



## Legislation Text

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**File #:** 2003-0459, **Version:** 2

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AN ORDINANCE relating to solid waste division facilities, operations and finance; setting fees and providing for the setting of fees; making technical corrections; amending Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020, Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.030, Ordinance 12076, Section 5, as amended, and K.C.C. 4.04.200, Ordinance 7159, Section 13, as amended, and K.C.C. 4.04.250, Ordinance 12076, Section 13, as amended, and K.C.C. 4.08.045, Ordinance 8891, Section 3, as amended, and K.C.C.10.04.020, Ordinance 7708, Section 1 (part), as amended, and K.C.C.10.08.020, Ordinance 7708, Section 1 (part), as amended, and K.C.C.10.08.040, Ordinance 7708, Section 1 (part), and K.C.C.10.08.080, Ordinance 8108, Section 3, as amended, and K.C.C.10.10.020, Ordinance 8108, Section 4, as amended, and K.C.C.10.10.030, Ordinance 12564, Section 2, and K.C.C.10.12.021, Ordinance 800, Section 3, as amended, and K.C.C.10.12.030, Ordinance 7012, Section 7, as amended, and K.C.C.10.12.055, Ordinance 800, Section 3 (part), as amended, and K.C.C.10.12.060, Ordinance 7786 Section 2, and K.C.C.10.14.020, Ordinance 7786, Section 5, and K.C.C.10.14.040, Ordinance 7786, Section 3, and K.C.C.10.14.050, Ordinance 7786, Section 7, and K.C.C. 10.14.080, Ordinance 9240, Section 1, and K.C.C. 10.16.010, Ordinance 9240, Section 2, and K.C.C. 10.16.020, Ordinance 9240, Section 3, and K.C.C. 10.16.030, Ordinance 9240, Section 6, as amended, and K.C.C.10.16.060,

Ordinance 9240, Section 9, and K.C.C. 10.16.090, Ordinance 9240, Section 16, and K.C.C. 10.16.160, Ordinance 9240, Section 17, and K.C.C. 10.16.170, Ordinance 9240, Section 18, and K.C.C. 10.16.180, Ordinance 9928, Section 2, as amended, and K.C.C.10.18.010, Ordinance 9928, Section 3, as amended, and K.C.C.10.18.020, Ordinance 9928, Section 4, and K.C.C.10.18.030, Ordinance 9928, Section 5, as amended, and K.C.C. 10.18.040, Ordinance 9928, Section 6, and K.C.C. 10.18.050; Ordinance 9928, Section 7, as amended, and K.C.C. 10.18.060, Ordinance 7737, Section 2, as amended, and K.C.C.10.24.020 and Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015, adding a new sections to K.C.C. chapter 4.04, adding a new section to K.C.C. chapter 10.08, adding a new section to K.C.C. chapter 10.10 and adding a new section to K.C.C. 10.14 and repealing Ordinance 6177, Section 2, as amended, and K.C.C. 10.12.020, Ordinance 9271, Section 14, and K.C.C. 10.12.022, Ordinance 6177, Section 4, as amended, and K.C.C.10.12.025, Ordinance 7786, Section 4, and K.C.C. 10.14.0|1013|0, Ordinance 7786, Section 6, and K.C.C. 10.14.070, Ordinance 9240, Section 4, and K.C.C. 10.16.040, Ordinance 9240, Section 5, as amended, and K.C.C. 10.16.050, Ordinance 9240, Section 7, as amended, and K.C.C. 10.16.070, Ordinance 9240, Section 8, and K.C.C. 10.16.080, Ordinance 9240, Section 10, and K.C.C. 10.16.100, Ordinance 9240, Section 11 and K.C.C. 10.16.110, Ordinance 9240, Section 12, and K.C.C. 10.16.120, Ordinance 9240, Section 13, and K.C.C. 10.16.130, Ordinance 9240, Section 14, and K.C.C. 10.16.140, Ordinance 9240, Section 15, and K.C.C. 10.16.150, Ordinance 9928, Section 9, and K.C.C. 10.18.080, Ordinance 9928, Section 10, and K.C.C. 10.18.090, Ordinance 11949, Section 2, and K.C.C. 10.22.005, Ordinance 11949,

Section 3, and K.C.C. 10.22.01|10I3], Ordinance 11949, Section 4, as amended, and K.C.C. 10.22.025, Ordinance 11949, Section 5, as amended, and K.C.C. 10.22.035, Ordinance 11949, Section 6, and K.C.C. 10.22.045, Ordinance 11949, Section 7, and K.C.C. 10.22.055, Ordinance 11949, Section 8, and K.C.C. 10.22.065 and Ordinance 11949, Section 9, and K.C.C. 10.22.075.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings. The council makes the following findings:

A. The primary mission of the King County solid waste division is to maximize ratepayer value by ensuring that citizens of King County have access to efficient and reliable regional solid waste handling and disposal services at rates as low as reasonably possible, consistent with sound environmental stewardship of our region.

B. King County owns and operates a solid waste system, including transfer and disposal facilities for the benefit of its residents and businesses.

C. All cities in the county other than Seattle and Milton have entered into interlocal agreements with the county. Under the agreements, the county has agreed to assume responsibility for the provision of solid waste management, planning, transfer and disposal services for solid waste generated within those cities.

D. The interlocal agreements also provide that the county indemnifies the cities against claims arising out of the county's operation of its solid waste system.

E. King County operates its solid waste system in accordance with a comprehensive solid waste management plan developed in conjunction with all of the cities that are part of the King County solid waste system.

F. Under both the Comprehensive Plan and the interlocal agreements, a fundamental purpose of the county's solid waste system is to ensure the protection and enhancement of the public's health, safety and general welfare and the environment. This purpose may be accomplished by: avoiding traffic congestion at

disposal facilities; ensuring that any person who uses the county's disposal system complies with applicable regulations for disposal of county solid waste; working cooperatively with any person using the county's disposal system to ensure that the county's operations are efficient and environmentally sound; and taking other appropriate actions.

G. The interlocal agreements provide that all waste delivered to the King County solid waste system for disposal must meet applicable environmental requirements. In turn, King County agrees to dispose of all solid waste collected within the cities in compliance with all applicable federal, state and local environmental health laws, rules or regulations.

H. For many years, the county-owned Cedar Hills regional landfill in Maple Valley has enabled King County residents and businesses to benefit from waste disposal rates that are among the very lowest in the region.

I. The county should continue to use the Cedar Hills regional landfill until it reaches capacity, to maximize the public sector investment in that facility. After Cedar Hills closes, the county will continue to operate the regional waste transfer system, but disposal of the county's waste will be privatized.

J. The privatization of the county's solid waste disposal will move approximately fifty million dollars in annual business from the public sector to the private sector.

K. The solid waste division must make significant operational changes to prepare for closing the Cedar Hills landfill and exporting more than one million tons of solid waste annually to a private landfill or landfills outside of King County. These changes include upgrading transfer station operations to include compaction facilities and securing intermodal capacity.

L. Operational efficiencies based on best business practices in the solid waste division are critical to maximizing value for ratepayers through the closure of Cedar Hills and beyond.

M. To meet the challenges of waste export while continuing to provide maximum value to ratepayers, the solid waste division needs the flexibility to respond to market conditions like a private business, while

continuing to be accountable to the public.

N. The solid waste strategic vision to meet these challenges is to:

1. Ensure the efficient provision of regional solid waste services;
2. Maximize value for ratepayers both by promoting competition in the private solid waste market and

by obtaining public-sector efficiencies; and

3. Work in partnership with cities and other stakeholders to protect health, safety, and the environment.

O. Fragmentation of the region's waste stream works against competitive pricing of disposal, reduces economies of scale of handling and could lead to reduced public access to services and higher rates. Therefore, the county should continue to ensure the integration of the county's solid waste system, operate the public transfer stations and provide regional transport within the county's service area.

P. Curbside service is the most efficient means of collecting solid waste. In partnership with cities and others, incentives or other means should be provided to encourage greater use of curbside collection.

Q. To maintain reasonable rates and ensure fairness among classes of customers, the division should efficiently provide levels of service consistent with the demand, costs and benefits of the services.

R. K.C.C. Title 10, governing the solid waste division, has not been amended comprehensively for many years and contains outdated provisions and operational requirements that need to be updated, consistent with the Comprehensive Plan and interlocal agreements, to enable the division to meet the challenges of waste export and maximizing ratepayer value.

SECTION 2. Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020 are each hereby amended to read as follows:

**Definitions.** ~~The ((following terms as used in this chapter shall, unless the context clearly indicates otherwise, have the respective meanings in this section))~~ definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- A. "Acquisition of right of way" or "land acquisition" means funds budgeted for the purchase of property rights, excluding county force charges of the ~~((real property))~~ facilities management division.
- B. "Adopted" means approval by council motion or ordinance.
- C. "Agency" means every county office, every officer, ~~((each))~~ every institution, whether educational, correctional or other, and every department, division, board and commission, except as otherwise provided in this chapter.
- D. "Allocation" means a part of a lump sum appropriation that is designated for expenditure by either specific organization unit ~~((and/))~~ or specific purposes, or both.
- E. "Allotment" means a part of an appropriation that may be encumbered or expended during an allotment period.
- F. "Allotment period" means a period of less than a fiscal year during which an allotment is effective.
- G. "Appropriations" means an authorization granted by the council to make expenditures and to incur obligations for specific purposes.
- H. "Appropriation ordinance" means the ordinance that establishes the legal level of appropriation for a fiscal year.
- I. "Art" means funds budgeted for ~~((the one percent for))~~ art ~~((program))~~ under K.C.C. chapter 4.40 or as otherwise provided by ordinance for a public art program.
- J. "Budget" means a proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures.
- K. "Budget document" means a formal, written, comprehensive financial program presented by the executive to the council.
- L. "Capital improvement plan" means a plan that establishes the capital improvements required to implement an approved operational master plan. This plan should extend over a minimum period of six years to define long-range capital improvement requirements and the annual capital improvements budget for a user

agency.

1. The capital improvement plan shall include the following elements, where applicable:
  - a. general program requirements that define the development scope for specific sites or facilities;
  - b. general space and construction standards;
  - c. prototype floor plans and prototype facility designs for standard improvements;
  - d. space requirements based on the adopted county space plan;
  - e. initial, and life-cycle cost, of alternative facilities and locations including lease and lease/purchase

approaches;

- f. approximate location of planned capital improvements;
- g. general scope and estimated cost of infrastructure;
- h. a schedule, that extends over a minimum of six years, for the implementation of projects included

in capital improvement plans, based on overall user agency priorities and projected available revenue;

2. The user agency shall prepare the elements of the plan in subsection L.1. a, d, f and h of this section. The implementing agency shall prepare the elements of this plan in subsection L.1. b, c, e and g of this section.

3. The six-year budget schedule included in the capital improvement plan shall be updated annually in conjunction with the capital budget adoption process.

M. "Capital project" means a project with a scope that includes one or more of the following elements, all related to a capital asset: acquisition of either a site or existing structure, or both; program or site master planning; design and environmental analysis; construction; major equipment acquisition; reconstruction; demolition; or major alteration. "Capital project" includes a: project program plan; scope; budget by task; and schedule. The project budget, conceptual design, detailed design, environmental studies and construction elements of a project shall be prepared or managed by the implementing agency.

N. "CIP" means capital improvement program.

O. "CIP exceptions notification" means, except for major maintenance reserve fund, roads, solid waste, surface water management and wastewater (~~(and surface water management)~~) CIP projects, a letter filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, which describes changes to an adopted CIP project's scope or schedule, or both, or total project cost and, with the exception of schedule changes, shall be sent in advance of any action. For major maintenance reserve fund CIP projects, "exceptions notification" means a letter filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, that describes changes of fifteen percent or more to an adopted CIP project's scope or schedule, or both, or total project costs and, with the exception of schedule changes, shall be sent in advance of any action. For road CIP projects, "exceptions notification" means a letter filed with the clerk of the council for distribution to the chair of the transportation committee, or its successor committee, that describes changes of fifteen percent or more to an adopted CIP project's scope or schedule, or both, or total project costs and, with the exception of schedule changes, shall be sent in advance of any action. For wastewater, solid waste and surface water management CIP projects, "exceptions notification" means a letter filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, and to the chair of the utilities committee, or its successor committee, which describes changes of fifteen percent or more to an adopted CIP project's scope or schedule, or both, or total project costs and, with the exception of schedule changes, shall be sent in advance of any action.

P. "Construction" means funds budgeted for CIP project construction including contract construction, contract inspection and testing and, as appropriate, construction tasks performed by county forces.

Q. "Contingency" means funds budgeted for unanticipated CIP project costs associated with any other project activities.

R. "Contracted design" or "preliminary engineering" means funds budgeted for activities of a contract nature associated with all CIP project phases through bid advertising. Included are contracts for feasibility



studies, planning, studies, preliminary design, construction drawings, bid specifications and on-site inspections.

S. "Cost elements" means CIP budgeting activities related to construction, contracted design, preliminary engineering, acquisition of right of way, equipment and furnishings, contingency, artistic furnishings, county force design, county force right of way, project administration or other activities as provided by the council.

T. "Council" means the metropolitan King County council.

U. "County force design" means funds budgeted for CIP project design or design review by county personnel.

V. "County force right of way" means funds budgeted for real property costs associated with CIP land acquisition.

W. "Deficit" means the excess of expenditures over revenues during an accounting period, or an accumulation of such excesses over a period of years.

X. "Director" means the director of the office of management and budget.

Y. "Equipment and furnishings" means all costs for the purchase of equipment and furnishings associated with CIP project construction.

Z. "Executive" means the King County executive, as defined by Article 3 of the King County Charter.

AA. "Expenditures" means, where the accounts are kept on the accrual basis or the modified accrual basis, the cost of goods delivered or services rendered, whether paid or unpaid, including expenses, provisions for debt retirement not reported as a liability of the fund from which retired, and capital outlays. Where the accounts are kept on the cash basis, "expenditures" means actual cash disbursements for these purposes.

BB. "Financial plan" means a summary by fund of planned revenues and expenditures, reserves and undesignated fund balance.

CC. "Fund" an independent fiscal and accounting entity with a self-balancing set of accounts recording either cash or other resources, or both, together with related liabilities, obligations, reserves and equities that are

segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations.

DD. "Fund balance" means the excess of the assets of a fund over its liabilities and reserves except in the case of funds subject to budgetary accounting where, before the end of a fiscal period, it represents the excess of the fund assets and estimated revenues for the period over its liabilities, reserves and appropriations for the fiscal period.

EE. "General facility major maintenance emergent need contingency project" means an appropriation to provide contingent budget authority for emergent needs within major maintenance reserve fund CIP projects.

FF. "Implementing agency" means the appropriate department and division responsible for the administration of CIP projects.

GG. "Lapse" of an appropriation means an automatic termination of an appropriation.

HH. "Major maintenance reserve fund CIP project" means any major maintenance reserve fund CIP project that is allocated in the adopted six-year major maintenance reserve fund CIP and is appropriated at the major maintenance reserve fund level in accordance with K.C.C. 4.04.265.

II. "Major widening project" means any roads CIP project adding at least one through lane in each direction.

JJ. "Object of expenditure" means a grouping of expenditures on the basis of goods and services purchased, such as salary and wages.

KK. "Open space non-bond fund project" means an open space project that is allocated in the adopted six-year open space CIP and is appropriated at the open space non-bond fund number 3522 level in accordance with K.C.C. 4.04.300.

LL. "Operational master plan" means a comprehensive plan for an agency setting forth how the organization will operate now and in the future. An operational master plan shall include the analysis of alternatives and their life cycle costs to accomplish defined goals and objectives, performance measures,

projected workload, needed resources, implementation schedules and general cost estimates. The operational master plan shall also address how the organization would respond in the future to changed conditions.

MM. "Program" means the definition of resources and efforts committed to satisfying a public need. The extent to which the public need is satisfied is measured by the effectiveness of the process in fulfilling the needs as expressed in explicit objectives.

NN. "Project administration" means funds budgeted for all county costs associated with administering design and construction contracts on CIP projects.

OO. "Project program plan" means a plan, primarily in written narrative form, that describes the overall development concept and scope of work for a building, group of buildings or other facilities at a particular site. The complexity of the project program plan will vary based upon the size and difficulty of the program for a particular site. When the plan includes projects that are phased over time, each phase shall have an updated project program plan prepared by the user agency before project implementation. The project program plan shall be prepared by the user agency with assistance from the implementing agency. The program plan describes the user agency program requirements for a specific building or site; provides the basis for these requirements; and identifies when funds for the implementation of the capital projects will be provided. The program plan shall elaborate on the general program information provided in the operational master plan and the capital improvement plan. The plan shall also describe user agency programs, how these programs would fit and function on the site, and the general recommendation of the user agency regarding the appearance of the building or site. This plan shall indicate when a site master plan is required for a project.

PP. "Public need" means those public services found to be required to maintain the health, safety and well-being of the general citizenry.

QQ. "Quarterly management and budget report" means a report prepared quarterly by the director for major operating and capital funds, ~~((which))~~ that:

1. Presents executive revisions to the adopted financial plan or plans;

2. Identifies significant deviations in agency workload from approved levels;
3. Identifies potential future supplemental appropriations with a brief discussion of the rationale for each potential supplemental;
4. Identifies significant variances in revenue estimates;
5. Reports information for each appropriation unit on the number of filled and vacant full-time equivalent and term-limited temporary positions and the number of temporary employees;
6. Includes the budget allotment plan information required under K.C.C. 4.04.060; and
7. Describes progress towards transitioning potential annexation areas to cities.

RR. "Reappropriation" means authorization granted by the council to expend the appropriation for the previous fiscal year for capital programs only.

SS. "Regulations" means the policies, standards and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the executive and having the force and effect of law.

TT. "Revenue" means the addition to assets that does not increase any liability, does not represent the recovery of an expenditure, does not represent the cancellation of certain liabilities on a decrease in assets and does not represent a contribution to fund capital in enterprise and intragovernmental service funds.

UU. "Roads CIP project" means roads capital projects that are allocated in the adopted six-year roads CIP and are appropriated at the roads CIP fund level in accordance with K.C.C. 4.04.270.

VV. "Scope change" means, except for major maintenance reserve fund, roads, solid waste, surface water management and wastewater CIP projects, that a CIP project's total project cost increases by ten percent or by fifty thousand dollars, whichever is less. For major maintenance reserve fund, roads, solid waste, surface water management or wastewater CIP projects, "scope change" means the total project cost increases by fifteen percent.

WW. "Site master plan" means a plan prepared by the implementing agency, with input from the user agency, that describes, illustrates and defines the capital improvements required to provide user agency

program elements.

1. The site master plan shall include preliminary information regarding, at a minimum:

- a. site analysis, including environmental constraints;
- b. layout, illustration and description of all capital improvements;
- c. project scopes and budgets;
- d. project phasing; and
- e. operating and maintenance requirements.

2. The site master plan shall be approved by the user agency and the implementing agency before submittal to the executive and council for approval.

XX. "Solid waste CIP project" means a solid waste project that is allocated in the adopted six-year solid waste CIP and is appropriated at the solid waste CIP fund level in accordance with section 6 of this ordinance.

