Ordinance No. 3832
(Amending or Repealing Ordinances)

CFN=110 - Water/Sewer/Garbage Rates and Policies
Passed – 3/30/2007
Mandatory Garbage Service Exemption

Amends Ords. 2814;2841;2870;2906;3031;3084;3183;3253;3289;3541;3779

Amended by Ord. 3851 (Sec. 7.03.050)
ORDINANCE NO. 3832

AN ORDINANCE of the city council of the city of Kent, Washington, amending Chapter 7.03 of the Kent City Code to add an exemption from mandatory garbage service requirements for residents who also own a business in Kent that subscribe to commercial garbage collection service and other minor revisions to clarify and correct various provisions regarding the handling of solid waste, recyclable materials, and yard waste in the city of Kent.

RECITALS

A. The city’s public works director recommends adding an exemption from the mandatory garbage service requirement for residents who own a business in Kent and clarifying various provisions regarding the handling of solid waste in the city of Kent.

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

ORDINANCE

SECTION 1. Amendment. Chapter 7.03 of the Kent City Code, entitled “Solid Waste, Recyclable Materials, and Yard Waste,” is amended to read as follows:

1 Mandatory Garbage Service Exemption
CHAPTER 7.03
SOLID WASTE, RECYCLABLE MATERIALS, AND YARD WASTE

Sec. 7.03.010. Definitions. The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Collection company means the persons, firms, or corporations, or combination thereof, operating under a contract for solid waste, recyclables, or yard waste collection with, or under the direction of, the city, including an authorized contractor for the collection of recyclable materials under this chapter.

Commercial means all customers that are not included within the definition of "residential" set forth below, which are within the collection company's service area in Kent. "Commercial" includes "commercial multifamily" as defined below.

Commercial multifamily means multifamily residences containing more than four (4) dwelling units.

Detachable container means any garbage container compatible with the collection company's equipment that is not a garbage can, garbage unit or mobile toter.

Director means the director of the department of public works.

Garbage means solid waste.

Garbage, Recycle, or Yard Waste Container(s) can means a watertight, fully covered, galvanized, sheet metal, raised-bottom container or suitable plastic can, container, cart, dumpster, or drop box not exceeding four (4) cubic feet or thirty-two (32) gallons in capacity, weighing not over twenty-two (22) pounds when empty or sixty-five (65) pounds when full, of various sizes and weights, when full, as approved by the director or collection company, fitted with two (2) sturdy handles, one (1) on each side and a tight cover equipped with a handle. The director or collection company may approve the use of alternative containers or

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require appropriate features for the various containers such as type of material, handles, wheels, or compatibility with collection equipment.

Garbage unit(s) means secure and tight bundles, none of which shall exceed four (4) three (3) feet in the longest dimension and shall not exceed sixty (60) seventy-five (75) pounds in weight. "Garbage units" may also mean small discarded boxes, barrels or bags or securely tight cartons or other receptacles not intended for recycling under this chapter and able to be reasonably handled and loaded by one (1) person onto a collection vehicle.

Mobile cart means a movable container which holds at least thirty-two (32) gallons of solid waste, with a tight-fitting lid, and a thick-skinned one-piece balanced weight body which sits on tires, which will be picked up at curbside. The director may approve collection company use of alternative mobile carts.

Person means every person, firm, partnership, business, association, institution, or corporation in the city accumulating solid waste requiring disposal or generating, accumulating, and collecting recyclable materials. The term shall also mean the occupant and/or the owner of any premises for which service mentioned in this section is rendered.

Recycle container means carts or other containers approved by the director in which recyclable materials, including yard waste, can be stored and later placed at curbside, alleyside or other approved location. This term also includes but is not limited to designated commercial front load boxes, drop boxes and compactors at locations as may be specified by the director. The director may approve collection company use of alternative recycle containers.

