director of Seattle Public Utilities. The Director of Seattle Public Utilities, in cases where space constraints are determined to exist, shall review compliance with solid waste storage space requirements under Section 23.54.040, and shall also evaluate the feasibility of shared recycling containers by contiguous businesses or multifamily structures.

2. ((New or Expanded Structures: New structures permitted in commercial zones that have demonstrated difficulty in meeting the solid waste and recyclable materials storage

~~space specifications required under SMC Section 23.54.040 may be exempt from all or portions of this Section as determined by the Director of Seattle Public Utilities.~~

~~3. Publicly accessible garbage containers:))~~ Commercial establishments will not be responsible for recyclable materials deposited in commercial garbage containers made available to members of the general public.

D. The Director of Seattle Public Utilities is authorized to promulgate rules in accordance with the provisions of Chapter 3.02 for purposes of interpreting and clarifying the requirements of this Section 21.36.082.

Section 2. Section 21.36.083 of the Seattle Municipal Code, last amended by Ordinance 124582, is amended as follows:

21.36.083 Residential recycling required ((-))

A. ~~((Recycling Required of Paper, Cardboard, Glass, Plastic, Aluminum, and Tin.))~~
Recycling required of paper, cardboard, glass, plastic, aluminum, tin, food waste, and compostable paper

1. ~~((As of January 1, 2005, a))~~ All residents living in single-family structures, multifamily structures, and mixed-use buildings shall separate paper, cardboard, glass and plastic bottles and jars, ~~((and))~~ aluminum and tin cans, food waste, and compostable paper for recycling, and no paper, cardboard, glass or plastic bottles and jars, ~~((and))~~ aluminum or tin cans, food waste, or compostable paper shall be deposited in a garbage container or drop box or disposed as garbage at the City's transfer stations.

2. ~~((Enforcement.~~

a. ~~As of January 1, 2006, residential customers that self-haul their garbage shall be prohibited from disposing of garbage with significant amounts of paper, cardboard, or~~

~~glass or plastic bottles or jars or aluminum or tin cans at the City's Recycling and Disposal Stations.~~

~~b. Up through June 30, 2015, any violation of this section by residential curbside or backyard customers shall result in refusal of curbside garbage collection services. Residential customers shall be required to remove these items from garbage containers before they will be collected.~~

~~c. As of July 1, 2015, a))~~Any violation of this ((section)) Section 21.36.083 by residential curbside or backyard customers shall result in an additional collection fee of \$1 per can collection.

~~((d.))~~ Any violation of this ((section)) Section 21.36.083 by detachable container and drop box customers shall result in an additional collection fee of \$50 per detachable or drop box collection.

B. ~~((Required Recycling of Food Waste and Compostable Paper.~~

~~1. As of January 1, 2015, all residents living in single family structures, multifamily structures and mixed use buildings shall separate food waste and compostable paper for recycling, and no food waste or compostable paper shall be deposited in a garbage container or drop box or disposed as garbage at the City's transfer stations. The Director of Seattle Public Utilities is authorized to promulgate rules, in accordance with the provisions of the Administrative Code, SMC Chapter 3.02, for purposes of interpreting and clarifying the requirements of this subsection.~~

~~2. Enforcement.~~

1 a. ~~As of October 1, 2014, the Director of Seattle Public Utilities shall~~
2 ~~begin a program of educational outreach regarding the food waste and compostable paper~~
3 ~~recycling requirements.~~

4 b. ~~As of January 1, 2015, the Director of Seattle Public Utilities shall~~
5 ~~establish a program of placing educational notices or tags on garbage containers with significant~~
6 ~~amounts of food waste and compostable paper.~~

7 c. ~~As of July 1, 2015, any violation of this section by residential curbside~~
8 ~~or backyard customers shall result in an additional collection fee of \$1 per can collection.~~

9 d. ~~As of July 1, 2015, any violation of this section by detachable container~~
10 ~~and drop box customers shall result in an additional collection fee of \$50 per collection.~~

11 ~~C.)) Exceptions ((:))~~

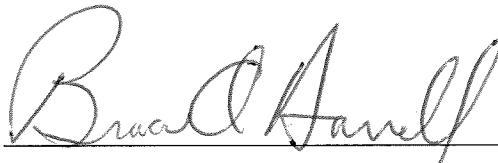
12 ((~~1. Existing structures Existing m~~))Multifamily structures that do not have
13 adequate storage space for recyclable materials may be exempt from all or portions of this
14 ((~~ordinance~~)) Section 21.36.083 if so determined by the Director of Seattle Public Utilities. The
15 Director of Seattle Public Utilities, in cases where space constraints are determined to exist, shall
16 review compliance with solid waste storage space requirements under Section 23.54.040, and
17 shall also evaluate the feasibility of shared recycling containers by contiguous businesses or
18 multifamily structures.