YY. "Surface water management CIP project" means a surface water management project that is allocated in the adopted six-year surface water management CIP and is appropriated at the surface water management CIP fund level in accordance with K.C.C. 4.04.275.

~~((YY.))~~ ZZ. "User agency" means the appropriate department, division, office or section to be served by any proposed CIP project.

~~((ZZ.))~~ AAA. "Wastewater asset management projects" means the wastewater capital projects identified and intended by the wastewater treatment division to extend and optimize the useful life of wastewater treatment assets, including facilities, structures, pipelines and equipment.

~~((AAA.))~~ BBB. "Wastewater CIP project" means wastewater capital projects that are allocated in the adopted six-year wastewater CIP and are appropriated at the wastewater CIP fund level in accordance with K.C.C. 4.04.280.

SECTION 3. Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.030 are each hereby amended to read as follows:

**Contents of the budget document.** The budget documents shall include, but not be limited to, data specified in this chapter.

A. The budget shall set forth the complete financial plan for the ensuing fiscal year showing planned expenditures((;)) and the sources of revenue from which they are to be financed.

1. The budget document shall include the following:

- a. estimated revenue by fund and by source from taxation;
- b. estimated revenues by fund and by source other than taxation;
- c. actual receipts for first six months, January 1 through June 30, of the current fiscal year;
- d. actual receipts for the last completed fiscal year by fund and by source;
- e. estimated fund balance or deficit for current fiscal year by fund; and
- f. such additional information dealing with revenues as the executive and council shall deem

pertinent and useful((-));

g. tabulation of expenditures in a comparable form by fund, program project, or object of expenditure for the ensuing fiscal year;

- h. actual expenditures for the first six months, January 1 through June 30, of the current year;
- i. actual expenditures for the last completed fiscal year;
- j. the appropriation for the current year; and

k. such additional information dealing with expenditures as the executive and council shall deem pertinent and useful.

2. All capital improvement projects and appropriations shall be authorized only by inclusion in the annual council adopted CIP or any amendment thereto. A bond ordinance is not an appropriation for capital projects. The capital improvement section of the budget shall include:

- a. estimated expenditures for at least the next six fiscal years by program;
- b. expenditures planned for current, pending, or proposed capital projects during the fiscal year,

classified according to proposed source of funds whether from bonds, or any combination of other local, state, federal and private sources;

c. an alphabetic index to enable quick location of any project contained in the budget;

d. a discrete number for each project that shall serve to identify it within the capital budget document and all accounting reports;

e. estimated net annual operating costs associated with each project upon completion or in cases where operating costs are negligible or incalculable, a statement to that effect;

f. an identification of all CIP projects by council district in which they are located;

g. CIP projects funded in the budget year, which shall be presented in separate sections of the budget.

(1) Major maintenance reserve fund CIP projects shall be presented in the six-year general CIP program.

(2) The appropriation for major maintenance reserve fund CIP projects shall be made at the major maintenance reserve fund level in accordance with K.C.C. 4.04.265.

(3) Roads CIP projects shall be presented in the six-year road CIP program.

(4) The appropriation for roads CIP projects shall be made at the roads CIP fund level in accordance with K.C.C. 4.04.270.

(5) Wastewater CIP projects shall be presented in the six-year wastewater CIP program.

(6) The appropriation for wastewater CIP projects shall be made at the wastewater CIP fund level in accordance with K.C.C. 4.04.280.

(7) Surface water management CIP projects shall be presented in the six-year surface water management CIP program.

(8) The appropriation for surface water management CIP projects shall be made at the surface water management CIP fund level in accordance with K.C.C. 4.04.275.

(9) Solid waste CIP projects shall be presented in the six-year solid waste CIP program.

(10) The appropriation for solid waste CIP projects shall be made at the solid waste CIP fund level in accordance with section 6 of this ordinance;

h. in addition to schedule requirements, a statement of purpose and estimated total cost for each project for which expenditures are planned during the ensuing fiscal year;

i. the original project cost estimate, which shall remain fixed from year to year. This original cost estimate shall be included in the capital budget document. A project record, separate from the budget document, shall be provided ~~((which))~~ that identifies the original project cost estimate and any subsequent changes ~~((thereto))~~ to the original project cost estimate by cost element and revenue source as approved in the budget document or any amendment to the budget;

j. an enumeration of revised project cost estimates;

k. funds actually expended for projects as of June 30 of the current year;

l. funds previously authorized for the project;

m. anticipated specific cost elements within each project. However, the executive is authorized to transfer funds between specific activities within the same project only if these transfers will not result in a necessary increase to the total project budget. A scope change of a project constitutes a revision.

(1) A CIP project scope change shall be included in the CIP exceptions notification if total project costs increase by ten percent or by fifty thousand dollars, whichever is less; or if the schedule deviates by three months.

(2) For parks CIP projects, a CIP exceptions notification shall be filed with the clerk of the council in advance of action for distribution to the chair of the budget and fiscal management committee, or its successor committee, when fifty thousand dollars or more or funds in excess of ten percent of total project costs, whichever is less, are to be transferred from a contingency project to a CIP project.

(3) For major maintenance reserve fund CIP projects, a CIP exceptions notification shall be filed with the clerk of the council in advance of action for distribution to the chair of the budget and fiscal



management committee, or its successor committee, when moneys in excess of fifteen percent of the total major maintenance reserve fund CIP project costs are to be transferred from the general facility major maintenance emergent need contingency project.

(4) For roads CIP projects, a CIP exceptions notification shall be filed with the clerk of the council in advance of action for distribution to the chair of the transportation committee, or its successor committee, when contingency funds in excess of fifteen percent of total project costs are to be transferred.

(5) For ~~((wastewater and))~~ solid waste, surface water management and wastewater CIP projects, a CIP exceptions notification shall be filed with the clerk of the council in advance of action for distribution to the chair of the budget and fiscal management committee, or its successor committee, and chair of the utilities committee, or its successor committee, when contingency funds in excess of fifteen percent of total project costs are to be transferred;

n. individual allocations by cost element for each capital project; and

o. when a single fund finances both operating expenses and capital projects, there shall be separate appropriations from the fund for the operating and the capital sections of the budget.

B.1. The budget message shall explain the budget in fiscal terms and in terms of goals to be accomplished and shall relate the requested appropriation to the Comprehensive Plan of the county.

2. The total proposed expenditures shall not be greater than the total proposed revenue. However, this requirement shall not prevent the liquidation of any deficit existing on January 1, 1996.

3. If the estimated revenues in the current expense, special revenue~~((;))~~ or debt service funds for the next ensuing fiscal period, together with the fund balance for the current fiscal period exceeds the applicable appropriations proposed by the executive for the next ensuing fiscal period, the executive shall include in the budget document recommendations for the use of the excess for the reduction of indebtedness, for the reduction of taxation or for other purposes as in his or her discretion shall serve the best interests of the county.

4. If, for any applicable fund, the estimated revenues for the next ensuing period plus fund balance

shall be less than the aggregate of appropriations proposed by the executive for the next ensuing fiscal period, the executive shall include in the budget document his or her proposals as to the manner in which the anticipated deficit shall be met, whether by an increase in the indebtedness of the county, by imposition of new taxes, by increase of tax rate or in any like manner.

C.1. Justification for revenues and expenditures shall be presented in detail when necessary to explain changes of established practices, unique fiscal practices and new sources of revenue or expenditure patterns or any data the executive considers useful to support the budget. The following elements shall be included:

- a. nonbudgeted departments and programs expenditures and revenues; that is, intragovernmental service funds;
- b. historical and projected agency workload information; and
- c. a brief explanation of existing and proposed new programs, as well as the purpose and scope of agency activities.

2. Capital improvement program data shall include, but not be limited to, the streets and highway programming process, which shall specify priorities, guide route establishments, select route design criteria and provide detailed design information for each road or bridge project.

D.1. Beginning with budget year 2004, the department of executive services shall submit a request for CIP project funding, which shall specify project funding levels on a project-by-project basis, but which shall be appropriated at the major maintenance reserve fund CIP fund level, stated as an aggregate of individual projects for the budget year in question in accordance with K.C.C. 4.04.266.

2. The council may require other data from the department of executive services that the council considers necessary for review of the budget, which may include objects of expenditure and other expenditures categories.

E.1. The department of transportation shall submit a request for CIP project funding, which shall specify project funding levels on a project-by-project basis, but which shall be appropriated at the road CIP

fund level, stated as an aggregate of individual projects for the budget year in question in accordance with K.C.C. 4.04.270.

2. The council may require other data from the department of transportation that the council considers necessary for review of the budget, which may include objects of expenditure and other expenditures categories.

F.1. The department of natural resources and parks shall submit a request for CIP project funding, which shall specify project funding levels on a project-by-project basis, but which shall be appropriated at the wastewater CIP fund level, stated as an aggregate of individual projects, including subprojects, for the budget year in question in accordance with K.C.C. 4.04.280. Except for multiyear construction contracts and carryover amounts approved during the annual CIP reconciliation process, appropriations shall be for one year. All construction contracts including multiyear construction contracts shall be appropriated for the full construction amount in the first year. Any multiyear construction contracts longer than three years must be specifically identified in the ((~~department of natural resources and parks~~)) wastewater CIP budget request. The request for CIP project funding for wastewater asset management shall include categories of wastewater asset management projects. Wastewater asset management projects shall be appropriated annually at the category level. The executive-proposed CIP shall allocate anticipated expenditures for each wastewater asset management project category as part of the six-year wastewater CIP. For each category, a proposed project list will be appended.

2. The council may require other data from the department of natural resources and parks that the council considers necessary for review of the budget, which may include objects of expenditures and other expenditures categories.

G.1. The department of natural resources and parks shall submit a request for CIP project funding, which shall also specify project funding levels on a project-by-project basis but which shall be appropriated at the surface water management CIP fund level, states as an aggregate of individual projects, including

subprojects, for the budget year in question in accordance with K.C.C. 4.04.275. Except for multiyear construction contracts and carryover amounts approved during the annual CIP reconciliation process, appropriations shall be for one year. All construction contracts including multiyear construction contracts shall be appropriated for the full construction amount in the first year. Any multiyear construction contracts longer than three years must be specifically identified in the ((department of natural resources and parks)) surface water management CIP budget request.

2. The council may require from the department of natural resources and parks other data that that the council considers necessary for review of the budget, which may include objects of expenditure and other expenditures categories.

H.1. The department of natural resources and parks shall submit a request for CIP project funding, which shall also specify project funding levels on a project-by-project basis but which shall be appropriated at the solid waste CIP fund level, states as an aggregate of individual projects, including subprojects, for the budget year in question in accordance with section 6 of this ordinance. Except for multiyear construction contracts and carryover amounts approved during the annual CIP reconciliation process, appropriations shall be for one year. All construction contracts including multiyear construction contracts shall be appropriated for the full construction amount in the first year. Any multiyear construction contracts longer than three years must be specifically identified in the solid waste CIP budget request.

2. The council may require from the department of natural resources and parks other data that that the council considers necessary for review of the budget, which may include objects of expenditure and other expenditures categories.

SECTION 4. Ordinance 12076, Section 5, as amended, and K.C.C. 4.04.200 are each hereby amended to read as follows:

**Executive responsibilities.**

A.1. The executive shall be responsible for the implementation of all CIP projects pursuant to adopted

project budgets and schedules. However, major maintenance reserve fund CIP projects may be implemented in accordance with the major maintenance reserve fund capital improvement budgeting procedures in K.C.C.

4.04.265, road CIP projects may be implemented in accordance with the roads capital improvement budgeting procedures in K.C.C. 4.04.270, (~~wastewater CIP projects may be implemented in accordance with the wastewater capital improvement budgeting procedures in K.C.C. 4.04.280 and~~) solid waste CIP projects may be implemented in accordance with the solid waste capital improvement budgeting procedures in section 6 of this ordinance, surface water management CIP projects may be implemented in accordance with the surface water management capital improvement budgeting procedures in K.C.C. 4.04.275 and wastewater CIP projects may be implemented in accordance with the wastewater capital improvement budgeting procedures in K.C.C. 4.04.280.

2. At least fifteen days before advertising for construction bids for any capital project, the council chair and councilmembers in whose district construction will take place shall be notified. The notification shall include project identification, advertising dates and a summary description of the work to be performed, though failure to comply with this provision shall not delay bid advertisement.

B.1. The executive shall be responsible for implementation of adopted CIP projects to ensure their completion on schedule and within adopted budgets. However, major maintenance reserve fund CIP projects may be reprogrammed in accordance with K.C.C. 4.04.265, roads CIP projects may be reprogrammed in accordance with K.C.C. 4.04.270, (~~wastewater CIP projects may be reprogrammed in accordance with K.C.C. 4.04.280 and~~) solid waste CIP projects may be reprogrammed in accordance with section 6 of this ordinance, surface water management CIP projects may be reprogrammed in accordance with K.C.C. 4.04.275 and wastewater CIP projects may be reprogrammed in accordance with K.C.C. 4.04.280.

2. The budget for each major maintenance reserve fund CIP project shall not exceed by more than fifteen percent the amount specified for that project in the adopted six-year major maintenance reserve fund CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notification

process. The budget for each roads CIP project shall not exceed by more than fifteen percent the amount specified for that project in the adopted six-year roads CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notification process. The budget for each solid waste, surface water management and wastewater CIP project shall not exceed by more than fifteen percent the amount specified for that project in the adopted six-year solid waste, surface water management or wastewater CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notifications process.

3. The executive may select consultants on all CIP projects. The executive shall implement this section by establishing rules and procedures that provide for consultant selection, ongoing CIP design review and project implementation.

C. All above-grade CIP projects shall be subject to the following process:

1. An operational master plan shall be developed by the agency requesting a CIP project in conjunction with the director of the office of management and budget and shall be submitted to the executive and the council for approval;

2. A capital improvement plan, based upon the adopted county space plan, where applicable, and the approved operational master plan, shall be developed by the user agency with assistance from the implementing agency and shall be submitted to the executive and the council for approval;

3. A project program plan, based upon the adopted county space plan, where applicable, and the approved operational master plan, shall be developed by the user agency, with assistance from the implementing agency, for each requested CIP. This plan shall be submitted to the executive and the council for approval. This plan shall specify which projects will require a site master plan;

4. A site master plan shall be developed by the implementing agency, with input from the user agency, for all capital improvements that involve multiple projects, are complex in nature, or are otherwise identified as requiring such a plan in the project program plan. This plan shall be submitted to the executive and council for approval;

5. The executive may exempt smaller scale projects from the requirements in subsection C.1 and C.2 of this section((;)) if criteria for granting exemptions are established((;)) and approved by the council((;)) and if the implementing agency certifies the project program plan and related CIP or lease request is in conformance with the adopted county space plan; and

6. Capital projects that involve the development of new parks or significant addition to or rehabilitation of existing parks shall require a public meeting in the affected community at the program plan and site master plan stages, before submitting these plans to the executive and council for approval.

SECTION 5. Ordinance 7159, Section 13, as amended, and K.C.C. 4.04.250 are each hereby amended to read as follows:

**CIP schedule requirements.**

A. All CIP appropriation requests from the executive shall include project schedule information for land acquisition, design and construction for each project. All CIP projects involving county staff shall include estimated number of county staff hours in the ensuing fiscal year for each county force project cost element. The estimated schedule, with beginning and ending dates for each of these cost elements, shall be listed by month.

B. The requirements in subsection A of this section do not apply to reprogramming appropriations for:

1. The major maintenance reserve fund CIP being made at the major maintenance reserve fund level and major maintenance reserve fund CIP projects being reprogrammed, all in accordance with K.C.C. 4.04.265;

2. The roads CIP being made at the roads CIP fund level, and roads projects being reprogrammed, all in accordance with K.C.C. 4.04.270 and

3. The solid waste, surface water management and wastewater CIPs being made at the solid waste, surface water management and wastewater CIP fund levels, and solid waste, surface water management and wastewater CIP projects being reprogrammed, all in accordance with section 6 of this ordinance, K.C.C. 4.04.275 and ((K.C.C.)) 4.04.280.

NEW SECTION. SECTION 6. There is hereby added to K.C. C. chapter 4.04 a new section to read as follows:

**Solid waste capital improvement budgeting.**

A. This section establishes procedures required for flexible response budgeting provisions applicable to the solid waste CIP beginning in 2004. Except as specifically provided in this section, budgeting for the solid waste CIP shall be performed in accordance with other applicable county law.

B. To allow reprogramming flexibility needed to respond in a timely manner to events beyond the control of the solid waste division that result in temporary postponement or acceleration of solid waste CIP projects allocated in the current budget year, and notwithstanding any other provision of county law, current-year budget authorization for the solid waste CIP shall be appropriated at the total CIP fund level rather than CIP project level. Solid waste CIP project budget allocation reallocations may take place during the budget year among the projects specifically adopted in the current six-year solid waste CIP together with carryover projects from previously adopted plans in accordance with the procedures in this section without the need for the enactment of amendatory appropriations ordinances.

C.1. Implementation of the solid waste CIP shall be in accordance with the project funding priorities and project funding levels identified in the annual solid waste six-year CIP as adopted by the council. On or before May 15 of each year, the solid waste division shall prepare and file with the office of the clerk of the council a solid waste CIP reallocation report. The report shall provide a status report on implementation of all solid waste CIP projects contained in the current adopted six-year solid waste CIP together with those projects carried forward from previously adopted six-year solid waste CIPs, and shall include:

- a. an explanation of significant changes to scope, schedule and impact on work plan and budget since last budget approval;
- b. identification of revisions to milestones and budget for the current year;
- c. a proposal for revisions to scope, budget and schedule for the next six months;



- d. a reallocated solid waste six-year CIP including a revised financial plan, all changes to projects, estimated costs, schedules and scopes of work to be pursued for the current year and programmed in the remaining years of the six-year program;
- e. a justification for each project postponement or acceleration and substitution;
- f. an accounting summary of the current project status and the amount of unexpended project budget balance by project phase and revenue for each project in the current year of the program;
- g. the original project cost estimate;
- h. the revised project cost estimate that is being used as the basis for the current year fund appropriation and six-year CIP; and
- i. identification of which projects will be ready for implementation in the current budget year within the constraints of the total current year fund appropriation.

2. For any current project in the adopted program that is not ready for implementation for reasons beyond the control of the solid waste division or if a project needs to be accelerated, the report shall identify for substitution or postponement one or more projects of comparable budget allocation value from within the current adopted six-year solid waste CIP. If the budget allocation for any project to be postponed or accelerated exceeds the budget allocation of the proposed substituted or postponed project or projects, the difference shall be allocated to or from the solid waste CIP contingency appropriation. A postponed project shall be reallocated to the year in the six-year program from which the project that is identified for substitution was originally programmed. If a suitable CIP project does not exist to receive the reallocated funds, the funds shall remain allocated to the original CIP project.

D.1. The reallocation report shall be accompanied by a transmittal letter addressed to the chair of the budget and fiscal management committee or designee, or its successor committee, and the chair of the utilities committee, or its successor committee, and copies of the report and letter shall be filed with the office of the clerk of the council for distribution to each councilmember, to the chair of the budget and fiscal management

committee or designee, or its successor committee, to the chair of the utilities committee, or its successor committee, and to the lead staff for the budget and fiscal management committee and for the utilities committee.

