AN ORDINANCE of the City of Kent, Washington amending certain sections of Kent codified ordinance, Chapter 5.4 regarding garbage collection, changing certain units of measurement therein, amending fees therein and adding certain requirements thereto; and declaring a public emergency.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DO
ORDAIN AS FOLLOWS:

Section 1. Paragraph 5 of Kent codified ordinance 5.4.04 (Definitions) which reads as follows:

"The term 'garbage units' means secure and tight bundles, none of which shall exceed three feet in the longest dimension, and shall not exceed one hundred pounds in weight or such 'garbage unit' may be packed in small discarded boxes, barrels or bags, or in securely tight cartons or other receptacles reasonably easy to be handled and loaded by one person onto a collection vehicle."

is hereby amended to read as follows:

"The term 'garbage units' means secure and tight bundles, none of which shall exceed three feet in the longest dimension, and shall not exceed seventy-five pounds in weight or such 'garbage unit' may be packed in small discarded boxes, barrels or bags, or in securely tight cartons or other receptacles reasonably easy to be handled and loaded by one person onto a collection vehicle."

Section 2. Paragraph 3 of Kent codified ordinance 5.4.12 (Containers) which reads as follows:

"No garbage can when filled shall weigh more than one hundred pounds and shall be so packed that the contents thereof will dump out readily when can is inverted. All garbage cans, bundles, disposal receptacles units, as above specified, shall be placed in convenient accessible locations upon the ground level or ground floor, and near as practicable at the approximate rear of the building or near the alley, street or road at which collection trucks are to be loaded; all walks, paths, driveways to the place of loading shall have an overhead clearance of not less than 8 feet, but in no event shall ordinance defined cans or units be placed a distance greater than 60 feet from the street, alley or road on the day of collection."

is hereby amended to read as follows:
"No garbage can when filled shall weigh more than 75 pounds and shall be so packed that the contents thereof will dump out readily when can is inverted. All garbage cans, bundles, disposal receptacles units, as above specified, shall be placed in convenient accessible locations upon the ground level or ground floor and near as practicable at the approximate rear of the building or near the alley, street or road at which collection trucks are to be loaded; all walks, paths, driveways to the place of loading shall have an overhead clearance of not less than 8 feet, but in no event shall ordinance defined cans or units be placed a distance greater than 75 feet from the street, alley or road on the days of collection."

Section 3. Kent codified city ordinance 5.4.20 which reads as follows:

"Exclusive right to haul garbage, exceptions. It shall be unlawful for any person except the duly authorized employees of the City under the direction and supervision of the person designated as provided in Section 5.4.16 hereof to haul garbage, refuse or swill through the streets of the City or to dump garbage, refuse or swill on the city garbage dump except as hereinbefore provided for swill originating in commercial or industrial establishments; provided, however, any industry desiring to haul their own garbage to a suitable site with equipment that is approved by the Health and Sanitation Committee to travel over the streets of the City of Kent may be issued a permit to do so at a cost of $2.50. Said permit shall be valid for three months from the date of issuance; and said equipment will be subject to review and approval by the Health and Sanitation Committee of the City Council as to each request."

is hereby amended to read as follows:

"Exclusive right to haul garbage, Exceptions. It shall be unlawful for any person except the duly authorized employees of the City under the direction and supervision of the person designated as provided in Section 5.4.16 hereof to haul garbage, refuse or swill through the streets of the City or to dump garbage, refuse or swill except as hereinbefore provided for swill originating in commercial or industrial establishments; provided, however, any customer desiring to haul their own garbage to a suitable site with equipment that is approved by a representative of the Kent City Council's Health and Sanitation Committee to travel over the streets of the City of Kent may be issued a permit to do so at a cost of $2.50. Said permit shall be valid for three months from the date of issuance; and said equipment will be subject to review and approval by
said representative of the Kent City Council's Health and Sanitation Committee as to each request. Any such permit holder shall haul his said garbage at least once each week for public health reasons.

Section 4. Codified Kent City ordinance 5.4.24 pertaining to burning of certain materials within the Kent City limits is hereby repealed in its entirety.

Section 5. Codified Kent City ordinance 5.4.28 covering the hours of collection for garbage collection service within the City of Kent is hereby repealed in its entirety.

