ORDINANCE NO. 2339

AN ORDINANCE of the City of Kent, Washington, relating to the public health and sanitation, providing for the establishment, maintenance and operation of a system of garbage, refuse and swill collection and disposal; establishing the procedures for setting the rates for the collection and removal of garbage, refuse and swill and the rates for rental containers; providing for inspection by the Kent Fire Department; providing penalties for the violation of the provisions of this Ordinance; and repealing Ordinances 1933, 2079, 2165, 2173, 2193, 2205, 2220, 2231, 2268 and 2332 of the City of Kent.

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

Section 1. DEFINITIONS. The word "garbage" as used in this Ordinance means and includes all accumulations of waste matters discarded as of no further value to the owner, such as discarded containers, (small dead animals weighing not over fifteen (15) pounds, and hollow ware:) but shall exclude manure, sewage, large dead animals, cleanings from public and private catch basins wash racks or sumps.

The word "refuse" as used in this Ordinance means and includes waste matter discarded as of no further value, including ashes, cinders, clinkers, lawn cuttings and grass, broken up household furnishings and equipment, discarded hot water tanks, bottles, barrels, cartons, shrubs, small trees, small tree limbs, paper and scraps of wooden crates and boxes; but shall exclude large trees, earth, sand, gravel, rock, broken concrete, plaster, brick and other building materials, automobile bodies, large auto parts, building waste, fire refuse and waste.

The word "swill" as used in this Ordinance means and includes all accumulations of animal, fruit, or vegetable matter, liquid or otherwise, that attends the preparation, use, dealing in or storing of meat, fish, fowl, fruit, and vegetables, except coffee grounds.

The word "garbage can" as used in this Ordinance means a water tight, galvanized, sheet metal, raised-bottom container or suitable plastic container not exceeding four (4) cubic feet or thirty-two (32) gallons in capacity, weighing not over twenty-two (22) pounds when empty, fitted with two (2) sturdy handles, one on each side, and a tight cover equipped with a handle.
The word "Agreement" as used in this Ordinance means the Agreement between the City of Kent and a private contractor for the collection and disposal of garbage, refuse, and other waste which is in effect at the time.

The term "garbage units" means secure and tight bundles, none of which shall exceed three (3) feet in the longest dimension and shall not exceed seventy-five (75) 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.

The term "person" shall mean every person, firm, partnership, association, institution, or corporation in the City of Kent accumulating garbage, refuse or swill requiring disposal. The term shall also mean the occupant and/or the owner of the premises for which service herein mentioned is rendered.

Section 2. Garbage, refuse and swill collections shall be made by the City of Kent or by a private contractor, pursuant to the awarding of a contract by the City Council.

Section 3. It shall be unlawful for any person, other than those duly authorized by the City Council, to haul garbage, refuse or swill through the streets of the City or to dump garbage, refuse or swill: PROVIDED, that those commercial and industrial business establishments listed in the current garbage contract as having permits to haul their own garbage and refuse may continue to haul such garbage and refuse as long as they have a current permit. Renewal permits shall be issued by the City Clerk at a cost of Ten (10) dollars. Renewal permits shall be valid for one (1) year and shall be subject to review by the Director of Finance prior to renewal.

Any permit holder, as provided for in this Section, shall haul his garbage or swill at least once each week for public health reasons.

Section 4. All persons accumulating garbage, refuse or swill in the City of Kent shall place and accumulate same in garbage cans or garbage units as defined heretofore in this Ordinance.

It shall be unlawful to deposit, throw, or place any garbage, refuse or swill in any land, alley, street or other public place, or to deposit, throw or place any garbage or refuse on any private property regardless of ownership, unless said garbage or refuse is placed in garbage containers, the covers of which shall not be removed except when necessary for
the depositing or removing of garbage or refuse; PROVIDED, that boxes, small barrels, cartons, shrubs, small trees, small tree limbs, scraps of wooden crates and boxes, broken up household furniture and equipment, paper, hollow ware and rubbish in general, may be broken up or cut up and placed in garbage units as defined heretofore in this Ordinance.

Any garbage can when filled shall not weigh more than seventy-five (75) pounds and shall be so packed that the contents thereof will dump out readily when the can is inverted. All garbage cans, bundles, disposal receptacle unit, as above specified, shall be placed in convenient, accessible locations upon the ground level or ground floor and as near as practicable to 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 a overhead clearance of not less than eight (8) feet.

Any person accumulating garbage, refuse or swill in the downtown or suburban business areas whose location requires the placing of cans or units on sidewalk or alleys for collection shall not place same on sidewalk or alley until the close of each business day, and shall remove cans from sidewalk or alley immediately after the opening for business each morning.

No hot ashes or other hot material shall be placed in any garbage can or container for collection or removal. All kitchen, table and cooking waste before being deposited in the cans as herein before provided shall be drained and wrapped in paper or other material in such a manner as to prevent as nearly as possible moisture from such garbage from coming in contact with sides or bottoms of the metal containers.

Sufficient garbage cans must be provided for the collection of all garbage as defined in this Ordinance. Worn out and improper cans will be discarded and the decision of the Director of Finance or his delegate, shall be final in any dispute regarding the type, number, and condition of garbage can or cans.

It shall be unlawful, except as authorized by the owner or the City to deposit any garbage, refuse, swill or other material in any garbage can, or to remove the cover therefrom; said cover shall be securely placed on each can or unit at all times, except when it is necessary to remove same for deposit or at times of collection.