2. A councilmember who objects to a project reallocation proposed in the reallocation report shall notify the chair of the budget and fiscal management committee, or its successor committee, within fourteen days of the filing of the report. Within thirty days of the filing of the reallocation report, the chair of the budget and fiscal management committee, or its successor committee, shall consider the objections raised and notify the executive in writing which project reallocations may proceed and shall also notify the executive in writing of project reallocations that may not proceed. The chair of the budget and fiscal management committee, or its successor committee, shall file with the clerk of the council a copy of the written notice and send a copy of the notice to any councilmember who raised an objection. The reallocation report takes effect upon receipt by the executive of the written notice. However, if a written notice is not provided by the chair of the budget and fiscal management committee, or its successor committee, within thirty days of the filing of the reallocation report, the report takes effect on the thirty-first day following the filing of the reallocation report.

E. Any new project proposed for allocation in the current year that is not included in the current or previously adopted solid waste six-year CIP, or any newly proposed project cost or project scope to be added to a project adopted as part of the solid waste six-year CIP that cannot be accommodated by transfers of contingency funds, may be added to the solid waste CIP after going through the normal appropriation process. Transfers of contingency funds that are required after the solid waste CIP reprogramming report is transmitted to the council shall be reported by the department of natural resources by filing the report with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, and the chair of the utilities committee, or its successor committee, with copies to lead staff for the budget and fiscal management committee and for the utilities committee. Transfers from contingency funds in excess of fifteen percent of the total project cost shall be contingent upon written approval by the chair of the budget and

fiscal management committee, or its successor committee.

F. A solid waste CIP contingency project shall be allocated in the landfill reserve fund and the solid waste construction fund current year fund appropriations to provide contingent budget authority to be used according to the requirements established in this chapter. The solid waste CIP contingency project amount for each fund shall be seven and one-half percent of the current year solid waste CIP budget, but shall not exceed ten million dollars.

SECTION 7. Ordinance 12076, Section 13, as amended, and K.C.C. 4.08.045 are each hereby amended to read as follows:

**Landfill reserve fund.**

A. ~~((POLICY.))~~ Public necessity requires that the existing system of the county for the disposal of solid waste, together with such extensions, additions or betterments thereto as may from time to time be authorized, ~~((be))~~ maintained, conducted, operated and accounted for as a utility of King County. As a financially self-supporting utility, the solid waste system shall set aside reserve ~~((monies))~~ moneys for closure, postclosure maintenance, new area development, facility relocation and the improvement, replacement or extension of the life of capital facilities or the acquisition of landfill space outside of King County.

B. ~~((ESTABLISHMENT.))~~ There is hereby created a ~~((L))~~ landfill ~~((R))~~ reserve ~~((F))~~ fund for the sole purpose of accumulating and disbursing financial resources for the management and replacement of King County landfills as described in ~~((paragraph E))~~ subsection D of this section. The fund shall be a first tier fund. The department of natural resources and parks shall be the fund manager.

C. ~~((RESPONSIBILITY. The executive shall be responsible for the administration of the Landfill Reserve Fund including the preparation and issuance of operating procedures deemed necessary to insure the proper administrative implementation of the policies governing the purpose and use of the fund.~~

D. ~~CLASSIFICATION. The Landfill Reserve Fund shall be classified as a capital fund. All amounts designated by the council within the rate structure of the solid waste system as earmarked for the Landfill~~

~~Reserve Fund shall be collected as prescribed by the rate structure. These earmarked))~~ The executive's proposed annual budget shall specify a per-ton amount, included within the solid waste disposal fees approved by council, that shall be used to fund the landfill reserve fund and an associated transfer from the solid waste fund to the landfill reserve fund. The funds shall be transferred and credited to the ((L))landfill ((R))reserve ((F))fund within thirty-five days of the end of the month in which the solid waste disposal action occurred.

~~((E. USE OF FUND.))~~ D. All ((funds)) moneys deposited into the ((L))landfill ((R))reserve ((F))fund ((pursuant to)) in accordance with this section shall be appropriated and used only for the management and replacement of King County landfills as follows:

1. Landfill closure and site restoration, including design work.
2. Reserve ~~((monies))~~ moneys for post~~((-))~~closure maintenance including but not limited to environmental monitoring, leachate pretreatment, gas extraction~~((s))~~ and site maintenance.
3. Facility relocation of existing support facilities as existing landfill disposal areas are closed and new areas developed, including design work.
4. New area development to provide new disposal areas within a landfill, including design work.
5. Facilities or programs to improve, replace or extend the life of system capital facilities or to acquire additional landfill space outside of King County.

~~((F. EARNINGS. All earnings derived from specific investment of funds accumulated in the Landfill Reserve Fund shall be deposited and credited to the Landfill Reserve Fund.~~

~~G. ESTABLISH FUND. The executive is hereby authorized to establish and activate a capital fund, entitled "Landfill Reserve," for the purpose described in paragraph A of this section and in accordance with the specific policies contained in paragraphs B, C, D, E, and F of this section.))~~

SECTION 8. Ordinance 8891, Section 3, as amended, and K.C.C.10.04.020 are each hereby amended to read as follows:

**Definitions.** The ~~((following))~~ definitions~~(( shall apply in the interpretation and enforcement of this~~

title)) in this section apply throughout this title unless the context clearly requires otherwise:

A. "Adjunct transfer station" means a privately owned and operated collection and transportation facility authorized by the county to receive, consolidate and deposit mixed municipal solid waste into larger transfer vehicles for transport to and disposal at county-authorized disposal sites.

B. "Agricultural wastes" means nondangerous wastes on farms resulting from the production of agricultural products including, but not limited to, manures and carcasses of dead animals weighing each or collectively in excess of fifteen pounds.

C. "Asbestos-containing waste material" means any waste that contains asbestos. ~~((This term))~~  
"Asbestos-containing waste material" includes, but is not limited to, asbestos waste from control devices, contaminated clothing, asbestos waste material, materials used to enclose the work area during an asbestos project and bags or containers that previously contained asbestos.

D. "Ashes" means the residue including any air pollution control equipment flue dusts from combustion or incineration of material including solid wastes.

E. "Biomedical waste" means carcasses of animals exposed to pathogens, biosafety level 4 disease waste, cultures and stocks of etiologic agents, human blood and blood products, pathological waste, sharps waste and other waste determined to be infectious by the generator's infection control staff~~((/))~~ or committee.

F. "Bulky waste" means large items of refuse, such as appliances, furniture and other oversize wastes ~~((which))~~ that would typically not fit into reusable solid waste containers.

G. "Burn ban area" means an area of King County that the Puget Sound Clean Air Agency has designated as a carbon monoxide nonattainment area where the burning of woody debris and other materials has been prohibited, except in limited circumstances, to protect public health and the environment.

H. "CDL" means construction, demolition and land-clearing waste ~~((as defined in this chapter))~~.

I. "CDL receiving facility" means any properly licensed or permitted facility that is designated by the county as the facility to which nonrecyclable CDL waste, including residual CDL waste, is required to be

delivered ~~((pursuant to))~~ under the King County Code.

J. "CDL recycling facility" means any properly licensed or permitted facility at which materials are removed from mixed CDL waste for the purpose of reuse or remanufacture.

~~K. ("CDL waste" means construction, demolition and land-clearing waste as defined in this chapter.~~

~~L.))~~ "Certified hauler or certificated hauler" means any person engaged in the business of solid waste handling having a certificate granted by the Washington Utilities and Transportation Commission for that purpose.

~~((M.))~~ L. "Charitable organization" means any organization ~~((which))~~ that meets the following criteria: must be defined by the Internal Revenue Service as a 501(c)3 charitable organization; must be engaged as a primary form of business in the processing of abandoned goods for resale or reuse; and must have an account with the solid waste division.

~~((N.))~~ M. "Clean mud and dirt" means mud and dirt that meet the soil cleanup standards of ~~((the Washington Administrative Code-))~~ WAC~~((s))~~ 173-340-740 and ~~((WAC))~~ 173-340-745 as currently enacted and as hereafter amended.

~~((O.))~~ N. "Clean soils and clean dredge spoils" means soils and dredge spoils ~~((which))~~ that are not dangerous wastes or problem wastes ~~((as defined in this chapter))~~.

~~((P.))~~ O. "Clean wood" means stumps and branches over four inches in diameter and construction lumber free of paint, preservatives, metals, concrete~~((s))~~ and other non~~((-))~~wood additives or attachments.

~~((Q.))~~ P. "Clean wood collection area" means an area used by county residents, businesses and institutions to deposit source-separated clean wood.

~~((R.))~~ Q. "Closure" means those actions taken by the owner or operator of a solid waste site or facility to cease disposal operations and to ensure that all such facilities are closed in conformance with applicable regulations at the time of ~~((such))~~ the closure and to prepare the site for the postclosure period.

~~((S.))~~ R. "Commercial hauler" means any person, firm or corporation including, but not limited to, certified hauler, collecting or transporting solid waste for hire or consideration.

~~((T.))~~ S. "Compacted waste" means any solid waste whose volume is less than in the loose condition as a result of compression.

~~((U.))~~ T.1. "Construction, demolition, and land-clearing (CDL) waste" means any recyclable or nonrecyclable waste that results from construction, remodeling, repair or demolition of buildings, roads or other structures, or from land-clearing for development, and requires removal from the site of construction, demolition or land clearing. Except where otherwise expressly provided, "CDL waste" or "county CDL waste" means CDL waste generated in the county jurisdiction. CDL waste includes, but is not limited to, the following listed materials:

a. "Construction waste," which includes: wood, concrete, drywall, masonry, roofing, siding, structural metal, wire, insulation and other building material; and plastics, styrofoam, twine, baling and strapping materials, cans, buckets and other packaging materials and containers. ~~((H))~~ "Construction waste" also includes sand, rocks and dirt that are used in construction and that do not meet the definitions of clean mud and dirt or unacceptable waste;

b. "Demolition waste," which includes concrete, asphalt, wood, masonry, roofing, siding, structural metal, wire, insulation and other materials found in demolished buildings, roads and other structures. ~~((H))~~ "Demolition waste" also includes sand, rocks and dirt that result from demolition and that do not meet the definitions of clean mud and dirt or unacceptable waste; and

c. "Land-clearing waste," which includes natural vegetation and minerals such as stumps, brush, blackberry vines, tree branches, associated dirt and sand, tree bark, sod and rocks.

2. "CDL waste" does not include clean mud and dirt, contaminated soil, asbestos-containing waste material containing more than one percent of asbestos by weight, unacceptable waste or any other solid waste which does not meet the definition of CDL waste.

~~((V-))~~ U. "Contaminated soil" is any soil that does not meet the soil cleanup standards of the Washington Administrative Code as currently enacted and as hereafter amended.

~~((W. "Controlled solid waste" means all solid waste generated, collected or disposed within the unincorporated areas of King County and all solid waste generated, collected or disposed within any other jurisdiction with which a solid waste interlocal agreement exists.~~

~~X-))~~ V. "County jurisdiction" means the geographic area for which King County government has comprehensive planning authority for solid waste management either by law, such as unincorporated areas, ((and/)) or by interlocal agreement, or both.

~~((Y-))~~ W. "County solid waste" means all solid waste generated, collected or disposed within the county jurisdiction.

X. "Curbside collection" means the pick-up of recyclables and garbage from a household. This pick-up may be at a curb, end of driveway or alleyway from either a single family or multifamily dwelling.

~~((Z-))~~ Y. "Dangerous wastes" means any solid waste designated as dangerous waste by the Washington state Department of Ecology under chapter 173-303 WAC.

~~((AA-))~~ Z. "Designated interlocal forum" means a group of representatives of unincorporated King County and of incorporated cities and towns within King County designated by the King County council ~~((of King County))~~ and by interlocal agreement with the cities in King County to discuss solid waste issues and facilitate regional interlocal cooperation in solid waste management. ~~((Current i))~~ Interlocal agreements in effect as of the effective date of this ordinance designate the regional policy committee of the King County council as the solid waste interlocal forum.

AA. "Director" means the director of the department of natural resources and parks or the director's designee.

BB. "Disposal" means the discharge, deposit, injection, dumping, leaking or placing of any solid waste into or on any land or water.



CC. "Disposal facility" ~~((is))~~ means a disposal site or interim solid waste handling facility. ~~((This))~~ "Disposal facility" includes, but is not limited to, transfer stations included as part of the county disposal system, intermodal facilities, landfills, incinerators, composting plants and facilities for the recycling or recovery of resources from solid waste~~((s))~~ or the conversion of the energy from ~~((such))~~ solid waste~~((s))~~ to more useful forms or combinations thereof.

DD. "Disposal site" means a site or sites approved by the council ~~((of King County))~~ where any final treatment, utilization, processing or disposition of solid waste occurs.

EE. "Disposal system" means the system of disposal facilities, rules and procedures established ~~(( pursuant to))~~ in accordance with this title.

FF. "Diversion rate" means a measure of the amount of waste materials being diverted for recycling compared with the total amount that was previously thrown away.

GG. "Division" means the solid waste division of the King County department of natural resources and parks.

HH. "Drop box facility" means a facility used for the placement of a detachable solid waste container, such as a drop box, including the area adjacent for necessary entrance and exit roads, unloading and turnaround areas. A ~~((D))~~ drop box ~~((facilities))~~ facility normally serves the general public with loose loads and receives waste from off-site. A ~~((D))~~ drop box ~~((facilities))~~ facility may also include containers for separated recyclables.

~~((HH. "Division" means the solid waste division of the King County department of natural resources and parks.))~~

II. "Franchise area" means a solid waste hauler's territorial collection area, which is delineated in the certificate of convenience and necessity issued by the Washington Utilities and Transportation Commission.

JJ. "Garbage" means unwanted animal and vegetable wastes and animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food, swill and carcasses of dead animals and of

such a character and proportion as to be capable of attracting or providing food for vectors, except sewage and sewage sludge.

KK. "Hazardous waste((s))" (~~((means and))~~) includes, but is not limited to, explosives, medical wastes, radioactive wastes, pesticides and chemicals which are potentially harmful to the public health or the environment. Unless otherwise defined by the Seattle-King County (~~((board))~~) department of public health, (~~((such))~~) "hazardous waste" (~~((shall have))~~) has the same meaning as defined by the Washington state Department of Ecology and the Washington Administrative Code.

LL. "Hazardous waste management plan" means a plan for managing moderate risk wastes, (~~((pursuant to))~~) under RCW 70.105.220.

MM. "Health department" means (~~((public health-))~~) the Seattle (~~((&))~~)-King County department of public health.

NN. "Health officer" means the health department director(~~((, public health-Seattle & King County))~~) or his or her authorized agent.

OO. "Host city" means a city that has a county transfer facility within its incorporated boundaries.

PP. "Household hazardous waste" means hazardous waste generated by individuals rather than businesses and institutions.

QQ. "Illegal dumping" means disposing of solid waste in any manner other than in a receptacle specifically provided for that purpose in any public place, public road, public park or (~~((any))~~) private property or in the waters of King County, except as authorized by King County or at the official solid waste disposal facility provided by the county.

RR. "Industrial solid wastes" means waste byproducts from manufacturing and fabricating operations such as scraps, trimmings, packing and other discarded materials not otherwise designated as dangerous waste under chapter 173-303 WAC.

SS. "Interim solid waste handling facility" means any interim treatment, utilization or processing site

engaged in solid waste handling (~~which~~) that is not the final disposal site. Transfer stations, drop boxes, baling and compaction sites, source separation centers, intermediate processing facilities, mixed waste processing facilities and treatment facilities are considered interim solid waste handling sites.

TT. "Intermediate processing facility" means any facility that sorts mixed recyclables from source separation programs to divide them into individual component recyclable materials or to process them for marketing.

UU. "King County solid waste advisory committee" means the committee formed in accordance with (~~King County Ordinance 6862~~) K.C.C. chapter 10.28 and chapter 70.95 RCW to advise the county on solid waste management planning, assist in the development of programs and policies concerning solid waste management and review and comment on the plan and other proposed solid waste management rules, policies or ordinances before adoption.

VV. "Landfill" means a disposal site or part of a site at which waste is placed in or on land and (~~which~~) that is not a landspreading disposal facility.

WW. "Landfill gas" means gas produced by the microbial decomposition of municipal solid waste in a landfill. (~~It~~) Landfill gas is comprised of fifty to sixty percent methane, forty to fifty percent carbon monoxide and less than one percent hydrogen, oxygen, nitrogen and other trace gases.

XX. "Landspreading disposal facility" means a facility that applies sludge or other solid wastes onto or incorporates solid waste into the soil surface at greater than vegetative utilization and soil conditioners(~~it~~) or immobilization rates.

YY. "Level of service" means the level and degree of service provided at facilities, including hours of operation, classes of customers served and recyclables collection available.

ZZ. "Liquid" means a substance that flows readily and assumes the form of its container but retains its independent volume.

AAA. "Littering" means to accumulate, or place, throw, deposit, put into or in any land or water or

otherwise dispose of refuse including rubbish, ashes, garbage, dead animals, industrial refuse, commercial waste and all other waste material of every kind and description in any manner except as authorized by this chapter.

BBB. "Manager" means the manager of the solid waste division of the department of natural resources and parks of King County or the manager's designee.

CCC. "Medical waste" means all waste so defined by the ~~((Seattle King County board of))~~ health department's rules and regulations.

DDD. "Mixed CDL waste" means CDL waste containing both recyclable and non((-))recyclable CDL waste material that has not been separated.

EEE. "Mixed municipal solid waste" means waste consisting of solid waste generated by residences, stores, offices and other generators of wastes that are not industrial, agricultural or CDL wastes.

FFF. "Mixed waste processing" means sorting of solid waste after collection from the point of generation ~~((in order))~~ to remove recyclables from the solid waste to be disposed.

GGG. "Mobile yard ~~((waste))~~ debris facility" means a yard ~~((waste))~~ debris facility requiring no above-grade construction and established on a temporary basis. ~~((For the purposes of K.C.C. 10.12.020, a mobile yard waste facility shall be considered to be a disposal site without scales.))~~

HHH. "Moderate risk waste" means:

1. Any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under chapter 70.105 RCW solely because the waste is generated in quantities below the threshold for regulation; and

2. Any household wastes which are generated from the disposal of substances identified by the Washington state Department of Ecology as hazardous household substances.

III. "Noncommercial user" means any person who uses King County solid waste facilities but is not engaged in the business of solid waste handling.

JJJ. "Non((-)recyclable CDL waste" means any CDL waste that is not recyclable CDL waste.

KKK. "OMP" means operational master plan.

~~LLL. "Operating hours" means those times during which disposal facilities are normally open and available for the delivery of solid waste.~~

MMM. "Organic materials" means any carbonaceous materials, consisting of hydrocarbons and their derivatives((- Examples)), including food waste, yard debris, soiled paper, ((wood-waste)) woodwaste, biosolids and manures.