Recyclable materials means waste materials generated in the city capable of reuse from a waste stream as designated by the director, including but not limited to sorted or unsorted newsprint, glass, aluminum, ferrous and nonferrous cans, plastic materials, mixed paper, and cardboard accumulated and intended for recycling or reuse and collection by a collection company or authorized contractor. This term excludes all dangerous wastes and hazardous wastes as defined in Chapters 70.105 and 70.105A RCW, and solid wastes intended for disposal in a landfill, incinerator, or solid waste disposal facility under Chapter 173-304 WAC.
All recyclable materials intended for collection by a city-authorized collection company or contractor shall remain the responsibility and ownership of participants until such materials as contained in designated recycle containers are placed out for collection for the authorized contractor. Such materials then become the responsibility and property of the collection company or authorized contractor subject to the right of the participant to claim lost property of value.

Residential means customers dwelling in one-unit houses, mobile homes, and multifamily residences containing no more than four (4) dwelling units such as duplexes, triplexes, and fourplexes which are within the collection company's service area city of Kent.

Solid waste shall be as defined by RCW 70.95.030 and WAC 173-304-100(73), with the exception of sludge from wastewater treatment plants and septage, from septic tanks, extremely hazardous waste, hazardous waste, dangerous waste, and problem wastes as defined in Chapters 173-303 and 173-204 WAC, and Chapters 70.105 and 70.105A RCW.

Solid waste utility shall be the city system of solid waste handling under Chapters 35.21 and 35.6721A RCW and this code.

Yard waste means plant material including leaves, grass clippings, prunings, branches (cut to less than four (4) feet and under four (4) inches in diameter), brush, garden material, weeds, tree limbs (also cut to less than four (4) feet and under four (4) inches in diameter) and other biodegradable waste that may be designated by the director. Rocks, dirt, and sod, except incidental amounts, are unacceptable. Materials may be bundled with cotton or other similar organic string only. Yard waste does not include demolition debris such as concrete, wallboard, lumber or roofing materials.

Sec. 7.03.020. Solid waste, recyclable materials, and yard waste collection.

A. Solid waste and recyclable materials—Collection required. Solid waste and recyclable materials collections shall be made by collection companies as authorized by the city. Except as provided in subsections (B) and (C) of this Sec. 7.03.020, Mandatory Garbage Service Exemption
section, all persons and properties within the city shall be required to use the solid waste and recyclable materials collection system and of the city service of the utility under contract with collection companies and it shall be unlawful for any person, other than those duly authorized by the city, to haul solid waste— and recyclable materials through the streets of the city. It is unlawful to dump or store solid waste, and recyclable, or yard waste materials in violation of KCC 8.04. Except as provided in subsection (B) of this section, all persons and occupied property shall be subject to use and be responsible for at least the minimum level of solid waste collection service and associated charges for residential or commercial service, for residential and commercial solid waste and residential and commercial multifamily recyclable materials, as applicable, whether or not such persons and property use the service unless exempted from such requirement under this subsection or subsection (B) of this section. The city or collection company will automatically bill the residential or commercial customer for such minimum level of service if the customer does not sign up for service within 30 days of occupying a property in the city. The director may, upon satisfactory evidence showing on an annual basis that a person or property produces no solid waste and recyclable materials, or a residential customer owns a business in the city of Kent that has commercial solid waste collection service, the director may approve an exemption from waive the mandatory minimum level of solid waste collection service and payment requirements of this section.

B. Commercial permitted haulers. Those commercial and industrial business establishments having prior established permits to haul their own solid waste may continue to haul such solid waste by annual permit. Renewal permits shall be issued upon application and payment of the annual permit fee. The annual permit fee shall be as follows:

1. Permit holders hauling less than one hundred fifty (150) tons of solid waste per month, one hundred dollars ($100);  
2. Permit holders hauling greater than one hundred fifty (150) tons of solid waste per month, seven thousand five hundred dollars ($7,500).

Any permit holder, as provided for in this subsection, shall haul garbage at least once a week for public health reasons.
C. Self-haul. Nothing in this section shall prohibit the limited and occasional hauling by customers of solid waste, recyclable materials, or yard wastes by a customer from its specific property to an approved King County solid waste, recyclable materials, or yard waste collection site. Occasional haulers are not exempt from the mandatory solid waste collection service and payment requirements and are responsible for any associated fees for such collection site services, as applicable. If the minimum level of service for such is paid for by the customer. Yard waste collection by collection companies is voluntary to the customer, therefore, a customer may self-haul yard waste to an approved site and not pay the minimum level of service for such.