Section 6. There is added herewith to Chapter 5.4 of the codified ordinances of the City of Kent the following:

"Hours of Collection. All garbage, refuse and swill as hereinbefore defined will be collected within the boundaries of the City of Kent as follows:

(1) Regular collections from business firms and commercial enterprises will be made as often as required, but shall not exceed one pick-up per day, five days per week, Monday through Friday, between the hours of Four a.m. and four p.m.

(2) Regular collection from residential dwellings shall be made one day per week, Monday through Friday, between the hours of seven a.m. and four p.m.

(3) Regular collection in areas where a building contains commercial and residential uses shall be made as often as required but shall not exceed one pick-up per day, five days per week, Monday through Friday, between the hours of four a.m. and four p.m.

Section 7. Kent codified ordinance 5.4.30 pertaining to garbage billing provisions for premises vacant more than one month is hereby repealed in its entirety.

Section 8. There is herewith added to Chapter 5.4 of the codified ordinances of the City of Kent the following new section:

"Whenever any person shall determine to leave his premises vacant for a period of more than one month and thus shall not need garbage collection service during said period, he may cancel garbage collection and service fees therefor for said vacated premises by giving written notice of said vacancy to the Kent Utilities Department and in the written notice the person shall state the period of said vacancy and the street address of the premises; provided, that upon receipt of said written notice said service will be discontinued on the first calendar day of the next succeeding month for not less than thirty days."

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Section 9. Kent codified city ordinance 5.4.36 covering garbage collection charges and rate schedule is hereby repealed in its entirety.

Section 10. Garbage collection charges -- Rate schedule. The following schedule is adopted as a basis of classification and as a schedule of charges to be paid to and collected by the City for services rendered by the City for the collection and removal of garbage, refuse and swill, from residences, business firms and commercial enterprises:

"(a) Collection of garbage, refuse and swill from residential dwellings shall be made once a week.

(l) For 'garbage cans' and/or 'garbage units' as herein defined. Place not more than twenty-five (25) feet from the point of pick-up. Said point of pick-up shall be measured from a public right-of-way, either street or alley that is open to public use all times of the year.

<table>
<thead>
<tr>
<th>Cans per week</th>
<th>Rate per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$2.20</td>
</tr>
<tr>
<td>2</td>
<td>$2.45</td>
</tr>
<tr>
<td>3</td>
<td>$2.70</td>
</tr>
<tr>
<td>4</td>
<td>$2.95</td>
</tr>
<tr>
<td>5</td>
<td>$3.30</td>
</tr>
</tbody>
</table>

(b) For 'garbage cans' and/or 'garbage units' as herein defined. Placed more than twenty-five (25) feet from the point of pick-up. Said point of pick-up shall be measured from a public right-of-way, either street or alley that is open to public use all times of the year:

<table>
<thead>
<tr>
<th>Cans per week</th>
<th>Rate per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$2.25</td>
</tr>
<tr>
<td>2</td>
<td>$2.50</td>
</tr>
<tr>
<td>3</td>
<td>$2.75</td>
</tr>
<tr>
<td>4</td>
<td>$3.00</td>
</tr>
<tr>
<td>5</td>
<td>$3.35</td>
</tr>
</tbody>
</table>

Any customer whose pick-up point is more than 75 feet from the public right-of-way, either street or alley, must either (a) grant permission in writing to the City for the contractor's truck to use his driveway so that the pickup point falls into (less than 25 feet) or (more than 25 feet) or (b) negotiate a proper fee with the city and contractor.

(c) Collection of garbage, refuse and swill from business firms, commercial and industrial firms shall be available for up to daily pick-up Monday through Friday of each week. The contractor will negotiate with each such customer as to the number of said pick-ups per week.
1-can per week .......... $2.00 per month  
2-5 cans per pick-up  
per week ............ $3.00 per month  
5-10 cans per  
pick-up per week ...... $5.00 per month  
Excess of 10 cans  
per pick-up per week $ .80 per can per month  
Multiply the above base rate by the number  
of pick-ups per week in excess of one.  
Provided, however, that the minimum monthly  
charge for each business or commercial  
account shall be $2.50 per month.  