Section 5. 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 pickup per day, five (5) days per week, Monday through Friday, between the hours of 4 a.m. and 4 p.m.

2. Regular collection from residential dwellings shall be made one (1) day per week, Monday through Friday, between the hours of 7 a.m. and 4 p.m.

3. Regular collections in areas where a building contains commercial and residential uses shall be made as often as required but shall not exceed one (1) pickup per day, five (5) days per week, Monday through Friday, between the hours of 4 a.m. and 4 p.m.

Section 6. Whenever any person shall determine to leave his premises vacant for a period of more than one (1) 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 (30) days.

Section 7. The rates for the collection and removal of garbage, refuse and swill from residences, business firms and commercial enterprises to be paid to and collected by the City shall be established in the Agreement and adopted by Ordinance.

The rates for the rental of detachable containers from the contractor to be paid to and collected by the City shall also be established in the above-mentioned contract; PROVIDED that the customer may furnish his own detachable container if it is compatible with the contractor's equipment for collection.

Any customer renting garbage containers from the contractor shall be subject to the rental rates and other terms relating to rental equipment in the Agreement.

Section 8. The City of Kent reserves the right to fix special rates and prescribe special regulations for the collection of waste from the construction or repair of buildings, waste products from manufacturing plants, refuse of peculiar quality, or garbage, swill or refuse which may be thoroughly offensive or dangerous to haul through the streets.
or alleys of the City of Kent.

Section 9. 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 as to reduce or remove any fire hazard.

Section 10. RATES FOR COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE.

A. Collection of garbage and refuse from residential dwellings shall be made once a week. For 'garbage cans' and/or 'garbage units' placed not more than twenty-five (25) feet from point of pickup. Said point of pickup shall be measured from a public right-of-way (not including a private driveway), either street or alley that is open to public use all times of the year:

1 can per week $5.00 per month
2 cans per week $6.30 per month
Each additional can $2.00 per month

B. For garbage cans' and/or garbage units' placed more than twenty-five (25) feet but less than seventy five (75) feet from point of pickup. Said point of pickup shall be measured from public right-of-way, (not including a private either street or alley that is open to public use all times of the year:

1 can per week $5.90 per month
2 can per week $7.90 per month
Each additional can $2.40 per month

C. For 'garbage cans' and/or 'garbage units' that are placed more than seventy-five (75) feet from point of pickup. Said point of pickup shall be measured from a public right-of-way (not including a private driveway), either street or alley that is open to public use all times of the year:

1 can per week $7.15 per month
2 can per week $9.30 per month
Each additional can $2.55 per month

D. Extra units $1.20 per month

E. Collection of garbage and refuse from business firms, commercial enterprises including trailer courts, and industrial firms shall be available for up to daily pickup Monday thru Friday of each
week. The City will advise the contractor as to the actual number of said pickups per week. The rate for garbage can service shall be as follows:

1.30 per can per pickup
Minimum monthly charge of $6.50

F. The rate for handling detachable rear load containers for use by commercial, industrial and multiple dwelling establishments shall be as follows:

Pickup once a week minimum:
1 yard container $6.50 per pickup
1 1/2 yard container $9.00 per pickup
2 yard container 11.50 per pickup
4 yard container 19.00 per pickup
6 yard container 29.00 per pickup

Pickup twice monthly minimum:
20 yard drop box 49.50 + actual dump fee

Pickup once a week minimum:
10 yard drop box 49.50 + actual dump fee
30 yard drop box 52.50 + actual dump fee
40 yard drop box 56.00 + actual dump fee

G. The rental rate to be paid the contractor for furnishing detachable rear load containers shall be as follows:

1 yard container $4.00 per month
1 1/2 yard container $5.00 per month
2 yard container $7.00 per month
4 yard container $10.50 per month
6 yard container $14.00 per month
10 yard container $32.00 per month
20 yard container $39.50 per month
30 yard container $45.00 per month
40 yard container $56.50 per month

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

H. The rate for handling temporary contractor drop boxes shall be as follows:

Installation $15.50
Rental per day 2.80 (after 3 days)
Dumping charge by container size (minimum pickup twice per month):
20 yard container $63.00 + actual dump fee
30 yard container 78.50 + actual dump fee

I. The maximum load per compactor or drop box is 6 tons with a charge of $39.00 for each ton or portion thereof in excess of the maximum.

J. Compactor Service
   10 - 29 $55.00 + actual dump fee per pickup
   30 - 40 $63.00 + actual dump fee per pickup

Digging out compactor or drop box $39.00 per occurrence

K. Installation Charge
   Dumpsters (6 yards or less) $12.50
   Drop Box (10 yards and up) $31.50

Section 11. The violation of, or failure to comply with any of the provisions of this ordinance shall be punishable by a fine of not more than five hundred (500) dollars or by imprisonment in the City jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment.

Section 12. Ordinances 1933, 2079, 2165, 2173, 2193, 2205, 2231, 2220, 2268 and 2332 of the City of Kent are hereby repealed.

Section 13. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as provided by law provided, however, that the new rates shall be retroactive to January 1, 1982.

ATTESTS:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

BARBARA HEAVEY, ACTING CITY ATTORNEY
PASSED the ___ day of February, 1982.

APPROVED the ___ day of February, 1982.

PUBLISHED the ___ day of February, 1982.

I, hereby certify that this is a true copy of Ordinance No. 2329, passed by the City Council of the City of Kent Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK

1069-53A