~~((LLL. "Operating hours" means those times during which disposal facilities are normally open and available for the delivery of solid wastes.~~

~~MMM. "OMP" means Operational Master Plan.))~~

NNN. "Organics" means yard debris, organic food waste, and paper products, including paper products that contain food waste, determined by the manager to be acceptable for composting.

OOO. "Person" means any individual, association, firm, corporation, partnership, political subdivision, municipality, government agency, industry, public or private corporation or any other entity.

~~((OOO.))~~ PPP. "Plan" means the coordinated comprehensive solid waste management plan for the county as required under chapter 70.95 RCW.

~~((PPP.))~~ QQQ. "Planning area or jurisdiction" means the geographical location designated by a local solid waste management plan as the plan's legal boundaries.

~~((QQQ.))~~ RRR. "Post((-)closure" means the requirements placed upon disposal facilities after closure to ensure their environmental safety for a number of years after closure.

~~((RRR.))~~ SSS. "Primary recyclables" means recyclable materials that are commonly collected and are included under the minimum service levels for recycling collection programs. These include paper, cardboard, glass, tin and aluminum beverage containers, High Density Poly-Ethylene (HDPE) and Polyethylene terephthalate (PET) bottles and yard ((waste)) debris less than three inches in diameter.

~~((SSS-))~~ TTT. "Problem wastes" means:

1. Soils removed during the cleanup of a remedial action site, or a dangerous waste site closure or other cleanup efforts and actions ~~((and which))~~ that contain harmful substances but are not designated dangerous wastes; or

2. Dredge spoils resulting from the dredging of surface waters of the state where contaminants are present in the dredge spoils at concentrations not suitable for open water disposal and the dredge spoils are not dangerous wastes and are not regulated by the Federal Clean Water Act.

~~((TTT-))~~ UUU. "Procurement policy" means the development and implementation of a policy which achieves the purchase of products made from recycled ~~((and/))~~ or recyclable goods, or both.

~~((UUU-))~~ VVV. "Product stewardship" means taking measures to minimize the impacts of a product on the environment during its life cycle. The principle of product stewardship applies to designers, suppliers, manufacturers, distributors, retailers, consumers, recyclers and disposers.

~~((VVV-))~~ WWW. "Receivers" means persons who will reuse recyclables and to whom source-separated recyclables for which a market does not presently exist can be delivered at little or no cost ~~((in order))~~ to avoid landfilling the materials pending development of economic markets.

~~((WWW-))~~ XXX. "Reclamation site" means a location used for the processing or the storage of recycled waste.

~~((XXX-))~~ YYY. "Recyclable CDL waste" means CDL waste material that can be kept out of or recovered from CDL waste and reused or transformed into a reusable product. Recyclable CDL waste may consist of a single type of recyclable material or a mixture of two or more types of recyclable material. Material used to produce hog fuel is recyclable CDL waste.

~~((YYY-))~~ ZZZ. "Recyclables" means any material that can be kept out of or recovered from solid waste and the resources therein be either transformed or reused, or both, including, but not limited to ~~((;))~~ mixed paper ~~((;))~~ newsprint ~~((;))~~ cardboard ~~((;))~~ aluminum ~~((;))~~ glass ~~((;))~~ plastics ~~((;))~~ chemicals ~~((;))~~ oil ~~((;))~~ wood ~~((;))~~

compostable organics ((~~6~~)), such as food and yard debris(~~(7)~~); CDL(~~(5)~~); ferrous metal; and inorganics ((~~6~~)), such as rubble and inert material(~~(3)~~).

((~~ZZZ~~)) AAAA. "Recycling" means either source separation or the processing of solid waste mechanically or by hand to segregate materials for sale or reuse. Materials ((~~which~~)) that can be removed through recycling include, but are not limited to: mixed paper(~~(5)~~); newsprint(~~(5)~~); cardboard(~~(5)~~); aluminum(~~(5)~~); glass(~~(5)~~); plastics(~~(5)~~); chemicals(~~(5)~~); oil(~~(5)~~); wood, (~~(5)~~); compostable organics ((~~6~~)), such as food and yard debris(~~(7)~~); ferrous metal(~~(5)~~); and inorganics ((~~6~~)), such as rubble and inert material(~~(3)~~). "Recycling" does not include combustion of solid waste or preparation of a fuel from solid waste.

((~~AAAA~~)) BBBB. "Refuse" means garbage, rubbish, ashes, swill and all other putrescible and nonputrescible wastes, except sewage, from all public and private establishments and residences.

((~~BBBB~~)) CCCC. "Region" means the area encompassing those cities with signed interlocal agreements and unincorporated areas of King County that are included in the comprehensive solid waste management plan. ((~~This~~)) "Region" includes all of King County except the cities of Seattle and Milton.

((~~CCCC~~)) DDDD. "Regional approach" means the development and implementation of a solid waste management program in cooperation with municipalities in King County and with other counties within the Puget Sound area.

((~~DDDD~~)) EEEE. "Regional direct" means any solid waste generated and collected in King County and transported to Cedar Hills disposal site by conventional long haul transfer vehicles from privately owned solid waste transfer stations or intermediate processing facilities permitted by ((~~public health Seattle & King County~~)) the health department as provided for in K.C.C. 10.08.090 and the ((~~Seattle King County board of health's~~)) health department's regulations.

((~~EEEE~~)) FFFF. "Regulated refrigerant" means a class I or class II substance as listed in Title VI of the Federal Clean Air Act Amendments of 1990.

((~~FFFF~~)) GGGG. "Residual CDL waste" means the non(~~(-)~~)recyclable waste remaining after recycling

processes have removed recyclable waste.

~~((GGGG.))~~ HHHH. "Reuse" means the return of a commodity into the economic stream for use.

~~((HHHH.))~~ IIII. "Rubbish" means all nonputrescible wastes from all public and private establishments and from all residences.

~~((HH.))~~ JJJJ. "Rural transfer facilities" means the Vashon and Enumclaw transfer stations, the Cedar Falls and Skykomish drop box facilities and such other facilities as the manager designates as rural transfer facilities.

KKKK. "Secondary recyclables" means those recyclables that have not been designated ~~((for collection for recycling pursuant to RCW 70.95.090))~~ as being included in the county's minimum service levels for recyclables collection. ~~((These))~~ "Secondary recyclables" are those with generally limited markets, a lack of collection systems or a limited number of generators of the material. ~~((They include polycoated paperboard, all plastics except PET and HDPE bottles, bulky yard waste greater than three inches in diameter, wood, food waste, compostable paper, appliances (white goods), or other ferrous and nonferrous metals, textiles, stable wastes, motor oil, oil filters, latex paint, antifreeze, brake fluid, carpet, electronics, reusable household and office goods, reusable building materials, concrete, toilets, tires and batteries.))~~

~~((JJJ.))~~ LLLL. "Secured load" means a load of solid waste ~~((which))~~ that has been secured or covered in the vehicle in a manner that will prevent any part of the solid waste from leaving the vehicle while the vehicle is moving.

~~((KKKK.))~~ MMMM. "Self-hauler" means residential and nonresidential customers who choose to bring their garbage and recyclables to the transfer facilities themselves.

~~((LLLL.))~~ NNNN. "Shall" and "will" in a policy mean that it is mandatory to carry out the policy. "Should" in a policy provides noncompulsory guidance and establishes some discretion in making decisions. "May" in a policy means that it is in the interest of the county or other named entity to carry out the policy but there is a total discretion in making decisions.



~~((MMMM.))~~ OOOO. "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, except wastes identified in WAC 173-304-015, including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater treatment plants and septage from septic tanks, woodwaste, dangerous waste and problem wastes. ~~((This))~~ "Solid waste" includes all liquid, solid and semisolid materials ~~((which))~~ that are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Unrecovered residue from recycling operations ~~((shall be considered))~~ is solid waste.

~~((NNNN.))~~ PPPP. "Solid waste collection entity" means every person or his or her lessees, receivers or trustees or agents, owning, controlling, operating or managing vehicles used in the business of transporting solid waste for collection ~~((and/))~~ or disposal, or both, for compensation including all certified haulers, any city using its own employees or any company operating pursuant to a contract with or franchise from a city performing solid waste collection services within the city.

~~((OOOO.))~~ QQQQ. "Solid waste interlocal agreement" means an agreement between a city and the county for use of the King County ~~((disposal))~~ solid waste system for disposal of solid waste generated or collected within the city.

~~((PPPP.))~~ RRRR. "Solid waste management" means the systematic administration of activities ~~((which))~~ that provide for the reduction in generated volume, source separation, collection, storage, transportation, transfer, recycling, processing, treatment and disposal of solid waste. ~~((This))~~ "Solid waste management" includes public education and marketing activities.

~~((QQQQ.))~~ SSSS. "Solid waste system" means King County's system of solid waste ~~((transfer stations, rural and regional landfills))~~ disposal facilities and processing facilities as authorized under RCW 36.58.040 and as established in accordance with the approved King County Comprehensive Solid Waste Management Plan.

~~((RRRR.))~~ TTTT. "Source separation" means the process of separating recyclable materials from

material ~~((which))~~ that will become solid waste at its source.

~~((SSSS.))~~ UUUU. "Special waste" means all ~~((non-hazardous))~~ nonhazardous wastes that have special handling needs or have specific waste properties that require waste clearance by either the solid waste division of the department of natural resources and parks or ~~((public))~~ the health-~~((Seattle & King County))~~ department, or both. Such wastes are specified in the Waste Acceptance Policy (P.U.T. 4-1-4 or future amendments of that rule), and include contaminated soil, asbestos-containing materials, treated biomedical wastes, treatment plant grit and vector wastes, industrial wastes, tires and other wastes.

~~((TTTT.))~~ VVVV. "Suspect waste" means any waste the manager suspects may be unauthorized waste.

~~((UUUU.))~~ WWWW. "Sustainable building principles" means the use of energy- and resource-efficient site and building design, construction, operations and management.

~~((VVVV.))~~ XXXX. "Swill" means every refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables, except coffee grounds.

~~((WWWW. "Trailer waste area" means a dedicated area where disposal vehicles shall utilize for hosing their containers, truck beds and trailers following tipping of wastes.~~

~~XXXX.))~~ YYYY. "Transfer station" means a ~~((staffed,))~~ fixed, supplemental collection and transportation facility used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a permanent disposal site or intermodal facility. ~~((#))~~ "Transfer station" may also include recycling facilities.

~~((YYYY.))~~ ZZZZ. "Unacceptable waste" means any material for which the transportation or disposal would constitute a violation of any governmental requirement pertaining to health, safety or the environment. ~~((Such))~~ The material may include, but is not limited to, hazardous, extremely hazardous or dangerous waste as designated under Washington state or federal law, including, but not limited to, regulations contained in the Washington Administrative Code, now in effect or hereafter amended, or in the Code of Federal regulations,

now in effect or hereafter amended.

((ZZZZ.)) AAAAA. "Unauthorized waste" means waste ((which)) that is waste not acceptable for disposal at any or a specific disposal facility according to applicable rules and regulations or a determination of the manager.

((AAAAA.)) BBBBB. "Uncompacted waste" means any solid waste in an uncompressed or loose condition.

((BBBBB.)) CCCCC. "Unincorporated service area" means a geographical area of unincorporated King County designated to receive solid waste, recyclables and yard ((waste)) debris collection services.

((CCCCC.)) DDDDD. "Unsecured load" means a load on a vehicle that is not securely fastened and protected by safety chains or other fastening devices, covered, tied down or otherwise secured ((so as)) to prevent the material from spilling, escaping or being deposited outside the vehicle while vehicle is in motion.

((DDDDD.)) EEEE. "Urban collection service levels" means the availability of regularly scheduled collection services for residential garbage and primary recyclables at residents' homes.

((EEEE.)) FFFFF. "Urban transfer stations" means the county's Algona, Bow Lake, Factoria, First Northeast, Houghton and Renton transfer stations and such other transfer stations as the manager designates as urban transfer stations.

GGGGG. "Waste export" means the act of sending waste to a landfill out of the region.

((FFFFF.)) HHHHH. "Waste reduction" means reducing the amount or type of waste generated.

((GGGGG.)) IIIII. "Waste stream" means the total flow of solid waste from homes, businesses, institutions and manufacturing plants that must be recycled or disposed in landfills, or any segment thereof, such as the "residential waste stream" or the "recyclable waste stream."

((HHHHH.)) JJJJJ. "White goods" means major appliances, including refrigerators, freezers, heat pumps, air conditioners, stoves, ranges, dishwashers, washers, dryers, trash compactors, dehumidifiers and other appliances specified by the manager.

~~((HHH-))~~ KKKKK. "White goods collection area" means an area used by county residents to deposit source-separated white goods.

~~((JJJJ-))~~ LLLLL. "Woodwaste" means solid waste consisting of wood pieces or particles generated as a byproduct resulting from the handling and processing of wood, including, but not limited to, hog fuel, sawdust, shavings, chips, bark, small pieces of wood, stumps, limbs and any other material composed largely of wood (~~((which))~~) that has no significant commercial value at the time in question, ~~((())~~)but shall not include slash developed from logging operations unless disposed of on a different site), and does not include wood pieces or particles containing chemical preservatives such as creosote, pentachlorophenol or copper-chrome-arsenate.

~~((KKKKK-))~~ MMMMM. "Woody debris" means natural vegetation greater than four inches in diameter, such as stumps, fallen tree branches or limbs, resulting from land clearing activity, storms or natural disasters.

~~((LLLLL-))~~ NNNNN. "Yard ~~((waste))~~ debris" means a compostable organic material generated in yards or gardens, including but not limited to, leaves, grass, branches, prunings and clippings of woody and fleshy plants and unflocked ~~((Christmas))~~ holiday trees, but shall not include rocks, dirt or sod, concrete, asphalt, bricks, land-clearing wastes, demolition wastes, woodwaste or food waste.

~~((MMMMM-))~~ OOOOO. "Yard ~~((waste))~~ debris collection area" means an area used by county residents, businesses, and institutions to deposit source-separated yard ~~((waste))~~ debris.

SECTION 9. Ordinance 7708, Section 1 (part), as amended, and K.C.C.10.08.020 are each hereby amended to read as follows:

**System of disposal.**

A. Under the authority provided by the King County ~~((Home Rule))~~ Charter and RCW 36.58.040, a system is hereby established for disposal of all solid waste either generated ~~((and/))~~, collected or disposed, in unincorporated King County. Additionally, this system shall include all solid waste either generated ~~((and/))~~ or collected, or both, in any other jurisdictions with which an interlocal agreement exists ~~((pursuant to))~~ under

K.C.C. 10.08.130.

B. ~~((Disposal in King County.))~~ It is unlawful for any person to dispose of ~~((controlled))~~ county solid waste except at disposal ~~((sites))~~ facilities and in a manner authorized ~~((by King County))~~ under this title.

C. ~~((Disposal outside King County.))~~ Unless ~~((specifically permitted by state law or))~~ specifically authorized by a King County ordinance, it is unlawful for any commercial hauler or other person or entity to deliver ~~((or deposit any controlled))~~ any county solid waste ~~((outside the borders of King County unless it is authorized by the adopted King County comprehensive solid waste management plan))~~ to a place other than a disposal facility designated by the county to receive the particular waste.

D. It is unlawful for any person to deliver county solid waste other than unauthorized waste as determined by the manager to any facility for final disposal other than the county-owned Cedar Hills regional landfill, unless the manager has provided prior written authorization for the disposal for public health, safety, welfare or planning purposes and the disposal is consistent with the adopted King County Solid Waste Comprehensive Plan.

SECTION 10. Ordinance 7708, Section 1 (part), as amended, and K.C.C.10.08.040 are each hereby amended to read as follows:

**Operation of solid waste disposal facilities by county.**

A. The division shall be the operating authority for all solid waste disposal facilities owned or operated by King County. Nothing ~~((herein shall))~~ in this chapter prohibits the county by ordinance from contracting with another entity, public or private, to own, construct ~~((and/))~~ or operate a disposal facility.

B. The council ~~((of King County))~~ shall establish by ordinance the ~~((hours of operation of disposal facilities,))~~ disposal fees charged~~((s))~~ at county solid waste facilities and types of waste for which each facility is intended.

C. The ~~((manager))~~ division shall ~~((prepare operating regulations))~~ adopt public and administrative rules for solid waste disposal facilities, which shall govern all other matters necessary to assure compliance

with federal, state and local regulations applicable to ~~((such))~~ the facilities. The ~~((county reserves the right to provide in said operating))~~ rules may require that certain solid wastes, such as bulky wastes, problem wastes and ~~((wood waste))~~ woodwaste, based on source, type or volume, shall not be accepted, or only conditionally accepted, at facilities owned or operated ~~((only))~~ by the county. ~~((The operating rules for such facilities shall be consistent with this chapter and no less stringent than regulations promulgated by the board of health.))~~

SECTION 11. Ordinance 7708, Section 1 (part), and K.C.C.10.08.080 are each hereby amended to read as follows:

**Recycling.** A goal for King County's solid waste management shall be to achieve maximum feasible cost-effective reduction of solid waste going to landfills and to other processing facilities, conservation of energy and natural resources~~((s))~~ and environmental protection. The division shall develop plans and incentives for waste reduction through source separation, recycling, ~~((packaging changes,))~~ product stewardship, resource conservation and other methods deemed effective by the division. Reclamation sites for recycling operations shall be designated as part of the county's disposal system and shall be subject to permit requirements of the health department.

NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter 10.08 a new section to read as follows:

**Reporting by solid waste division.**

A. The division shall provide a written report to the council at least four times each year, by March 15, June 15, September 15 and December 15, and more frequently if directed by the council by motion, regarding the expenditures, revenues and operations of disposal facilities. The report shall be filed with the clerk of the council for distribution to all councilmembers and the lead staff of the utilities committee, or its successor committee. Following the transmittal of each written report, the division shall also make an oral presentation to the council. The written reports and oral presentations shall include, but shall not be limited to, information on:

1. Expenditures and revenues resulting from any changes, as the result of an ordinance, in

expenditures, revenues and operations;

2. The amount of waste that is handled at the county's transfer facilities and the Cedar Hills landfill;
3. The amount of regional direct tonnage;
4. The status of staffing at the county's disposal facilities, including the amount of overtime that has

been used in the preceding three months, any increase in the number of customer trips to county transfer stations and the need and scheduling for any new staffing required from increase in regional direct tonnage to county transfer stations;

5. The number of customer trips to the county's transfer stations, compared to the same quarter in the previous year, and a summary of customers' complaints;
6. Evaluation of any trends in illegal dumping; and
7. Community outreach and involvement.

B. In addition to the information specified in subsection A.1 through 7, in the report due to the council on June 15, 2004, the division shall make a detailed and comprehensive report of the status of implementing efficiencies and changes in operations as suggested by the division employees and an accounting of the operational savings that result from these operational changes and efficiencies. The division shall distinguish between changes that result in additional revenue to the division and those changes that decrease operating expenses.

