AN ORDINANCE of the City of Kent, Washington, relating to garbage and solid waste; authorizing an interlocal Agreement with King County concerning use of King County Solid Waste Disposal Facilities; adding a new Section 7.08.200 Kent City Code designating the King County disposal System for the disposal of all solid waste generated within the City; amending KCC 7.08.010 to add a definition of solid waste.

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

Section 1. For and on behalf of the City of Kent, the Mayor is authorized to execute the Agreement between King County and the City of Kent concerning use of King County Solid Waste Disposal Facilities, substantially in the form attached hereto as Exhibit 1.

Section 2. A new Section 7.08.200 is added to the Kent City Code as follows:

7.08.200. KING COUNTY SYSTEM DESIGNATED.

A. All solid waste generated within the corporate limits of the City of Kent shall be disposed at a King County Solid Waste Disposal Facility.

B. King County is authorized to designate disposal sites for the disposal of all solid waste generated within the City of Kent.

C. No solid waste may be diverted from the disposal sites designated by King County without King County approval.

D. The provisions of this Section 7.08.200 shall not apply, and shall not affect, the disposal of solid waste which is eliminated through waste reduction or waste recycling activities which have been coordinated with King County pursuant to the AGREEMENT BETWEEN KING COUNTY AND THE CITY OF KENT CONCERNING USE OF KING COUNTY SOLID WASTE DISPOSAL FACILITIES.

Section 3. KCC 7.08.010 is hereby amended as follows:

7.08.010. DEFINITIONS. As used in this Chapter, the following definitions apply:

A. "Collection company" means the persons, firms or corporations or combination thereof certified by the Washington Utilities and Transportation Commission pursuant to Chapter 81.77 RCW to engage in the business of operating as both a garbage and refuse collection company in areas including all or part of the City of Kent.

B. "Detachable container" means any garbage container compatible with the collection company’s equipment that is not a garbage can, garbage unit, or mobile toter.
C. "Garbage" means all accumulations of refuse, swill, and other waste matter discarded as of no further value to the owner.

1. "Refuse" means waste matter discarded as of no further value, including ashes, cinders, clinkers, lawn cuttings, grass and leaves, 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.

2. "Swill" means 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.

3. The term "garbage" excludes manure, sewage and sewage sludge, dead animals over fifteen pounds, and cleanings from public and private catch basins, wash racks or sumps. Disposal of matter excluded from the term "garbage" shall be as otherwise provided by law.

D. "Garbage can" means a watertight, galvanized, sheet metal, raised-bottom container or suitable plastic container not exceeding four cubic feet or thirty-two gallons in capacity, weighing not over twenty-two pounds when empty, fitted with two sturdy handles, one on each side, and a tight cover equipped with a handle.

E. "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. Garbage units may also mean small discarded boxes, barrels or bags, or in securely tight cartons or other receptacles able to be reasonably handled and loaded by one person onto a collection vehicle.

F. "Mobile toter" means a movable container which holds at least eighty-five gallons or one hundred eighty pounds of refuse, with a hinged-lid with tight fit, thick-skinned one-piece balanced weight body which sets on tires, which will be picked up at curbside with hydraulic dumpster.

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

H. "Solid Waste" shall be as defined by WAC 173-304-100, with the exception of those wastes excluded by WAC 173-304-015.


Section 4. Any Act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and confirmed.
Section 5. Effective Date. This Ordinance shall take effect and be enforced five (5) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

BILL WILLIAMSON,
ACTING CITY ATTORNEY

I hereby certify that this is a true and correct copy of Ordinance No. 2611, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]

BRENDA JACOBER, DEPUTY CITY CLERK

2858k