Sec. 7.03.030. Regulations regarding collection companies — Business license required.

A. To provide for the public health, safety, and general welfare, collection companies operating within the city under contract for services for the city’s solid waste utility shall, at no additional cost to the city or its residents:

1. Comply with all provisions of the city code and amendments thereof, and applicable federal, state, and county laws and regulations pertaining to the collection, handling, transportation, and disposal of solid waste, recyclable materials, and yard waste. The city shall be entitled, during regular business hours, to inspect the books and records of collection companies operating within the city;

2. Pick up Christmas trees each January;

3. Provide for a semiannual residential cleanup in the spring and fall of each year to allow for disposal of accumulated solid waste. The director of public works shall promulgate administrative rules, following consultation with collection companies, for the implementation of this subsection;

4. Provide service to public buildings and facilities, as designated by the director of public works. Upon consultation with collection companies, the director of public works may add or delete public facilities from such designation in the interests of public health and safety;
5. Extend the lifeline utility rate for solid waste, recyclable materials, and yard waste collection as adopted by the city under KCC 7.01.080 to eligible customers who have filed an approved application with the city.

B. Collection companies operating pursuant to and in compliance with this chapter shall be issued, upon application, a business license pursuant to Ch. 5 01 KCC, without the payment of license fees, permit fees as provided in KCC 7.03.020(B), or other fees related to solid waste handling established by the city. This subsection (B) shall not be construed as a waiver of the utility tax imposed by Ch. 3.18 KCC.

Sec. 7.03.040. Recyclable materials – Collection.

A. Collection companies as part of their collection service, shall collect recyclable materials from residential and commercial multifamily customers in the city who request curbside recycling at no extra cost as part of their solid waste collection service, as required and pursuant to the provisions of this chapter. Collection companies shall collect recyclable materials from commercial customers in the city who request commercial recycling service in accordance with the collection company’s rates and applicable regulations. Subject to terms and conditions of any collection contract and regulations, such collection companies are solely responsible for all costs of removal and disposal of recyclable materials placed out for collection by the residential or commercial customers. The requirements of this section do not prohibit the customary collection and sale of recyclable and reusable materials by persons or private recyclers or affect the right of waste generators to continue to accumulate, buy, sell or give recyclable materials to persons other than the collection companies.

B. Designated recycle containers shall be placed at curbside, alleyside, or other locations as determined by the director or collection company with the concurrence of the director. Back yard collection of recycle containers shall not be required of the collection company—contractor except under special circumstances determined by the director, including disabled or elderly participants.
Sec. 7.03.045. Residual-recyclable-yard waste materials - Collection - Prohibition on commingling yard waste with other solid waste or recyclables.

A. Collection companies, as part of their collection services, shall collect residential recyclable-yard waste materials (cut to less than four (4) feet and under four (4) inches in diameter) from participating-residencestal or commercial customers in the city who request yard waste collection service at rates in accordance with the collection company's contract as required and pursuant to the provisions of this chapter, when requested by the customer. Subject to terms and conditions of any such collection contract and regulations, such collection companies are solely responsible for all costs of removal, marketing, and disposal of residential recyclable-yard waste materials placed out for collection by program-participating customers. The requirements of this section do not prohibit customers from the customary collection and sale of recyclable and reusable residential-yard waste materials by individual residential-yard waste recyclers or self-hauling yard waste materials to approved King County disposal sites.

B. Designated residential-yard waste containers shall be placed at curbside, alleyside, or other locations as determined by the director or collection company, with the concurrence of the director. Back yard collection of residential-yard waste containers shall not be required of the collection company or contract except under special circumstances determined by the director, for example, for disabled or elderly participants.

C. All persons and residences within the territorial limits of the city are prohibited from disposing any yard waste in any solid waste, or recyclable container other than a designated yard waste container.

Sec. 7.03.050. Solid waste handling service.