SECTION 13. Ordinance 8108, Section 3, as amended, and K.C.C.10.10.020 are each hereby amended to read as follows:

**Operating hours.** Operating hours at King County solid waste disposal facilities shall be ~~((as follows))~~ determined by the director, consistent with the following policies and in accordance with the process in section 14 of this ordinance:

A. ~~((Transfer stations shall be open from 8:00 a.m. to 5:30 p.m. Sundays through Saturdays. The Factoria transfer station shall be open from 6:15 a.m. to 11:30 p.m. Monday through Friday and 8:00 a.m. to~~

~~5:30 p.m. Saturday and Sunday.~~

~~1. Yard waste collection areas shall be located at the following transfer stations and shall be open at the hours here specified:~~

~~Factoria transfer station 5:30 p.m. to 11:30 p.m. Monday through Friday~~

~~Enumelaw transfer station 8:00 a.m. to 5:30 p.m. Sunday through Saturday.~~

~~2. White goods collection areas shall be located at the following transfer stations and shall be open at the hours here specified:~~

~~Enumelaw transfer station 8:00 a.m. to 5:30 p.m. Sunday through Saturday.~~

~~Vashon transfer station 8:00 a.m. to 5:30 p.m. Sunday through Saturday.~~

~~3. Clean wood collection areas shall be located at the following transfer stations and shall be open at the hours here specified:~~

~~Enumelaw transfer station 8:00 a.m. to 5:30 p.m. Sunday through Saturday.))~~ The director shall set

facility operating hours, taking into consideration stakeholder input and the goals of reducing average system-wide transfer costs and maintaining high levels of customer satisfaction and environmental stewardship, among other relevant factors.

~~B. ((The Cedar Hills landfill shall be open from 6:00 a.m. to 4:30 p.m. Mondays through Fridays, 6:30 a.m. to 4:30 p.m. Saturdays and Sundays. Cedar Hills shall not be open for use by the general public.))~~ 1.

Notwithstanding subsection A of this section, the following facilities shall have the following minimum hours, not including holidays:

a. Urban transfer stations shall be open to the public at least between 9:00 a.m. and 4:00 p.m., seven days per week.

b. Rural transfer facilities shall be open to the public at least between 9:00 a.m. and 4:00 p.m., four days per week, including at least one weekend day.

2. All services offered at particular facilities shall be available during the minimum hours, but portions



of facilities may be closed during any hours in excess of the minimum hours.

C. All King County solid waste disposal facilities shall be closed on January 1, Thanksgiving Day((, Christmas Day and New Years Day)) and December 25. At the discretion of the director, King County solid waste disposal facilities may be closed on other recognized King County holidays by following the procedures for modifying operating hours.

D. ~~((King County drop boxes shall be open from 8:00 a.m. to 5:00 p.m., seven days per week during Pacific Standard Time and from 9:00 a.m. to 6:00 p.m., seven days per week during Pacific Daylight Time.))~~  
Yard debris and clean wood collection areas shall be located at the Enumclaw transfer station. White goods collection areas shall be located at the Enumclaw and Vashon transfer stations.

E. ~~((Operating hours, dates of operation, and sites for mobile yard waste facilities shall be determined and publicized by the manager.))~~ The Cedar Hills landfill shall not be open for use by the general public.

NEW SECTION. SECTION 14. There is hereby added to K.C. C. chapter 10.10 a new section to read as follows:

**Notice - change of operating hours.**

A. The director shall set operating hours for particular facilities in accordance with K.C.C. 10.10.020. The director shall give at least thirty days' notice of the intention to change operating hours at any facilities by filing the notice with the clerk of the council for distribution to all council members, with the mayors of any cities in which the affected facilities are located and with all persons who have made a timely request for advance notice of changes in operating hours. In addition, the notice of the proposed changes in hours shall be posted at affected facilities.

B. The notice shall be at least in writing by electronic format and shall include:

1. A reference to this chapter;
2. The current and proposed operating hours;
3. Contact information for receiving comments regarding the proposed hours and the date by which

comments must be received; and

4. An explanation of the basis for the proposed change.

C. After considering all comments received by the prescribed time, the director may change operating hours, consistent with K.C.C. 10.10.020. New hours shall be posted at affected facilities ten days before they take effect. In addition, the director shall provide notice of the new hours by filing the hours with the clerk of the council for distribution to all council members and by distributing notice of the new hours to all cities in which the affected facilities are located.

SECTION 15. Ordinance 8108, Section 4, as amended, and K.C.C.10.10.030 are each hereby amended to read as follows:

**Types of waste accepted.** Types of waste accepted at King County solid waste disposal facilities shall be limited to the following:

A. Cedar Hills landfill shall accept mixed municipal solid waste from transfer stations and other sources in King County, and demolition waste in small quantities incidental to jurisdictional activities((:));

B. Transfer stations shall accept mixed municipal solid waste, demolition waste in small quantities incidental to jurisdictional activities and of a size and density capable of being handled by transfer station equipment((:)) and waste from the general public, businesses and route collection vehicles collecting waste in King County((:));

C. Drop box facilities shall accept mixed municipal solid waste in loads not to exceed either five cubic yards or one ton, or both((:));

D. Yard ((waste)) debris collection areas located at county transfer stations shall accept source-separated yard ((waste)) debris from county residents, businesses and institutions((:));

E. Mobile yard ((waste)) debris facilities shall accept source-separated residential yard ((waste)) debris from noncommercial users in loads not to exceed either five cubic yards or one ton, or both((:));

F. White goods collection areas located at county transfer stations shall accept source-separated white

goods from county residents((:));

G. Clean wood collection areas located at county transfer stations shall accept source-separated clean wood from county residents, businesses and institutions((.));

H. Other wastes, such as industrial waste, semisolid, or liquid waste, and asbestos-containing waste material, may be accepted at sites as designated and approved by the manager((:)); and

I. Acceptance of any suspect waste may be denied pending the health officer's approval.

SECTION 16. Ordinance 12564, Section 2, and K.C.C.10.12.021 are each hereby amended to read as follows:

**Fees for use of disposal sites ((beginning January 1, 1999)). ((Effective January 1, 1999, a))All** persons using county-operated solid waste disposal facilities shall pay the service fees ((set forth)) in the following schedules:

A. Service fees for the use of disposal sites with scales, excluding Cedar Hills, shall be:

1. Solid waste disposal:

Passenger cars	\$13.72 per entry
Other vehicles	<u>\$82.50 per ton</u>
Charitable organizations	<u>\$63.50 per ton</u>
Minimum	<u>\$13.72 per vehicle</u>
Charitable organizations, minimum charge	<u>\$10.58 per entry</u>
<del>((Use of trailer wash area</del>	<del>1.00 per token))</del>

2. Deposit of source-separated yard ((waste)) debris at yard ((waste)) debris collection areas and deposit of clean wood at clean wood collection areas:

Passenger cars	<u>\$12.75 per entry</u>
Other vehicles	<u>\$75.00 per ton</u>
Minimum charge	<u>\$12.75 per vehicle</u>



1. For sites with scales:

Self-haulers	\$2.61 per ton
Minimum charge	<u>\$1.00</u> per entry
Passenger cars	<u>\$1.00</u> per entry

2. For sites without scales:

Compacted	<u>\$0.76</u> per cubic yard
Uncompacted	<u>\$0.44</u> per cubic yard
Minimum charge	<u>\$1.00</u> per entry
Passenger cars	<u>\$1.00</u> per entry

E. ~~A (\$)~~ special waste fee shall be charged for special waste including infectious waste treated and handled ~~((pursuant to))~~ in accordance with King County Board of Health Code 10.28.070, asbestos-containing waste material, ~~((bulky waste,))~~ problem wastes~~((,))~~ and other additional wastes requiring clearances ~~((pursuant to the))~~ in accordance with King County Board of Health Code Title 10 or ~~((pursuant to))~~ rules promulgated by the department.

Special waste fee	\$132.00
Minimum charge	<u>\$22.20</u>

F. In the absence of exact weights or measurements, the estimate of the manager ~~((shall be))~~ is binding upon the user.

G. ~~((Special Service Fee.))~~ Solid waste either generated ~~((and/))~~ or collected, or both, within the boundaries of a jurisdiction ~~((which))~~ that has not entered into an agreement with King County for use of King County solid waste disposal facilities as provided by this chapter may only be disposed of in a King County facility upon payment of a special service fee of ~~((3))~~ three times the applicable per ton rate for facilities with scales and ~~((3))~~ three times the applicable cubic yard rate for compacted or uncompacted wastes for facilities without scales. Payment of the special service fee in this subsection shall be in lieu of payment of the fees in

subsections ~~((A-E))~~ A through E of this section. Nothing in this subsection authorizes the use of King County facilities by any municipal corporation or agent thereof or any commercial hauler for disposal of solid waste either or both generated and ~~((/or))~~ collected outside King County.

**SECTION 17. Notice.** Within ten days of the effective date of this section, the division shall provide written notice of the increase in the regional direct rate under section 16 of this ordinance to any commercial hauler that has paid the Cedar Hills regional direct rate in the previous twelve-month period. The rate takes effect ninety days after the provision of the notice.

**SECTION 18.** Ordinance 800, Section 3, as amended, and K.C.C.10.12.030 are each hereby amended to read as follows:

**Collection of fees.**

A. Except as expressly provided otherwise in this chapter, ~~((A))~~ all service fees collected ~~((pursuant to))~~ under this chapter shall be collected in cash or check or by credit or debit cards by site cashiers at the time of use ~~((; provided, that))~~. Consistent with the requirements of this chapter, the manager ~~((of the King County solid waste division, department of natural resources and parks))~~ may authorize a ~~((commercial or noncommercial))~~ facility user to be billed monthly for all solid waste delivered to either the transfer stations or the final disposal site, or both.

B. The ~~((solid waste))~~ manager is authorized to adjust any solid waste service fee for purposes of minimizing cash holding requirements at solid waste facilities. The adjustment to the calculated fee shall not exceed twenty-five cents nor shall it have a significant impact on the revenue collected in the proposed rate period.

C. ~~((Authorization of a commercial or noncommercial user's monthly billing shall result))~~ The manager may authorize monthly billing only ~~((from a request))~~ if users request and receive authorization in advance ~~((for such service by the commercial or noncommercial user))~~, subject to the following provisions:

1. ~~((No authorization shall be granted without the posting of))~~ The manager shall not authorize billing

unless the user posts an irrevocable payment bond (~~((secured by the commercial or noncommercial user in the name))~~) for the benefit of the solid waste division (~~((and))~~) in an amount (~~((which is))~~) equal to the (~~((larger amount of))~~) greater of: the (~~((peak))~~) sum of the user's three highest consecutive months of (~~((user))~~) service fees (~~((charges))~~) from the prior twelve months<sup>2</sup>, adjusted for rate changes (~~((of))~~); three thousand five hundred dollars; or such other amount as the manager reasonably determines will cover the user's anticipated disposal charges over a three-month period. Within thirty days of determining that the posted irrevocable payment bond is insufficient based on the criteria in this section, the manager shall give written notice to the user that a bond increase is required, except that (~~((no))~~) a bond increase (~~((should))~~) shall not be required if the change (~~((is))~~) would be less than (~~((one thousand dollars))~~) twenty percent of the amount of the original bond or deposit and the commercial or noncommercial user's payments have not been delinquent in the preceding twelve months. The manager may limit billing authorization to facility users whose typical monthly use exceeds a minimum amount determined by the manager;

2. (~~((In the absence of the peak three consecutive months of user fee charges from the prior twelve months adjusted for rate changes, the irrevocable payment bond will be the greater of the commercial or noncommercial user of three months of user charges or three thousand five hundred dollars.~~

3.)) The manager, having given notice to a commercial or noncommercial monthly (~~((billing))~~) user that (~~((their))~~) its bond is (~~((inadequate based on actual usage))~~) insufficient, may suspend use privileges for a commercial or noncommercial user who fails to tender (~~((an increased))~~) a sufficient bond within thirty days (~~((of))~~) after the date of the manager's notice(~~((:))~~);

(4.)) 3. The manager shall, upon request, relieve a (~~((commercial user certified pursuant to chapter 81.77 RCW))~~) certificated hauler of the requirement for an irrevocable payment bond if it has not been delinquent in the preceding (~~((12))~~) twelve months. If an (~~((monthly bill becomes))~~) invoice is delinquent (~~((by))~~) for more than five days, the (~~((user))~~) certificated hauler shall post within thirty days of the delinquency an irrevocable payment bond (~~((equal to the larger of the peak three consecutive months of user fee charges from~~

~~the prior twelve months adjusted for rate changes or three thousand five hundred dollars.)) meeting the requirements of K.C.C. 10.12.030; and~~

~~((5.)) 4. The ((manager shall waive the irrevocable payment bond for the following governmental noncommercial users: A municipal corporation, governmental department, agency or commission or political subdivision when he or she approves its monthly billing request)) requirements for posting payments bonds under this section do not apply to governmental users.~~

D. Except as otherwise provided in this section, ((A))all ((invoiced)) invoices for solid waste service fees ((shall be received, payable to King County finance and business operations division, in monthly installments on or before the twenty fifth day following the billing date as listed on the invoice. A late payment penalty equal to one and one half percent of the delinquent unpaid balance compounded monthly, shall be assessed on the delinquent unpaid balance of those nongovernmental commercial and noncommercial accounts in arrears)) are due upon receipt and become delinquent twenty calendar days after the date of the invoice. Invoices shall be paid in accordance with payment instructions provided with the invoice including, without limitation, the form of payment. All delinquent invoices owed by nongovernmental entities shall accrue interest on the delinquent unpaid balance from and after the date of delinquency at the rate of one and one half percent per month or the highest rate allowed by law, whichever is less. The manager, having given at least seven days' written notice following the delinquency of an invoice, may suspend use privileges for a (( commercial or noneommereial)) user ((who fails to tender payment by the end of the billing month. Any invoiced fee or other service fee which remains unpaid ninety days after its due date may be remitted to a collection service agency which will exercise their best, prudent and lawful efforts to secure collection. An administrative fee of fifteen dollars will be added to all such unpaid account totals. This fee will be in addition to any late payment penalty or fee imposed by county ordinance)). In addition, after an invoice is delinquent for ninety days, the manager may make a claim against any payment bond for the full amount of any amounts due, whether or not the amounts are delinquent. Any amounts that are delinquent for more than ninety days



may be referred to collection agencies or attorneys, for collection consistent with applicable law. A user whose account becomes delinquent shall pay all costs associated with collection including, without limitation, an administrative fee set by the manager for referring accounts to attorneys or collection agencies.

E. ~~((Effective July 1, 1991, u))~~Users ((not having charging privileges)) who do not have accounts with the county and are unable to pay disposal charges ((assessed at the disposal facility shall)) at the time of disposal may, at the discretion of the manager, be allowed to use disposal facilities on the following conditions:

1. Users shall be required to provide contact information including, without limitation, driver's license and license plate information, to disposal facility personnel and shall be issued a one-time payment invoice of dumping fees charged plus ((a)) the applicable handling fee ((of ten dollars)) determined by the manager((-);

2. Payment on this invoice shall be due ((within 7)) immediately and shall become delinquent seven days ((of issue and late payment penalties shall be charged consistent with subsection D of this section)) after the date of the invoice; and

3. Subsection D of this section applies to invoices issued under this subsection.

F. ~~((A noncommercial user may be authorized by the manager to be billed monthly for all solid waste delivered to the transfer stations and for final disposal sites; provided, that such noncommercial user is either:~~

~~1. A municipal corporation, governmental department, agency or commission or political subdivision; or 2. A person whose monthly service charges exceed one hundred dollars.~~

G.) Persons authorized for monthly billings shall receive one or more identification cards or badges for the purpose of ((crediting)) accounting for charges. A fee of twenty-five dollars shall be charged ((the person to replace)) for replacing a lost or damaged card. ((No)) A fee ((will)) shall not be charged for replacement due to normal wear, as determined by the division.

SECTION 19. Ordinance 7012, Section 7, as amended, and K.C.C.10.12.055 are each hereby amended to read as follows:

**Other fees.**

A. Persons shall be charged a handling fee of ~~((fifteen))~~ twenty-five dollars for each dishonored check ~~((returned due to non-sufficient funds))~~ or unpaid bank draft.

B. ~~((Persons lacking cash at the time of disposal shall be billed for the amount due. A one-dollar charge for handling and processing shall be added to the original fee.))~~ The director may set fees for miscellaneous ancillary services, other than disposal fees, that the division provides to facility users. The services may include, but are not limited to, fixing flat tires, providing weight certifications, and use of the division's brake tester and trailer wash areas. Fees for miscellaneous ancillary services shall be based on the division's actual costs for providing the services. The director shall post notice of new or increased miscellaneous ancillary fees at the sites at which the fees are charged. The director shall also provide written notice to the clerk of the county council and all councilmembers. The fees for miscellaneous ancillary services take effect thirty days after the date notice is provided consistent with this section.

SECTION 20. Ordinance 800, Section 3 (part), as amended, and K.C.C.10.12.060 are each hereby amended to read as follows:

**Enforcement.** The director ~~((of the department of natural resources and parks is authorized to))~~ may enforce ~~((the provision of))~~ this chapter~~((, the ordinances and resolutions codified in it,))~~ and any rules and regulations promulgated ~~((thereunder pursuant to))~~ under this chapter in accordance with the enforcement and penalty provisions of K.C.C. Title 23.

NEW SECTION. SECTION 21. There is hereby added to K.C. C. chapter 10.14 a new section to read as follows:

**Grants program.**

A. The division shall establish a program for waste reduction and recycling grants for cities. Cities that participate in the county's solid waste system are eligible for grants, which may be used for the purposes described in subsection B of this section. Grants shall be distributed annually, consistent with approved

funding for such purposes in the division budget. The division shall determine the amount of grant funding based on each city's percentage of King County's residential and employment populations obtained from the Washington state Office of Financial Management and the Puget Sound Regional Council, though the division may set a minimum grant amount.

B. The funds distributed under the grants program established under subsection A of this section must be used for one or more of the following purposes:

1. Promoting waste reduction and recycling;
2. Implementing and improving general recycling programs;
3. Encouraging curbside collection of recyclable materials;
4. Preventing toxic materials from entering the waste stream;
5. Improving opportunities for curbside collection and recycling of organic materials;
6. Encouraging sustainable development through the promotion of sustainable building principles in

construction projects; and

7. Broadening resource conservation programs that integrate with waste reduction and recycling education efforts.

SECTION 22. Ordinance 7786, Section 2, and K.C.C.10.14.020 are each hereby amended to read as follows:

**County goals.** It is King County's goal to achieve zero waste of resources by 2030 through maximum feasible and cost-effective prevention, reuse and reduction of solid wastes going into its landfills and other processing facilities (~~((by diverting as much as possible from the waste stream))~~). It is recognized that waste reduction and recycling are the highest priority of the viable solid waste management options, and the county hereby adopts this ~~((policy))~~ goal, which will be aggressively pursued.

SECTION 23. Ordinance 7786, Section 5, and K.C.C.10.14.040 are each hereby amended to read as follows:

**Development of recovery facilities.** The county policy in the development of future ~~((energy))~~ recovery facilities, such as organics and CDL recycling, shall complement its waste reduction program. The county shall take its waste reduction and recycling goals and objectives into account in determining the size of any ~~((energy))~~ recovery facilities. Waste reduction shall have first priority~~((;))~~ and ~~((energy))~~ recovery second priority, as a means of reducing the amount of solid waste disposed in landfills.