(1) The rate for handling of detachable  
containers for the use by commercial, industrial and  
multiple dwelling establishments shall be as  
follows:  

<table>
<thead>
<tr>
<th>Container Size</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 yard containers</td>
<td>$2.20 per pick-up</td>
</tr>
<tr>
<td>1 1/2 yard containers</td>
<td>$3.30 per pick-up</td>
</tr>
<tr>
<td>2 yard containers</td>
<td>$4.10 per pick-up</td>
</tr>
<tr>
<td>10 yard to 20 yard containers</td>
<td>$1.00 per yard</td>
</tr>
<tr>
<td>20 yard to 40 yard containers</td>
<td>$ .90 per yard</td>
</tr>
</tbody>
</table>

(2) The rental rate to be paid the contractors  
for furnishing detachable containers is as  
follows:  

<table>
<thead>
<tr>
<th>Container Size</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 yard containers</td>
<td>$3.00 per month</td>
</tr>
<tr>
<td>1 1/2 yard containers</td>
<td>$4.50 per month</td>
</tr>
<tr>
<td>2 yard containers</td>
<td>$6.00 per month</td>
</tr>
<tr>
<td>10 yard containers</td>
<td>$14.00 per month</td>
</tr>
<tr>
<td>20 yard containers</td>
<td>$24.00 per month</td>
</tr>
<tr>
<td>30 yard containers</td>
<td>$35.00 per month</td>
</tr>
<tr>
<td>40 yard containers</td>
<td>$42.50 per month</td>
</tr>
</tbody>
</table>

(3) The customer may furnish his own detachable  
container providing said container is compatible with  
the contractor's equipment for collection.  

(4) The minimum pick-up schedule for all  
accounts is once each week.  

Section 11. Kent city ordinance 5.4.42 pertaining to  
garbage container rental fees is hereby repealed in its entirety.  

Section 12. There is hereby added to codified Kent  
ordinance Chapter 5.4 the following new section:  

"Any customer renting garbage containers from the  
City of Kent in one yard, yard and one-half and  
two yard capacities shall be charged a $10.00  
fee for moving said garbage container into place  
and a $10.00 fee for moving said garbage container  
out of place unless said customer keeps said  
container for a minimum of three months (in which  
case, no fee for moving in and moving out said  
garbage container will be charged). Further, for
rental of garbage containers in excess of two
yard capacities, the customer renting said
containers shall be charged a $40.00 fee for
moving said garbage container and a $40.00 fee
for moving said garbage container out of location
unless said customer keeps said garbage container
for not less than six months (in which no fee for
moving in and moving out of said container will
be charged).

Section 13. There is herewith added to Kent codified
city ordinance Chapter 5.4. the following new section:
"The location of garbage containers or cans in
conjunction with commercial, industrial or multi­
family dwellings shall be subject to inspection
by the Kent Fire Department and located in such
areas to reduce or remove any fire hazard."

Section 14. Kent codified City ordinance 5.4.40
pertaining to garbage classification and determination thereof
is hereby repealed in its entirety.

Section 15. There is herewith added to codified Kent
City ordinance Chapter 5.4 the following new section:
"The City of Kent reserves the right for its
utilities committee to determine the necessity
to require garbage collection."

Section 16. Severability. If any section, sub-section,
sub-division, sentence, clause or phrase of this ordinance is for
any reason held to be unconstitutional or void, such decision
shall not affect the validity of the remaining portion or portions thereof.

Section 17. The City Council of the City of Kent,
Washington deem the passage of this ordinance to be a public
emergency necessary for the protection of the public health,
public safety, public property or public peace of the citizens
of the City of Kent and upon the passage of this ordinance by
a majority, plus one, of the whole membership of the Kent City
Council, its terms shall immediately become effective.

Attest:

MARIE JENSEN, City Clerk

Approved as to form:

City Attorney
Passed the 19th day of January, 1970.
Approved the 23rd day of January, 1970.
Published the 28th day of January, 1970.

I hereby certify that this is a true copy of Ordinance No. 1429, passed by the City Council of the City of Kent and approved by the Mayor of the City of Kent as hereon indicated.

(Seal)
MARIE JENSEN, City Clerk