A. All persons accumulating solid waste in the city shall place and accumulate solid waste in garbage cans, containers or garbage units, mobile carts, or units, detachable containers as required by this chapter.
B. It shall be unlawful to deposit, throw, or place any solid waste in any land, alley, street, or other public place, or to deposit, throw, or place any solid waste on any private property regardless of ownership, unless the solid waste is placed in garbage cans, containers, or carts, the covers of which shall not be removed except when necessary for the depositing or removing of solid waste. Boxes, small barrels, cartons, scraps of wooden crates and boxes, broken-up household furniture and equipment, paper, hollowware and rubbish in general, may be broken up or cut up and placed in garbage containers or units, consistent with this chapter or as approved by the director.

C. Any garbage, recycle, or yard waste cancontainer—when filled—shall not weigh more than seventy-five (75) pounds the allowable weight for its size as determined by the director or collection company for the safety of collection personnel and protection of property. Garbage, recycle, and yard waste containers shall be packed so that the contents thereof will dump out readily when the cancontainer is inverted. All garbage, recycle, and yard waste cancontainers and garbage units shall be placed at curbside or alley for collection before 7:00 a.m. or 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 as approved by the director or collection company. All containers shall be removed from such locations as soon as possible after collection, but no later than the end of the collection day. All walks, paths and driveways to the place of loading shall have an overhead clearance of not less than eight (8) feet.

D. Any mobile cart when filled shall not weigh more than one hundred eighty (180) pounds, or as otherwise regulated by the director, and shall be so packed that the contents thereof will dump out readily. All mobile carts shall be placed at curbside or alley before 7:00 a.m. and removed from the curb or alley as soon as possible after collection, but no later than 7:00 p.m.

E. Any person accumulating solid waste in the downtown or suburban business areas whose location requires the placing of cans, garbage, recycle, or yard waste containers, or garbage units on a sidewalk or alley for collection shall not place the same on a sidewalk or alley until the close of each business day, and shall remove
caRSontainers from the sidewalk or alley immediately after the opening for business each morning.

EF. Dangerous and other waste.

1. No hot ashes or other hot material, dirt, sand, rocks, gasoline, solvents, oil, paint, or dangerous or hazardous wastes shall be placed in any garbage, recycle, or yard waste can, container or garbage unit, detachable container or mobile cart for collection or removal. All kitchen, table, and cooking waste before being deposited in garbage cans, containers or garbage units, detachable containers, or mobile carts shall be drained and wrapped in paper or other material in such a manner as to prevent as nearly as possible moisture from such solid waste from coming in contact with sides or bottoms of the containers.

2. As used in this section, “dangerous or hazardous wastes” means any solid waste designated as dangerous or hazardous waste by the State Department of Ecology, and such wastes shall be disposed of consistent with Department of Ecology rules and regulations.

FG. When use of garbage cans is allowed or required, a sufficient number and size of garbage cans or containers must be provided for the collection of all garbage cans as defined in this chapter. Worn-out and improper containers shall be discarded or replaced with approved containers.

GH. Residential units shall use mobile carts unless otherwise authorized by the collection company or by the director. Certain garbage, recycle and yard waste containers mobile carts shall be provided by the collection company for the health, safety, convenience, and general welfare of the residences and their occupants. All garbage, recycle and yard waste containers mobile carts provided by the collection company shall remain the property of the collection company. The containers shall not be damaged, destroyed or removed from the premises by any person. Markings and identification devices on the containers, except as placed or specifically permitted by the collection company, are expressly prohibited and shall be regarded as damage to the containers.

HI. It shall be unlawful, except as authorized by the owner, collection company or the city, to deposit any solid waste or other material in any private garbage.
recycle or yard waste can, container or garbage unit, detachable container or mobile tote, or to remove the covers therefrom. The covers shall be securely placed on each can, container, tote or unit at all times, except when it is necessary to remove same for deposit or at times of collection.

13. Yard waste collected by collection companies shall be deposited in containers provided or approved by collection companies or by the director, and disposed of as provided for in this chapter or authorized by the director. Nothing in this chapter shall prohibit persons from composting yard waste on property owned or leased by such persons. Compost facilities shall be operated and maintained consistent with other applicable laws and regulations.