SECTION 24. Ordinance 7786, Section 3, and K.C.C.10.14.050 are each hereby amended to read as follows:

**County intent - ~~((R))~~reduce and divert waste from landfills.** It is the intent of King County to fulfill the following objectives ~~((in order))~~ to reach its goals to reduce and divert waste from landfills~~((;))~~:

A. Adopt an aggressive and regional approach to finding solutions to solid waste problems by working cooperatively with other cities and counties whenever it is appropriate~~((;))~~;

B. Target areas of the waste stream that are resources and have the greatest potential for resource and beneficial use. Targets should change over time as additional diversion occurs and efforts move closer to zero waste of resources;

C. Provide technical assistance and support to municipalities within King County ~~((who))~~ that are interested in developing waste reduction and recycling programs~~((;))~~;

~~((C;))~~ D. Educate and encourage county agencies, citizens, businesses, schools and other institutions to reduce, reuse, source separate~~((;))~~ and recycle solid waste~~((;))~~;

~~((D;))~~ E. Encourage volunteer participation through outreach and coordination of waste reduction and recycling efforts~~((;))~~;

~~((E;))~~ F. Encourage the private sector to increase recycling, such as collection, processing and marketing of recyclables~~((;))~~ through volunteer efforts and mandates to facilitate diversion, as appropriate;

~~((F;))~~ G. Implement an in-house King County recycling and waste reduction program, including the

adoption of a procurement policy for county purchase of recycled products(~~(by June 1987)~~), green building practices in new construction and ongoing operations and maintenance and other actions to encourage recycling and waste reduction by county government(~~(-)~~);

~~((G-))~~ H. Incorporate capital improvements, recycling infrastructure and programs that maximize recycling at county facilities;

I. Encourage green building and sustainable design in private development in cooperation with county development agencies;

J. Encourage the development of markets for and encourage purchase and use of products made from recyclables(~~(-)~~) through education and technical assistance;

K. Develop, implement and support product stewardship approaches and legislation to divert material from disposal where the costs of handling materials are borne by those responsible, including manufacturers, retailers, government and consumers;

L. Support resource conservation programs in which success in waste reduction and recycling directly protects the environment, such as soil quality improvement and toxic waste minimization;

~~((H-))~~ M. Annually project the amounts of waste being diverted from county landfills; and

N. Measure program results through a variety of performance measures such as cost effectiveness, waste characterization data, recycling data, customer surveying, customer communication and participation in recycling and resource conservation programs.

SECTION 25. Ordinance 7786, Section 7, and K.C.C. 10.14.080 are each hereby amended to read as follows:

**Annual evaluation.** ~~((It is t))~~The council~~(('s intent to))~~ will annually evaluate annually~~((, in September of each year,))~~ the effectiveness of the waste recycling and reduction program in a programmatic and quantitative manner, to ensure the program is responsive and is meeting the solid waste management needs of the people of King County. By April 1 of each year, ~~((F))~~the division shall ~~((submit to))~~ file with the clerk of

the council (~~by September 1, of each year an annual~~), for distribution to all councilmembers, a report of its progress toward the ((of)) goal of zero waste of resources through maximum feasible, cost effective reduction of waste going to the landfills and other processing facilities. ((This)) The report shall include annual projections of the amounts diverted from landfills and shall describe progress toward the work program ((outline)) outlined in ((Section 10.14.050 of this chapter)) K.C.C. 10.14.060.

SECTION 26. Ordinance 9240, Section 1, and K.C.C. 10.16.010 are each hereby amended to read as follows:

**Purpose.** (~~This chapter shall be known as the "King County Recycled Product Procurement Policy." Its~~) The purpose of this chapter is to ((market development of)) ensure that King County agencies purchase recycled ((products)) and ((recyclable products by establishing preferential purchase programs applicable to county departments and contractors, thereby diverting materials from the solid waste stream and reducing King County's purchase of environmentally harmful materials)) other environmentally preferable products whenever the products meet the price and performance requirements of the county.

SECTION 27. Ordinance 9240, Section 2, and K.C.C. 10.16.020 are each hereby amended to read as follows:

**Policies.**

A. (~~All d~~) Departments shall ((whenever practicable use)) purchase recycled and ((recyclable products to meet their needs)) other environmentally preferable products whenever practicable.

B. The county shall (~~whenever practicable~~) require its contractors and consultants to use recycled and other environmentally preferable products whenever practicable.

C. (~~In procuring designated products pursuant to this chapter, the county shall require recovered material and/or post-consumer material content to be factors in determining the lowest responsive and responsible bid in any competitive bidding procurement process initiated pursuant to state and county law.~~

~~D.))~~ The county shall promote the use of recycled ~~((products))~~ and ~~((reyclable))~~ other environmentally preferable products by publicizing its ~~((procurement program and by disseminating information about recycled products))~~ environmental purchasing policy and its implementation, consistent with this chapter.

SECTION 28. Sections 29 through 34 of this ordinance take effect January 1, 2004.

SECTION 29. Ordinance 9240, Section 3, and K.C.C. 10.16.030 are each hereby amended to read as follows:

**Definitions.** The ~~((following terms shall have the assigned definitions for all purposes under this chapter))~~ definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

A. ~~(("Building insulation" means a material, primarily designed to resist heat flow, which is installed between the conditioned volume of a building and adjacent unconditioned volumes or the outside. This term includes but is not limited to insulation products such as blanket, board, spray in place, and loose fill that are used as ceiling, floor, foundation, and wall insulation.~~

B. ~~"Cement" means a powder like manufactured mineral product, often referred to as "Portland cement," used in the manufacture of cement concrete.~~

C. ~~"Cement concrete" means concrete which contains cement.~~

D. ~~"Cement with fly ash or cement concrete with fly ash" means cement or cement concrete containing any amount of fly ash.~~

E. ~~"Contractor" means any person, group of persons, consultant, designing architect, association, partnership, corporation, or other type of business entity which has a contract with King County (including suppliers) or which serves in a subcontracting capacity with an entity having a contract with King County for the provision of goods and/or services.~~

F.)) "Department((s))" ~~((shall refer to))~~ means any department as defined by King county ordinance or other applicable law and ~~((shall))~~ includes, but is not limited to, all county agencies not associated with a department, such as the King County prosecuting attorney, the King County assessor, the King County sheriff

and the King County council.

~~((G. "Designated products" means all products that have been or may be identified pursuant to Section 10.16.040 of this chapter as products that can be procured with significant levels of recovered materials.~~

H.)) B. "Designing architect" means any architect or engineer performing architectural or engineering services for the county in connection with a county construction project and who is chiefly responsible for the project's design.

~~((I. "Director" means the director of the department of executive administration or the director's designee.~~

J. ~~"End use" means an intended final use of a product by a consumer which will not result in additional value being added to the product.~~

K. ~~"Fly ash" means the component of coal which results from the combustion of coal and is the finely divided mineral residue which is typically collected from boiler stack gases by electrostatic precipitator or mechanical collection devices.~~

L. ~~"Lubricating oils" means engine lubricating oils, hydraulic fluids, and gear oils, excluding marine and aviation oils.~~

M. ~~"Minimum content standards" means standards set by the county specifying the minimum level of recovered material and/or post-consumer material necessary for designated products to qualify as recycled products.~~

N. ~~"Mixed municipal solid waste" means waste consisting of solid waste generated by residences, stores, offices, and other generators of wastes that are not industrial, agricultural, or demolition wastes.~~

O. ~~"Paper and paper products" means all items manufactured from paper or paperboard.~~

P.)) C. "Environmentally preferable products" means products that have fewer or reduced negative impacts on human health or the environment compared to competing products that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution,



operation, maintenance, reuse and disposal of the product.

D. "Federal guidance" means guidelines provided by the United States Environmental Protection Agency, the Office of the Federal Environmental Executive, Federal executive orders or other guidelines offered by federal agencies.

E. "Oil" means engine lubricating, gear, hydraulic, fuel, and other types of oil.

F. "Post((-)consumer material" means ((only those products generated by a business or consumer which have served their intended end uses, and which have been separated or)) material that has been previously used by consumers that is diverted from the solid waste stream ((for the purposes of collection, recycling and disposition)).

~~((Q. "Post-consumer paper material" means:~~

~~1. Paper, paperboard and fibrous wastes including corrugated boxes, newspapers, magazines, mixed waste paper, tabulating cards and used cordage from places like retail stores, office buildings and homes after the point at which they have passed through their end use as consumer items; and~~

~~2. All paper, paperboard and fibrous wastes that enter and are collected as mixed municipal solid waste.~~

~~R. "Purchasing contract" means any contract which is awarded by the county for the purchase of tangible goods.~~

~~S.)) G. "Practicable" means satisfactory in performance and available at a fair and reasonable price.~~

H. "Recovered material" means waste material ((and byproducts which have)) that has been recovered ((or diverted)) from the solid waste stream, but does not include ((those)) material((s and byproducts)) generated from((;)) and commonly reused ((within,)) on site in an original manufacturing process ((such as mill broke or home scrap)).

~~((T. "Recovered paper material" means paper waste generated after the completion of a papermaking process, such as post-consumer material, envelope cuttings, bindery trimmings, printing waste, cutting and~~

~~other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock.~~

~~Recovered paper material, however, shall not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extractive or woodcutting processes, or forest residue such as bark.~~

~~U. "Recyclable product" means a product which, after its intended end use, can demonstrably and economically be diverted from the King County solid waste stream for use as a raw material in the manufacture of another product.~~

~~V. "Recycled designated product" means a product designated in or pursuant to Section 10.16.040 of this chapter that meets or surpasses (1) county minimum content standards, and (2) all other criteria for qualification as specified in this chapter.~~

~~W. "Retread tire" means a worn automobile, truck, or other motor vehicle tire, excluding airplane tires, whose tread has been replaced.~~

~~X. "Reusable product" means a product that can be used several times for an intended end use before being discarded, such as a washable food or beverage container or a refillable ball point pen.~~

~~Y.) I. "Recycled paper" means paper meeting recycled content standards in federal guidance.~~

~~J. "Recycled product" means a product manufactured with the maximum practicable amount of recovered material, especially postconsumer material.~~

~~K. "Rerefined lubricating oil" means engine lubricating oil meeting rerefined content standards set forth in federal guidance.~~

~~L. "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, except wastes identified in WAC 173-304-015((;)) including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater treatment plants and septage from septic tanks, woodwaste, dangerous waste((;)) and problem wastes. ((This)) "Solid waste" includes all liquid, solid and semi-solid materials that are not the primary~~

products of public, private, industrial, commercial mining and agricultural operations. Unrecovered residue from recycling operations (~~(shall be considered)~~) is "solid waste."

~~((Z. "User department" means a department that purchases any amount of a given designated product, except when the department has made no purchase within the current or preceding calendar year.))~~

SECTION 30. Ordinance 9240, Section 6, as amended, and K.C.C.10.16.060 are each hereby amended to read as follows:

**Rules and regulations for procurement of paper and paper products.**

A. ~~((King County's recycled paper procurement goal for user departments (expressed as a percentage of the total volume of paper purchased) shall be:~~

- ~~1. Not less than ten percent by 1990;~~
- ~~2. Not less than thirty percent by 1992;~~
- ~~3. Not less than sixty percent by 1995.~~

~~Each department shall be responsible for making its best effort to meet or surpass these goals.~~

~~B. The solid waste division manager and the director, or their designees, shall jointly adopt minimum content standards for recycled paper products by January 31, 1990. The minimum content standards shall, at a minimum, be consistent with standards promulgated by the United States Environmental Protection Agency and found in 40 CFR Part 250.21, unless the solid waste division manager and the director, or their designees, determine that a different standard would significantly increase recycled product availability or competition or would increase recycled content without adversely affecting availability.~~

~~C. The director or his designee shall use a percentage factor of fifteen percent in the process of determining the lowest responsive and responsible bidder for paper and paper products, except for paper to be used for county letterhead.))~~ Departments shall purchase recycled or other environmentally preferable paper whenever practicable.

~~((D.))~~ B. Departments shall use recycled paper for ((A))all imprinted letterhead paper and business

~~cards ((used by county departments shall be recycled paper)).~~

~~((E.))~~ C. Departments shall publicize the county's use of recycled paper by ~~((printing the words "Printed on Recycled Paper" and a recycling logo as specified by the solid waste division on all letterhead paper and on the title page of all reports printed on recycled paper))~~ including a recycling logo and an indication of recycled content on all printed material, to the extent practicable.

~~((F. To reduce the volume of paper purchased,))~~ D. ~~((d))~~ Departments shall use both sides of ~~((paper))~~ sheets of paper whenever practicable.

~~((G. Requests for proposal or qualifications issued by the county after the effective date of Ordinance 9830 (March 18, 1991)))~~ E. Departments shall require all ~~((proposed))~~ contractors or consultants submitting proposals to ~~((agree to the following as a precondition to contract award:~~

1. ~~All reports submitted to the county by a contractor in fulfillment of contract obligations, excluding invoices and routine correspondence, shall use recycled paper when it is available at a reasonable price. For purposes of this paragraph, the price of recycled paper shall be considered "reasonable" if its cost is no more than 15% higher than the lowest price offered for non-recycled paper.~~

2. ~~Reports submitted to the county by contractors shall use both sides of paper sheets whenever practicable.~~

3. ~~Contractors who submit over ten reams of printed or copied materials to the county in any given month shall keep records of paper purchased for the county's purposes and shall justify to the county any use of non-recycled paper. Contractors shall submit such records to the county according to procedures to be established jointly by the solid waste division and the purchasing agency by the effective date of Ordinance 9830 (March 18, 1991). Contractors shall be responsible for maintaining and submitting these records for all of their subcontractors))~~ use recycled paper and use both sides of sheets of paper whenever practicable, as determined by the department.

SECTION 31. Ordinance 9240, Section 9, and K.C.C. 10.16.090 are each hereby amended to read as

follows:

**Rules and regulations for procurement of lubricating and fuel oils.**

A. ~~((Lubricating oil with re-refined oil content shall contain the maximum practicable amount of re-refined oil, but not less than twenty-five percent of total product weight.~~

B. ~~The director or his designee shall use a percentage factor of ten percent in the process of determining the lowest responsive and responsible bidder for lubricating oil.~~

C. ~~Each department that purchases lubricating oil is responsible for ensuring that all invitations to bid issued by the county after March 31, 1990 contain specifications that allow lubricating oil with re-refined content. If lubricating oil with re-refined content does not satisfy warranty or performance standards, the affected departments shall submit documentation to the purchasing agency.)) Departments shall purchase environmentally preferable oils whenever practicable.~~

B. When departments specify rerefined lubricating oil in procurements, they shall purchase rerefined oil if the price is no more than ten percent higher than the price of nonrerefined oil.

SECTION 32. Ordinance 9240, Section 16, and K.C.C. 10.16.160 are each hereby amended to read as follows:

**Responsibilities ~~((and reporting requirements))~~ of departments.** All ~~((user))~~ departments are responsible for:

A. Assigning appropriate personnel to evaluate opportunities for the purchase of recycled and other environmentally preferable products reflected in federal guidance or determined by the procurement and contract services section.

B. Purchasing ~~((and using))~~ recycled and other environmentally preferable products whenever practicable; and

~~((B. Documenting any technical problems that preclude the use of recycled products;~~

C. ~~Providing written explanations to the director or the director's designee for not purchasing recycled~~

products;

~~D. Conducting comparative tests of the performance of recycled products and non-recycled products, as specified by the solid waste division and the purchasing agency;~~

~~E. Transmitting to contractors, upon their request, recycled product and vendor lists prepared by the purchasing agency and solid waste division;~~

~~F. Collecting information from contractors about their designated product purchases before contract expiration dates according to procedures established by the solid waste division;~~

~~G. Submitting a report on the purchase of designated products by contractors to the solid waste division by July 31 each year, beginning in 1991~~

~~H. Informing the Procurement and Contract Services Section of potential uses of recycled products by contractors.))~~

C. Reporting evaluation results and purchases of recycled and other environmentally preferable products to the procurement and contract services section by January 31 of each year.

SECTION 33. Ordinance 9240, Section 17, and K.C.C. 10.16.170 are each hereby amended to read as follows:

**Responsibilities of the solid waste division.**

The solid waste division is responsible for:

A. Providing information and technical assistance to local governments, schools, colleges((;)) and other public and private organizations interested in purchasing recycled and other environmentally preferable products;

~~B. ((Assisting departments in resolving problems and complaints concerning recycled product performance or availability;~~

~~C.))~~ Preparing press releases and fact sheets publicizing the successes of the program;

~~((D. Preparing a report evaluating the procurement program to be submitted to the county council each year in September, beginning in 1990; and))~~

C. Assisting the procurement and contract services section in submitting the annual report to the council, which is due in April of each year; and

~~((E:))~~ D. Assisting the ((~~purchasing agency~~)) procurement and contract services section in fulfilling its responsibilities ((~~in connection with~~)) under this chapter.