19 ((~~2. New or Expanded Structures: New multifamily structures permitted in~~
20 ~~commercial zones or expanded multifamily structures that have demonstrated difficulty in~~
21 ~~meeting the solid waste and recyclable materials storage space specifications required under~~
22 ~~SMC Section 23.54.040 may be exempt from all or portions of this ordinance as determined by~~
23 ~~the Director of Seattle Public Utilities.))~~

1
2 C. The Director of Seattle Public Utilities is authorized to promulgate rules in accordance
3 with the provisions of Chapter 3.02 for purposes of interpreting and clarifying the requirements
4 of this Section 21.36.083.
5

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 10th day of April, 2017,
and signed by me in open session in authentication of its passage this 10th day of
April, 2017.



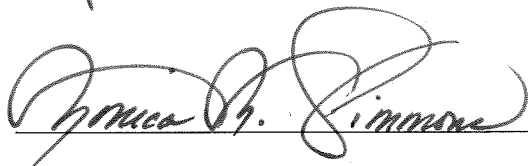
President _____ of the City Council

Approved by me this 14th day of April, 2017.



Edward B. Murray, Mayor

Filed by me this 14th day of April, 2017.



Monica Martinez Simmons, City Clerk

(Seal)

STATE OF WASHINGTON -- KING COUNTY

--SS.

349184

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

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.

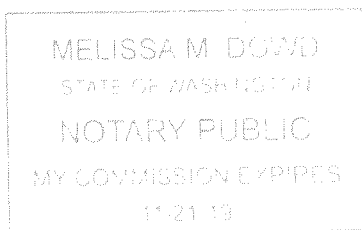
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:128287 -293 TITLE ONLY

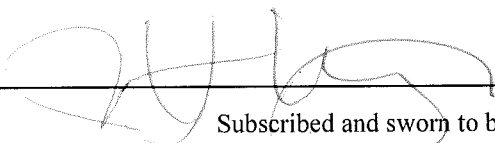
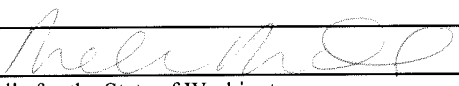
was published on

04/28/17

The amount of the fee charged for the foregoing publication is the sum of \$144.45 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on
04/28/2017

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on April 10, 2017, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125287

Council Bill 118753

AN ORDINANCE relating to land use and zoning; amending Sections 25.05.675 and 25.05.800 of the Seattle Municipal Code to clarify and update references to the Comprehensive Plan and restore the categorical exemptions for State Environmental Policy Act review of proposed "infill" development.

Ordinance 125288

Council Bill 118935

AN ORDINANCE relating to Seattle Public Utilities; updating and consolidating provisions relating to Seattle recycling requirements; and amending Sections 21.36.082 and 21.36.083 of the Seattle Municipal Code.

Ordinance 125289

Council Bill 118936

AN ORDINANCE relating to a lease agreement for office space; authorizing the Director of Finance and Administrative Services to enter into a lease agreement with NearSU, LLC, a Washington limited liability company, for office space in the 464 12th Avenue Building to be used as the Central Customer Service Center; and ratifying and confirming certain prior acts.

Ordinance 125290

Council Bill 118937

AN ORDINANCE relating to the redevelopment of Yesler Terrace by the Housing Authority of the City of Seattle; authorizing the Mayor to execute an amendment to the Yesler Terrace Cooperative Agreement with the Housing Authority of the City of Seattle that was authorized by Ordinance 123961; authorizing the Director of Housing to implement the Cooperative Agreement as amended; and ratifying and confirming certain prior acts.

Ordinance 125291

Council Bill 118940

AN ORDINANCE relating to land use and zoning, amending the Official Land Use Map (Chapter 23.32 of the Seattle Municipal Code) to rezone certain land in Downtown, South Lake Union and adjacent IC zones; amending Sections 23.41.012, 23.48.220, 23.48.225, 23.48.230, 23.48.232, 23.48.235, 23.48.245, 23.48.250, 23.48.255, 23.49.008, 23.49.011, 23.49.013, 23.49.014, 23.49.019, 23.49.041, 23.49.058, 23.49.156, 23.49.158, 23.49.164, 23.50.020, 23.50.026, 23.50.028, 23.50.033, 23.50.039, 23.50.053, 23.50.055, 23.52.008, 23.58B.040, 23.58B.050, 23.58C.025, 23.58C.030, 23.58C.035, 23.58C.040, 23.58C.050, 23.76.004, 23.76.006, 23.86.007 and 25.05.675 of the Seattle Municipal Code; amending the Downtown Overlay Maps in Chapter 23.49 of the Seattle Municipal Code; and adding new Sections 23.48.223, 23.48.231, 23.48.290, 23.49.007, 23.49.039, 23.50.041, 23.58B.055, and 23.58C.055 to the Seattle Municipal Code to implement Mandatory Housing Affordability requirements in Downtown and South Lake Union.

Ordinance 125292

Council Bill 118942

AN ORDINANCE amending Ordinance 125248 to modify the effective date of certain sections of that ordinance.

Ordinance 125293

Council Bill 118945

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, April 28, 2017.

4/28(349184)