Sec. 7.03.060. Hours of collection. All solid waste, recyclable materials and yard waste will be collected within the boundaries of the city as follows:

A1. Residential pick-ups shall be made Monday through Friday from 7:00 a.m. to 4:00 p.m. unless otherwise approved by the director in writing. Solid waste pick-ups shall be made at least once per month (minimum level of service) or once per week (regular service), unless otherwise approved by the director. If complaints are received or problems arise with accumulated solid waste for customers with once per month service, the city may require once per week service. Recyclable materials and yard waste may be picked up less frequently as approved by the director. Residential collection shall be at curbside unless otherwise approved by the director or collection company, agreed upon.

B2. Commercial pick-ups may begin at 4:00 a.m., Monday through Friday and may be made as often as required, but no less than once per month; provided, however, that in commercial areas abutting residential neighborhoods, pick-ups shall be limited to days and times set forth in subsection (1) above.

Sec. 7.03.070. Special regulations. The city reserves the right to prescribe special regulations for the collection of solid waste from the construction or repair of buildings, waste products from manufacturing plants, refuse of peculiar quality or solid waste which may be thoroughly offensive or dangerous to haul through the streets or alleys of the city. The requirements for solid waste,
recyclable materials, and yard waste collections, as set forth in the provisions of this chapter, may be modified by contract with the collection companies when approved by the city council and the affected collection company.

Sec. 7.03.080. Location of containers.

A. The location of detachable containers—garbage, recycle, or yard waste cans—containers or garbage units, or mobile carts of commercial, industrial, or multifamily dwellings shall be subject to inspection by the fire department and must be relocated in areas with a reduced or a nonexistent fire hazard as necessary.

B. The location of the garbage, recycle, or yard waste cans, mobile carts, containers or garbage units in conjunction with the residential pick-ups shall be at curbside. Persons with physical constraints/disabilities who are unable to bring solid waste and recyclable or yard waste materials to the curbside for collection, may be eligible for special walk-in or drive-in services upon approval by the director and granted an exemption from doing so by the collection company pursuant to the collection contract.

Sec. 7.03.085. Recycling space requirements.

A. Storage space and collection points for recyclables. Developments shall provide storage space for the collection of recyclables as follows:

1. The storage space for residential uses shall be provided at the rate of one and one-half (1-1/2) square feet per dwelling unit in apartment and condominium developments except when the development is subject to a city/county sponsored or approved direct collection program.

2. The storage space for nonresidential uses shall be provided at the following rate:

   a. Two (2) square feet per every one thousand (1,000) square feet of building gross floor area in office educational and institutional developments;

   b. Three (3) square feet per every one thousand (1,000) square feet of building gross floor area in manufacturing and other nonresidential developments;
c. Five (5) square feet per every one thousand (1,000) square feet of building gross floor area in retail developments.

B. Collection points for recyclables. Developments shall provide collection points for recyclables as follows:
   1. The storage space for residential developments shall be apportioned and located in collection points as follows:
      a. The required storage area shall be dispersed in collection points throughout the site when a residential development comprises more than one (1) building.
      b. There shall be one (1) collection point for every thirty (30) dwelling units.
      c. No dwelling unit within the development shall be more than two hundred (200) feet from a collection point.
      d. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on site, or project into any public right-of-way.
   2. The storage space for nonresidential development shall be apportioned and located in collection points as follows:
      a. Storage space may be allocated to a centralized collection point.
      b. Outdoor collection points shall not be located in any required setback areas.
      c. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic onsite, or project into any public right-of-way.
      d. Outdoor collection points serving more than one (1) building within any single development are subject to the prior approval of the city's director of public works.

C. Collection point design. The collection points shall be designed as follows:
   1. Dimensions of the collection points shall be of sufficient width and depth to enclose recycle containers for recyclables.

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2. Architectural design of any structure enclosing an outdoor collection point or any building primarily used to contain a collection point shall be consistent with the design of the primary structure(s) on the site.

3. Collection points shall be identified by signs not to exceed two (2) square feet.

4. A six (6) foot wall or fence shall enclose any outdoor collection point, excluding collection points located in industrial developments that are greater than one hundred (100) feet from residentially zoned property.