SECTION 34. Ordinance 9240, Section 18, and K.C.C. 10.16.180 are each hereby amended to read as follows:

**Responsibilities of the ((~~purchasing agency~~)) procurement and contract services section.** The ((~~purchasing agency~~)) procurement and contract services section is responsible for:

A. ~~((Revising or amending standard bid documents and contract language where necessary to implement this chapter.))~~ Assigning appropriate personnel to fulfill the requirements of this policy;

B. ~~((Collecting data on purchases by departments of designated products on county purchase orders, to be compiled by the solid waste division))~~ Preparing or revising bid documents and contract language where necessary to implement this chapter;

C. ~~((Preparing bid invitations for recycled, products))~~ Researching opportunities for procurement of recycled and other environmentally preferable products and communicating these to appropriate county departments for evaluation and purchase;

D. ~~((Maintaining a directory of recycled products and local vendors))~~ Collecting data on purchases by departments of recycled and other environmentally preferable products; and

E. ~~((Disseminating recycled product information to departments;~~

~~F. Assisting the solid waste division in fulfilling its responsibilities in connection with this chapter.))~~ Preparing and submitting a report to the solid waste division each year by March 31, describing the progress of departments in implementation of the environmental purchasing policy, including the following elements:

1. Quantities, costs and types of recycled and other environmentally preferable products purchased;
2. A summary of savings achieved through the purchase of recycled and other environmentally

preferable products:

3. A summary of program promotional efforts; and
4. Recommendations for changes in procurement policies.

SECTION 35. Ordinance 9928, Section 2, as amended, and K.C.C.10.18.010 are each hereby amended to read as follows:

**Minimum levels of residential recyclables collection.** ~~((The minimum levels of service and WUTC regulation of certificated haulers, pursuant to RCW 81.77, shall continue for five years from the effective date of Ordinance 9928 (May 30, 1991).))~~ The minimum level of service for residential recycling programs in unincorporated service areas of King County, as defined in Attachment B, dated March 30, 1993, to Ordinance 10942, shall include the following:

A. Single-family recyclables collection((-):

1. Recyclables collection services shall, at a minimum, be available to all single-family dwellings in unincorporated service areas of the county((-):

2. Participation in these programs shall be voluntary((-):

3. ~~((Materials.))~~ The following recyclable materials, at a minimum, shall be collected from single-family dwellings((-):

a. Newspaper ((-): printed groundwood newsprint including glossy advertisements and supplemental magazines that are delivered with the newspaper((-):

b. Clear, amber((-) and green empty, clean glass containers. Plate glass, ceramics((-) or mirror glass ((with)) shall not be collected((-):

c. Clean tin-coated steel cans((-):

d. Clean aluminum cans and foil((-):

e. Mixed waste paper, including most types of clean and dry paper ((which)) that fall into high and low grade categories including glossy papers, magazines, catalogs, phone books, cards, laser-printed white



ledger paper, windowed envelopes, paper with adhesive labels, paper bags, wrapping paper, packing paper, chipboard such as cereal boxes and shoe boxes(,) and glossy advertising paper.

f. Cardboard (-): clean corrugated cardboard and kraft paper, including unbleached, unwaxed paper with a ruffled (") or corrugated(") inner liner. Cardboard does not include chipboard such as cereal boxes and shoe boxes(,);

g. (~~(PET Plastics—clean and empty)~~) All rigid plastic containers including, but not limited to, high-density polyethylene (~~(terephthalate)~~) (HDPE) bottles (f)(Society of Plastics Industry ("SPI") code (+)2(j)) (~~(including clear 1- and 2-litre soda bottles, as well as some bottles for liquor, liquid cleaners and detergents.)~~) and Polyethylene terephthalate (PET) bottles (SPI code 1), plastic jars, jugs and dairy tubs, but excluding polystyrene plastics (SPI code 6), plastic trays and plastic clamshell containers, plastic cups, plates or utensils, lids or bottle caps and containers that contained hazardous products;

h. (~~(HDPE plastics—clean and empty high density polyethylene bottles [Society of Plastics Industry (SPI) code 2] including milk, juice, and water jugs, as well as bottles for laundry detergent, fabric softener, and lotion.)~~) Polycoated paperboard and aseptic packaging including milk cartons, juice boxes and frozen food boxes; and

i. Scrap metal, not greater than two feet-by-two feet or thirty-five pounds and free of contaminants such as wood, plastic or rubber;

4. (~~(Collection schedule.)~~) The recyclable materials listed in (S)subsection A.3 of this section shall be collected at least twice a month on the same day of the week as solid waste collection.

a. The certificated hauler may request an exception to this requirement for all or part of (~~(their)~~) its service area.

b. The request must be submitted in writing to the division and include, at a minimum, the following information: the location of the area affected; the number of customers affected; the alternative collection schedule; and the reasons supporting the request.

c. The division will determine whether to allow the hauler's request based on demonstration that: the number of customers affected is minimized; program participation will not be adversely affected; substantial cost savings will accrue due to the alternative collection schedule; ~~((and))~~ or undue hardship with otherwise occur as evidenced by other information presented in the request((-)); and

5. ~~((Collection Containers.))~~ Containers for recyclables storage shall be provided by certificated haulers to all single-family dwellings that receive solid waste collection service or request recyclables collection. The containers ~~((may))~~ shall be provided by the certificated hauler by delivering containers to all single-family dwelling units in unincorporated service areas that receive solid waste collection service or request recyclables collection. ~~((Alternatively, collection containers may be provided on a sign-up basis according to the notification requirements defined in K.C.C. 10.18.040A. Delivery of containers to all single family dwellings is preferable to a sign-up system.))~~

a. The containers shall be sufficient in number and type to hold all reasonable amounts of recyclables accumulated between collections.

b. The containers must be made of durable materials that will last a minimum of seven years under normal use. Plastic materials used in the construction of recycling containers shall be durable, ultraviolet-light-stabilized and manufactured using recycled or post((-)consumer materials. Collection containers shall contain a minimum of at least ten percent postconsumer material unless the certificated hauler can demonstrate ~~((evidene))~~ to the division that ~~((such))~~ the material is unavailable. Plastic bags, or bags made of other material, shall not be used as containers.

c. All containers shall contain information about the proper preparation of materials and include the telephone number and name of the certificated hauler. Certificated haulers shall reapply instructions to containers when the instructions become illegible.

d. A container delivery schedule shall be provided to the county ~~((at the initiation of the project))~~ to allow for coordination of its promotional and educational efforts. Containers ~~((will))~~ shall be delivered to

program participants at least seven ~~((7))~~ days ~~((prior to))~~ before the initiation of collection ~~((: As new areas of service for the collection of single family recyclables and yard waste are established, the container delivery schedule and actual container delivery requirements described herein shall be adhered to by the certificated haulers.))~~;

B. Multi~~((-))~~family recyclables collection~~((:))~~

1. Recyclables collection services shall, at a minimum, be available to all multi~~((-))~~family structures or complexes in unincorporated service areas of the county~~((:))~~;

2. Participation in these programs ~~((shall be))~~ is voluntary~~((:))~~;

3. ~~((Materials.))~~ At a minimum, all of the recyclable materials listed in ~~((S))~~ subsection A.3 of this section shall be collected from multi~~((-))~~family structures~~((:))~~, though the manager may authorize exemptions from the collection of certain materials from multifamily residences if space constraints or other unique circumstances warrant an exemption;

4. ~~((Collection schedule.))~~ The recyclable materials listed in Subsection A.3 shall be collected at least twice a month on a regular schedule~~((:))~~; and

5. ~~((Collection containers.))~~ Certificated haulers shall provide on-site collection containers for recyclables to multi~~((-))~~family structures or complexes on a sign-up basis ~~((according to))~~ consistent with the notification requirements defined in K.C.C. 10.18.040.B.

a. The containers shall be sufficient in number and type to hold all reasonable amounts of recyclables accumulated between collections.

b. On-site containers must be made of durable materials that will last a minimum of seven years under normal use. Plastic bags, or bags made of other material, shall not be used as on-site containers.

c. All containers shall contain information about the proper preparation of materials and include the telephone number and name of the certificated hauler. Certificated haulers shall reapply instructions to

containers when the instructions become illegible.

d. Containers ~~((will))~~ shall be delivered to multi~~((-))~~family structures signed-up for service at least seven ~~((7))~~ days ~~((prior to))~~ before the initiation of collection~~((-))~~;

C. Single-family and multi~~((-))~~family ~~((yard waste))~~ organics collection~~((-))~~;

1. Yard ~~((waste))~~ debris collection services shall, at a minimum, be available to all single-family dwellings and multi~~((-))~~family structures or complexes in unincorporated service areas of the county. If organics collection is deemed feasible by the manager, certificated haulers shall also collect food waste and soiled paper for composting;

2. Participation in these programs ~~((shall be))~~ is voluntary~~((-))~~;

3. ~~((Materials. Yard waste))~~ Organics collected from single-family dwellings and multi~~((-))~~family structures or complexes shall meet the following specifications:

a. With the exception of unflocked ~~((Christmas))~~ holiday trees, materials larger than two inches in diameter and three feet in length ~~((will not be considered))~~ are not yard ~~((waste))~~ debris. Unflocked Christmas trees shall be accepted in three-foot lengths with no diameter restrictions~~((-))~~; and

b. The following organics are acceptable for collection, provided that they are not commingled with nonorganics:

(1) all organic food waste, such as, meat, fish, bones, fruits and vegetable matter and coffee grounds; and

(2) paper products, including those that contain food residue, such as tea bags, coffee filters, pizza boxes and frozen food containers. Paper products that contain plastic or aluminum coatings are not acceptable for organics collection;

4. ~~((Collection schedule.))~~ In any area in which organics collection is not offered, ((Y))yard ((waste)) debris shall be collected from participating single-family dwelling units and multi~~((-))~~family structures or complexes at least twice a month during ~~((the months of))~~ March through November, and at least once a month

from December through February. In areas in which organics collection is offered, yard debris and other organics shall be collected from single-family dwelling units and multifamily structures or complexes once per week throughout the year, unless the manager determines that collection less frequently is feasible. Single-family ~~((yard waste shall be collected))~~ organics collection shall occur on the same day of the week as solid waste collection.

a. The certificated hauler may request an exception to ~~((this))~~ these requirements for all or part of ~~((their))~~ its service area.

b. The request for an exception must be submitted in writing to the division and include, at a minimum, the following information: the location of the area affected; the number of customers affected; the alternative collection schedule; and the reasons supporting the request.

c. The division will determine whether to allow the hauler's request for an exception based on demonstration that: the number of customers affected is minimized; program participation will not be adversely affected; substantial cost savings will accrue; ~~((and))~~ or undue hardship would otherwise occur as evidenced by other information presented in the request((-)); and

5. ~~((Collection containers.))~~ Certificated haulers shall offer to provide ~~((yard waste))~~ collection containers to single-family dwellings and multi~~((-))~~family structures or complexes on a sign-up basis, ~~((according to))~~ consistent with the notification requirements in K.C.C. 10.18.040.C.

a. Certificated haulers may require that customers use containers provided by the certificated hauler or allow customers to provide their own containers. An additional fee may be charged to the customers electing to lease a ~~((yard waste))~~ container from a certificated hauler.

b. Plastic bags shall not be used as containers.

c. Certificated haulers may establish a maximum volume of ~~((and/))~~ or weight of, or volume and weight of, yard ((waste)) debris or other organics that will be accepted for each collection~~((-))~~, and shall notify the manager of the amount;

D. Requirements for separation of yard ~~((waste))~~ debris from refuse~~((:))~~:

1. ~~((Effective October 1, 1993, e))~~ Containers set out at single-family dwellings and multi~~((-))~~ family structures or complexes in unincorporated service areas for collection of refuse by certificated haulers shall not contain yard ~~((waste))~~ debris. However, if the manager determines that collection of organics is feasible, organics may be commingled with yard debris to be collected for composting.

2. ~~((For the period beginning on August 1, 1993, and ending on September 30, 1993, certificated haulers in unincorporated service areas shall attach a tag on any refuse container set out at a single family dwelling or multi-family structure or complex if yard waste is visible within the container. The tag shall cite the requirements for separating yard waste from refuse contained in this chapter and provide information about how to obtain yard waste collection service.~~

3. ~~Beginning October 1, 1993, e))~~ Certificated haulers in unincorporated service areas shall not collect any refuse container set out at a single-family dwelling or multi~~((-))~~ family structure if yard ~~((waste))~~ debris that is commingled with nonorganics is visible within the container and shall attach a tag to the container citing the yard ~~((waste))~~ debris source separation requirements contained in this chapter and providing information about how to obtain yard ~~((waste))~~ debris collection service. Haulers shall also attach a tag to any refuse container from which yard ~~((waste))~~ debris commingled with nonorganics becomes visible while the container is being emptied into a collection vehicle~~((:))~~; and

E. Additional minimum level of service provisions. The following provisions ~~((shall))~~ apply to the collection services described in Subsection A., B.~~((:))~~ and C. of this section:

1. If access to potential program participants is restricted, due to impassable road conditions, alternatives to curbside recyclables collection, such as drop site collection, or modified curbside collection services, which, at a minimum, ~~((will))~~ shall include collection from the nearest roadway ~~((which))~~ that is accessible by the hauler's collection vehicle, ~~((will))~~ shall be provided by the certificated hauler. If the certificated hauler deems the road conditions are impassable by collection vehicles, the hauler ~~((will))~~ shall

work with customers to determine a mutually agreed upon location for the collection of recyclables and yard ((waste)) debris or organics. If mutual agreement cannot be reached, collection ((will)) shall occur from the nearest roadway which is accessible by the hauler's collection vehicle. This exception ((shall)) does not apply to impassable road conditions due to severe weather situations. The certificated hauler ((will)) shall report to the county those areas receiving alternative or modified curbside collection services((-));

2. The certificated hauler((s)) shall designate and inform the county and program participants of the holidays that it will observe and the schedule that will be used when a holiday falls on a regular collection day. The certificated hauler shall designate a process for responding to missed collections as a result of inclement or adverse weather conditions((-));

3. Special recyclables collection services shall be provided for those households where there are handicapped or elderly people who cannot move their ((recycling or yard waste)) collection containers to the curb. Households that qualify for this service ((will)) shall be determined by the certificated hauler((-));

4. The certificated haulers shall retain ownership of all containers distributed to program participants. Replacement necessitated by normal use or by container damage due to the certificated hauler's negligence shall be the responsibility of the certificated hauler. Replacement necessitated by container damage due to program participant negligence shall be at the program participant's expense((-));

5. The certificated haulers shall use intermediate processing facilities that have obtained all applicable local, state and federal permits. Whenever possible, local markets shall be used to receive recyclables and((/or )) yard ((waste)) debris for purposes of processing, handling or remanufacturing the materials into new products ((-));

6. The certificated haulers shall not under any circumstances dispose of marketable recyclables or yard ((waste)) debris by landfilling or incineration. In addition, in no instance shall unmarketable materials be disposed of at a landfill or other disposal facility ((outside of King County.)) other than the county-owned Cedar Hills regional landfill, unless the director has provided prior written authorization for such a disposal for

public health, safety, environmental or planning purposes and the disposal is consistent with the adopted comprehensive solid waste management plan; and

7. To address changes in recyclable materials collection and processing technologies, the director may require that certificated haulers collect materials for recycling in addition to those specified in K.C.C. 10.18.010 after consultation with and with the consent of the certificated haulers. The division ~~((will))~~ shall discuss any proposed changes with the certificated haulers ~~((prior to))~~ before proposing any amendments to the ~~((list of materials to be collected and/or the))~~ unincorporated service area boundaries or modifying the materials required to be collected. However, nothing in this chapter ~~((shall))~~ prohibits a certificated hauler from exceeding the minimum requirements by collecting additional materials or providing collection services to a larger portion of their franchise area.

SECTION 36. Ordinance 9928, Section 3, as amended, and K.C.C.10.18.020 are each hereby amended to read as follows:

**Solid waste collection and recycling rates.** Certificate holders under chapter ~~((RCW))~~ 81.77 RCW shall use rate structures and billing systems consistent with the solid waste management priorities set forth under RCW 70.95.010 and the minimum levels of solid waste collection and recycling services pursuant to the local comprehensive solid waste management plan, as required by ~~((RCW))~~ chapter 81.77 RCW.

A. It is the county's policy that the certificated haulers include the following elements in the tariffs submitted to the ~~((WUTC))~~ Washington Utilities and Transportation Commission:

1. A mini-can ~~((10-20)),~~ which is a ten- to twenty-gallon container((+)), rate to reward people who reduce their level of solid waste collection service~~((-))~~;
2. A recycling-only rate for program participants who decline solid waste collection service, but participate in recycling programs. Certificated haulers may include a fee to administer billing for this service~~((-))~~);
3. A yard ~~((waste))~~ debris-only rate for program participants who decline solid waste collection



service, but participate in a yard ((waste)) debris collection program. Haulers may include a fee to administer billing for this service((-));

4. Billing that includes the cost of solid waste and recycling collection services on the same statement, as provided by chapter 81.77 RCW((-));

5. A rate structure designed to provide customers with adequate options and incentives to reduce their level of solid waste collection service as a result of their participation in waste reduction and recycling programs((-);

6. A rate structure that distributes the cost of the single-family and multi((-))family recyclables collection programs among all rate payers in the franchise area where recycling and yard ((waste)) debris services are available((-);

7. A rate structure for single-family yard ((waste)) debris collection services that charges only those customers subscribing to the service. To encourage recycling, the cost of yard ((waste)) debris collection shall be less than the cost of collection for a comparable unit of solid waste((-);

8. The cost to produce and distribute program promotion and educational materials to customers, in accordance with K.C.C. 10.18.040((-);

9. A monthly administrative fee to compensate the division for the costs of program management and promotional and educational programs. The monthly administrative fee is specified in K.C.C. 10.18.070((-);  
and

10. Reduced solid waste and recyclables collection rates for eligible elderly and low-income program participants, as permitted by the ((WUTC)) Washington Utilities and Transportation Commission.

B. ~~((Certificated haulers shall file tariffs, with the Washington Utilities and Transportation Commission (WUTC), with an effective date no later than July 31, 1991, for services related to household recyclables and yard waste collection in the unincorporated service areas as defined in Attachment A, dated April 24, 1991, to Ordinance 10942. Certificated haulers shall also file tariffs with the WUTC, with an effective date no later than~~

~~October 1, 1993, for services related to household recyclables and yard waste collection in the unincorporated service areas as defined in Attachment B, dated March 30, 1993 to Ordinance 10942. It is the county's policy that the rates include all elements specified in Subsection A. of this section and be designed to encourage participation in recyclables and yard waste collection programs, in accordance with the plan.~~

~~C. Whenever certificated haulers file tariffs with the Washington Utilities and Transportation Commission (WUTC), it is the county's policy that the certificated haulers include all elements specified in Subsection A. of this section in the tariffs and that an incentive solid waste collection rate structure be used rather than a strict cost of service rate structure. An incentive solid waste collection rate structure is one that rewards customers who recycle and includes substantial cost differentials between solid waste collection service levels. The tariffs filed shall include the following percentages of increases between levels of service: a minimum of sixty percent between mini and one can; a minimum of forty percent between one and two cans or equivalent; and a minimum of twenty five percent between two and three cans or equivalent. These percentages should apply to the combined charge to the customer for both solid waste and recyclable materials collection. The WUTC is strongly encouraged to approve tariffs that are consistent with the policies set forth in this chapter, and that meet the minimum percentages specified in this section.)~~ To the extent organics collection is implemented in the county, it is the county's policy that certificated haulers shall include the following elements in tariffs submitted to the Washington Utilities and Transportation Commission:

1. A base rate for single family organics collection that applies to all single family solid waste collection customers in the franchise area;
2. Additional rates based on additional volume of organics to be collected;
3. A rate structure designed to provide customers with adequate options and incentives to reduce the customers' collection rate for solid waste collection as their volume of organics collection increases;
4. The cost to produce and distribute program promotion and educational materials to customers, in accordance with K.C.C. 10.18.040; and

5. Reduced solid waste and recyclables collection rates for eligible elderly and low-income program participants, as permitted by the Washington Utilities and Transportation Commission.

SECTION 37. Ordinance 9928, Section 4, and K.C.C.10.18.030 are each hereby amended to read as follows:

**County notification of ~~((WUTC))~~ Washington Utilities and Transportation Commission tariff filings.** Whenever a certificated hauler files a proposed tariff revision for solid waste, recyclables ~~((and/))~~ ~~(( yard-waste))~~ organics collection rates with the ~~((WUTC))~~ Washington Utilities and Transportation Commission, the certificated hauler shall simultaneously provide the ~~((division))~~ manager with copies of the proposed tariff and all nonproprietary supporting materials submitted to the ~~((WUTC))~~ Washington Utilities and Transportation Commission.

A. The certificated hauler shall transmit the proposed tariff to the ~~((division))~~ manager at least thirty ~~((30))~~ days ~~((prior to))~~ before action by the ~~((WUTC))~~ Washington Utilities and Transportation Commission.

B. The division ~~((will))~~ shall review the proposed tariffs to determine their compliance with the plan and ~~((the provisions of))~~ this chapter.