5. Access to collection points may be limited, except during regular business hours and/or specified collection hours.

6. Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least twelve (12) feet wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least twelve (12) feet.

7. Weather protection of recyclables shall be ensured by using weatherproof containers or by providing a roof over the storage area.

8. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic onsite, or project into any public right-of-way.

Sec. 7.03.090. King County system designated.

A. All solid waste generated within the corporate limits of the city 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.

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 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 concerning use of King County solid waste disposal facilities.

E. King County regulations or ordinances regarding levels and types of service for any aspect of solid waste handling shall not apply within the limits of the city except as provided in this chapter.

Sec. 7.03.100. King County comprehensive solid waste management plan adopted.

A. The city hereby adopts the King County comprehensive solid waste management plan with addenda as recommended by the solid waste interlocal forum through Resolution 89005 (hereinafter "plan"). The plan as adopted in this section is further designated for the exercise of substantive authority under the State Environmental Policy Act rules pursuant to RCW 43.21C.060.

B. Pursuant to RCW 70.95.160, the city hereby determines that King County shall not exercise any powers regarding the levels and types of service for any aspect of solid waste handling in the city. King County regulations and ordinances regarding levels and types of service for any aspect of solid waste handling shall not apply within the corporate limits of the city as may be now or hereafter determined by the city.

C. Pursuant to RCW 70.95.030, the city hereby designates the following materials as recyclable materials:

1. Container glass;
2. Paper;
3. Aluminum;
4. Tin cans;
5. Plastic.

Other materials may be designated as recyclable as markets become available and as the net cost of collecting and recycling that material becomes equal to or less than the cost of collection, transfer, long haul and disposal. Items in the above list may be removed due to market or other variation.
D. The city shall determine solid waste and commercial recycling collection rates, if any, by ordinance or through collection contracts and not as set forth in the plan.

E. The director of public works is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this section.

Sec. 7.03.110. Lien for utility services.

A. Pursuant to Chapter 35.21 RCW, liens are authorized by this code against property for which solid waste, recyclable materials, or yard waste collection services have been provided by collection companies operating under contract with the solid waste utility.

B. Applicable charges for solid waste, recyclable, and yard waste materials collection and disposal, recyclable collection and disposal, and yard waste collection and disposal services are set by collection companies consistent with solid waste utility contracts with the city or applicable regulations. Upon failure to pay the applicable charges within the time provided for in invoices and/or bills issued by the city or collection companies, the amount thereof shall become a lien against the property for which the solid waste, recyclable material, or yard waste collection service is rendered.

C. A notice of the lien authorized by this section shall specify the charges, the period covered by the charges, and the legal description of the property sought to be charged. The notice shall be filed with the county auditor within the time required and shall be foreclosed in the manner and within the time prescribed for liens for labor and material.

D. Liens authorized by this section shall be prior to all liens and encumbrances filed subsequent to the filing of the notice of lien with the county auditor, except the lien of general taxes and local improvement assessments whether levied prior or subsequent thereto.
E. Collection companies seeking to exercise rights under this section shall have current, executed contracts for solid waste handling with the city authorizing the rights herein and providing for the method of such lien enforcement.

Sec. 7.03.120. Violation, penalty.

A. Any violation of any provision of this chapter is a civil violation as provided for in Ch. 1.04 KCC, for which a monetary penalty may be assessed and abatement may be required as provided therein.

B. In addition to or as an alternative to any penalty provided in this chapter, anyone violating or failing to comply with KCC 7.03.020 through 7.03.050 shall, upon conviction, be punished by a fine of not more than five thousand dollars ($5,000) or by imprisonment for a period of not exceeding one (1) year, or by both such fine and imprisonment.

SECTION 2. - Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 3. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

ATTEST:

SUZETTE COOKE, MAYOR

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY
APPROVED: 20 day of March, 2007.

I hereby certify that this is a true copy of Ordinance No. 3832 passed by the city council of the city of Kent, Washington, and approved by the mayor of the city of Kent as hereon indicated.

Mary Simmons (SEAL)
BRENDA JACOBER, CITY CLERK
DEPUTY CITY CLERK

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