C. The certificated haulers shall notify the division within one week after their tariffs are approved by the ~~((WUTC))~~ Washington Utilities and Transportation Commission. The notification shall specify the rates approved by the ~~((WUTC))~~ Washington Utilities and Transportation Commission and the effective dates for the rates.

SECTION 38. Ordinance 9928, Section 5, as amended, and K.C.C. 10.18.040 are each hereby amended to read as follows:

**Program promotion and education requirements.** Certificated haulers shall be responsible for distributing promotional and educational materials for their franchise area and for initial as well as subsequent program promotion as new programs, customers ~~((and))~~ or areas of service are established. Promotional and educational materials are those materials prepared for the purpose of encouraging participation and educating

residents about the county's recycling collection programs. Materials ~~((shall))~~ may include, but are not ~~((be))~~ limited to, ~~((any or all of))~~ the following: internet web pages; brochures~~((;))~~; mailings~~((;))~~; advertisements~~((;))~~; radio and television commercials or public service announcements~~((;))~~; and displays.

A. ~~((Single family recyclables collection.))~~ The certificated hauler shall provide, at a minimum, the following notifications to ~~((all))~~ any single-family dwellings within the portion of their franchise area lying within an unincorporated service area~~((;))~~ at which new services will be provided:

1. The first notification shall announce availability of service, provide a description of the program, container delivery schedule, a recycling hotline phone number~~((s;))~~ or numbers and an explanation of the solid waste and recyclables collection rate structure and how program participants can reduce their level of solid waste collection service by participating in recyclables collection programs~~((An optional program sign-up card may be included in the first notification.))~~;

2. A second notification shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of recyclables to make them acceptable for collection by the certificated hauler ~~((, including, but not limited to))~~, such as cleaning, sorting~~((;))~~ and properly locating recyclables for collection. A ~~((R))~~ recycling hotline phone number~~((s;))~~ or numbers must also be provided. This notification may be included with delivered containers~~((;))~~;

3. ~~((Certificated haulers offering collection services on a sign-up basis must continue to notify non-participants of the availability of service at least twice a year until 80 percent or more of all single family dwellings are signed up for service.~~

4.)) The division may also promote the program to residents of single-family dwellings~~((;))~~; and

~~((5.))~~ 4. The certificated haulers shall ~~((follow the notification requirements listed in this subsection whenever new areas of service and/or new services are added to the single family recyclables collection program))~~ also provide advance notice to single-family customers of any changes in recyclables collection services, such as changes in collection days, materials collected or preparation requirements.

B. ~~((Multi-family recyclables collection.))~~ The certificated hauler shall provide, at a minimum, the ~~((following))~~ notification~~((s))~~ in subsection B.1 of this section, at least two times per year to ((all multi-family building)) the owners and managers ((for the portion of their franchise area lying within an unincorporated service area)) of multifamily buildings located within unincorporated areas of the hauler's franchise area that do not participate in recyclables collection, until seventy-five percent or more of all multifamily buildings within the hauler's unincorporated franchise area have signed up for recyclables collection service.

1. The ~~((first notification))~~ hauler shall announce the availability of service~~((s))~~ and shall provide a description of the program, ~~((and))~~ a sign-up card or phone number to call for service~~((s))~~ and an explanation of the solid waste and recyclables collection rate structure and how program participants can reduce their level of solid waste collection service by participating in collection programs.

2. When multifamily buildings sign up for service, ~~((A))~~ a second notification, included with container delivery, shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of recyclables to make them acceptable for collection by the certificated hauler, including, but not limited to, cleaning, sorting~~((s))~~ and properly locating recyclables for collection. A ~~((R))~~ recycling hotline phone number~~((s))~~ or numbers must also be provided.

3. ~~((Certificated haulers offering collection services shall notify non-participating building owners and managers of the availability of service at least twice a year until 50 percent or more of all multi-family dwellings are signed up for service.~~

4.)) The division may promote the program to both tenants and building managers.

~~((5-))~~ 4. The certificated haulers shall follow the notification requirements listed in this subsection whenever new areas of service ~~((and/))~~ or new services are added to the multi~~((-))~~ family recyclables collection program.

5. The certificated hauler shall also provide advance notice to multifamily building owners and managers of any applicable changes in recyclables collection services, such as changes in collection days,

materials collected or preparation requirements.

C. ~~((Single-family and multi-family yard waste collection.))~~ 1. The certificated hauler shall provide, at a minimum, the following notifications to ~~((all))~~ any single-family dwellings ~~((and multi-family structures or complexes))~~ within the portion of their franchise area lying within an unincorporated service area~~((:))~~:

~~((1.))~~ a. The ~~((hauler first notification shall announce))~~ availability of service, ~~((provide))~~ a description of the program and requirements for separation of yard ~~((waste))~~ debris from nonorganic refuse~~((s))~~ and a sign-up card or phone number to call for service, and an explanation of the solid waste and recyclables collection rate structure and how program participants can reduce their level of solid waste collection service by participating in collection programs. The hauler shall provide this notice at least twice a year until sixty percent or more of all single-family dwellings within the hauler's unincorporated service area have signed up for yard debris collection service; and

~~((2.))~~ b. When single-family dwellings sign up for service, the hauler shall provide ~~((A))~~ a second notification~~((, included with container delivery if the hauler requires the use of their containers))~~, which shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of yard ~~((waste))~~ debris to make it acceptable for collection by the certificated hauler. A ~~((R))~~ recycling hotline phone number~~((s))~~ or numbers must also be provided.

~~((3. Certificated haulers shall continue to notify non-participants of the availability of single-family yard waste collection services and requirements for separating yard waste from refuse at least twice a year until 60 percent or more of all single-family dwellings are signed up for service.~~

~~((4.))~~ 2. The division may also promote the program to residents of single-family dwellings and multifamily structures or complexes.

~~((5.))~~ 3. The certificated haulers shall follow the notification requirements listed in this subsection whenever new areas of either or both service ~~((and/))~~ or services are added to the single-family and multi~~((family yard (waste))~~ debris collection program.

4. The certificated hauler shall also provide advance notice to single-family dwellings of any applicable changes in yard debris collection services, such as changes in collection days, materials collected or preparation requirements.

D. ~~((Initial notification requirements for separation of yard waste from refuse.~~

~~1. A notification of the requirements for separating yard waste from refuse contained in this ordinance shall be provided no later than August 31, 1993. For non-participants in yard waste collection programs, the notification shall also announce availability of yard waste collection service and shall provide a description of the program, a sign-up card or phone number to call for service, and an explanation of the solid waste and recyclables collection rate structure and how program participants can reduce their level of solid waste collection service by participating in collection programs.~~

~~2. Before August 1, 1993, the division shall promulgate promotional materials pertaining to the source separation requirements contained in 10.18.010. Promotion may include press releases, direct mailings to affected residents, and distribution of information at county solid waste facilities.))~~ 1. In areas in which collection of organics, in addition to yard debris, is implemented, the certificated hauler shall provide, at a minimum, the following notifications to all single-family dwellings and multifamily structures or complexes within the portion of its franchise area lying within an unincorporated service area:

a. A first notification, which shall announce availability of service, and shall provide a description of the program and requirements for separation of yard debris from refuse, a sign-up card or telephone number to call for service and an explanation of the solid waste and recyclables collection rate structure and how program participants can reduce their level of solid waste collection service by participating in organics collection programs;

b. A second notification, which shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of organics and yard debris to make them acceptable for collection by the certificated hauler. A recycling hotline phone number or numbers must also be

provided.

2. The division may also promote the organics collection program to residents of single-family dwellings and multifamily structures or complexes.

3. The certificated hauler shall also provide advance notice of any applicable changes in organics collection services, such as changes in collection days, materials collected or preparation requirements.

E. All notifications provided by the certificated hauler must be approved by the division. The division shall review notifications for content and accuracy of information~~((;))~~ and consistency with materials prepared by the county. Copies of the notifications must be submitted to the division for its review at least three weeks ~~(( prior to))~~ before their ~~((printing))~~ production, and the division shall return comments within that three-week period.

F. King County ~~((shall))~~ may periodically provide the certificated haulers with educational materials to be included with a hauler's mailing or bill. These materials will be designed to encourage participation in the collection programs and to familiarize participants with general waste reduction and recycling concepts. The division and the certificated hauler shall mutually agree upon the number and format of materials to be included in the hauler's mailings. Any material prepared by the division that will be distributed by haulers will be distributed to the haulers for their review three weeks ~~((prior to))~~ before their printing. The hauler shall return any comments on the materials to the division within that three-week period.

SECTION 39. Ordinance 9928, Section 6, and K.C.C. 10.18.050 are each hereby amended to read as follows:

**Certificated haulers' customer service responsibilities.** Certificated haulers shall be responsible for all aspects of customer service. The ~~((€))~~customer service responsibilities shall include, but not be limited to:

- A. General program information provided by telephone, brochures~~((;))~~ and advertisements~~((;))~~;
- B. Program sign-up, container delivery and replacement information~~((;))~~;
- C. Written notification, which shall be distributed at the point of collection when collection is refused.



The notification shall include, at a minimum, an explanation of the reasons collection was refused((:));

D. Response to complaints of missed collection. The certificated hauler shall collect the uncollected recyclables within one business day after the complaint is received and verified((:)); and

E. Telephone and written response to service complaints. The certificated haulers shall maintain an adequately staffed telephone hotline for their franchise area served by the programs. This number shall be accessible to residents for the purpose of providing program information((,)) and accepting service comments and complaints.

~~((1. The hotline must be capable of responding to a large volume of phone calls. Callers must be able to talk to hotline staff or obtain information through recorded message or an interactive communications system when the hotline phone is not staffed. The callers must also have the option of speaking to hotline staff in less than three (3) minutes during normal business hours. The hotline shall have the capability of recording all calls received when the hotline is not staffed.~~

~~2. The hotline phone number(s) shall be clearly shown on the collection equipment and all recyclables and yard waste containers provided by the certificated hauler, included in all mailings, and other publicity materials.~~

~~3. The county may publish the hotline phone number(s) on other county materials as part of its education and promotion of the collection programs with prior notification of the certificated hauler.))~~

SECTION 40. Ordinance 9928, Section 7, as amended, and K.C.C. 10.18.060 are each hereby amended to read as follows:

**Reporting requirements.**

A. The certificated hauler shall submit a report to the division ~~((on the fifth day of each month beginning May 1991 through July 1991))~~ quarterly, documenting participation for the household recyclables and yard ~~((waste))~~ debris collection programs established for the service area identified in Attachment A, dated April 24, 1991, to Ordinance 10942. ~~((The certificated hauler shall also submit a report to the division on the~~

fifth day of each month, for a period of three months, beginning with the first month of service following the provision of services to the service area identified in Attachment B, dated March 30, 1993, to Ordinance 10942, and any subsequent expansion of services to new areas and/or the provision of new services. The reports will include an implementation schedule for the program and a written summary of progress made to implement the collection programs for the portion of their franchise area lying within an unincorporated service area. The implementation schedule and report will address but not be limited to: a description of container type, status of container and equipment order and delivery; container delivery to program participants; status and content of tariff submittals to the WUTC; and progress made in program promotion.)

B. Each month, ((C))certificated haulers shall((, on a monthly basis,)) provide the ((county)) manager with information to evaluate the effectiveness of the programs. The reports ((will)) shall contain monthly, quarterly((,)) and annual data in a format and medium determined by the division. At a minimum, the monthly service reports shall include the following information for each service area and for each service:

1. Weekly and monthly set-out counts by routes, programs and service area. "Set-out count" ((is)) means the number of dwelling units that make the contents of their recyclables and ((/or)) yard ((waste)) debris collection containers available for collection((,));
2. Average pounds of recyclables and yard ((waste)) debris collected per set-out((,));
3. Summaries of tons of all recyclables and yard ((waste)) debris collected, by material((,));
4. Location of an intermediate processing facility(((ies))) or facilities and materials types delivered to these facilities((,));
5. Summaries of tons of all recyclables sold, by material((,));
6. Summary of tons of contaminated recyclables and yard ((waste))debris disposed of at a county solid waste facility, and which solid waste facility received it((,));
7. For each franchise area located within the unincorporated service areas((, as defined by this

chapter)):

- a. The total number of single-family solid waste collection customers;
  - b. The total number of multi((-)family complexes receiving solid waste collection service((;)) and the number of units within those complexes;
  - c. The total number of single-family dwellings receiving collection services for:
    - (1) recyclables(~~(, and/or)~~);
    - (2) yard ((~~waste collection services~~) debris; or
    - (3) organics collection in addition to yard debris; and
  - d. The total number of multi((-)family complexes receiving recyclables collection services and the location of these complexes((;));
8. Summaries of tons of all solid waste collected from all single-family dwellings and multifamily structures and which King County solid waste facilities received it((;));
9. Any significant changes in patterns of usage of King County solid waste facilities, to be reported to the manager of the division ((30)) thirty days in advance of the change((;));
10. A ((~~E~~))log of service complaints received by certificated haulers((;));
11. Upon the request of the division, the number of households and geographic location of areas receiving alternatives to or modified curbside recyclables collection due to inaccessibility as permitted in K.C.C. 10.18.010.D.1((;));
12. A map at a scale of one ((~~1~~)) inch equals two hundred ((~~200~~)) feet, indicating the areas served and the collection days for each program((;));
13. Upon the request of the division, the number of customers that received notification tags on refuse containers because they contained yard ((~~waste-~~) debris; and
14. Upon the request of the division, the number of customers whose refuse containers were not

collected because they contained yard ~~((waste))~~ debris.

C. Reports shall be submitted to the division by the fifteenth ~~((15th))~~ of each month and ~~((will))~~ shall be based on the operation of the programs for the previous month. In addition, annual service reports shall be due within ~~((30))~~ thirty days after the end of the calendar year. In addition to the year-end summary of the monthly reporting information, the annual report shall include a summary of program highlights, the effects of changes in services and areas served, problems and measures taken to resolve problems and increase efficiency and participation, an analysis of each program's effectiveness~~((;))~~ and an annual tonnage forecast ~~((which))~~ that estimates the total amount of solid waste tonnage for the current year.

~~((D. The certificated haulers shall meet with a representative of the solid waste division at a minimum of once per month, beginning in May 1991. All meetings shall be at the discretion of the division.))~~

SECTION 41. Ordinance 7737, Section 2, as amended, and K.C.C.10.24.020 are each hereby amended to read as follows:

**Responsibilities.**

A. ~~((The division shall prepare the plan and submit it to the council of King County on or before March 1, 1989, for adoption.~~

~~B.))~~ The division shall maintain the plan in a current condition and shall propose necessary plan revisions to the council at least once every three years.

~~((C.))~~ B. The King County ~~((S))~~solid ~~((W))~~waste ~~((A))~~advisory ~~((C))~~committee shall review and comment upon the proposed plan prior to its submittal to the council for adoption.

~~((D.))~~ C. The designated interlocal forum shall have the following responsibilities:

1. Advise the King County council and executive and other jurisdictions as appropriate on all policy aspects of solid waste management and planning~~((;))~~, and ~~((C))~~consult with and advise the King County solid waste division on technical issues~~((;))~~;

2. Review and comment on alternatives and recommendations for the county comprehensive solid

waste management plan and facilitate approval of plan by each jurisdiction((-));

3. Review proposed interlocal agreements between King County and cities for planning, recycling((-)) and waste stream control((-));

4. Review disposal rate proposals((-));

5. Review status reports on: waste stream reduction, recycling, energy((-)) and resource recovery((-)); and solid waste operations with interjurisdictional impact((-);

6. Promote information exchange and interaction between waste generators, local governments with collection authority, recyclers((-)) and county-planned and operated disposal system((-);

7. Provide coordination opportunities between King County solid waste division, local governments, private operators and recyclers((-); and

8. Aid cities in recognizing municipal solid waste responsibilities, including collection and recycling, and effectively carrying out those responsibilities.

E. The council shall hold a public hearing on the draft plan and another public hearing on the final plan ~~((prior to))~~ before adoption of the plan. Any city using county disposal sites shall be notified of these public hearings and shall be requested to comment on the plan.

F. ~~((Until adoption of the plan by ordinance of King County, the 1982 Comprehensive Solid Waste Management Plan prepared by the Puget Sound Council of Governments shall be used as the solid waste management plan for King County.))~~

~~G. Beginning in 1989, t))~~ The division shall submit to the council by September 1 of each year an annual report of its progress toward objectives identified in the plan.

~~((H.))~~ G. Interlocal agreements between the county and cities wishing to plan jointly with the county or to authorize the county to plan for it shall identify which party is responsible for city solid waste operational plans, tonnage forecasts, and recycling goals.

SECTION 42. Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015, each as amended, are

each hereby amended to read as follows:

**First tier funds and designated fund managers.**

A. First tier funds and fund managers are as follows:

<u>Fund No.</u>	<u>Fund Title</u>	<u>Fund Manager</u>
103	County Road	Dept. of Transportation
104	Solid Waste Landfill Post Closure Maintenance	Dept. of Natural Resources and Parks
109	Recorder's O & M	Dept. of Executive Services
111	Enhanced-911 Emergency Tel System	Dept. of Executive Services
112	Mental Health	Dept. of Community ((&)) <u>and</u> Human Services
115	Road Improvement Guaranty	Dept. of Transportation
117	Arts and Cultural Development	Dept. of Executive Services
119	Emergency Medical Services	Dept. of Public Health
121	Surface Water Management	Dept. of Natural Resources and Parks
122	Automated Fingerprint Ident. System	Dept. of Public Safety
128	Local Hazardous Waste	Dept. of Public Health
129	Youth Sports Facilities Grant	Dept. of Natural Resources and Parks
131	Noxious Weed Control Fund	Dept. of Natural Resources and Parks
134	Development and Environmental Services	Dept. of Development ((&)) <u>and</u> Environmental Services

137	Clark Contract Administration	Office of Management and Budget
138	Parks Trust and Contribution	Dept. of Natural Resources and Parks
139	Risk Abatement	Office of Management and Budget
145	Parks and Recreation	Dept. of Natural Resources and Parks
164	Two-Tenths Sales Tax Revenue Receiving	Dept. of Transportation
165	Public Transit Self Insurance	Dept. of Transportation
215	Grants Tier 1 Fund	Dept. of Executive Services
309	Neighborhood Parks ((&)) <u>and</u> Open Space	Dept. of Executive Services
312	HMC Long Range CIP	Dept. of Executive Services
313	Health Department Clinic Projects Const	Dept. of Executive Services
315	Conservation Futures	Dept. of Natural Resources and Parks
316	Parks, Rec. ((&)) <u>and</u> Open Space	Dept. of Executive Services
318	Surface ((&)) <u>and</u> Storm Water Mgmt Const	Dept. of Natural Resources and Parks
319	Youth Svcs Detention Facility Const	Dept. of Executive Services
320	Public Art Fund	Dept. of Executive Services
322	Housing Opportunity Acquisition	Dept. of Community ((&)) <u>and</u> Human Services
326	1990 Series B Youth Detention Facility	Dept. of Executive Services
327	Equipment and Building Acquisition	Dept. of Executive Services
329	SWM CIP Construction 1992-1997	Dept. of Natural Resources and

		Parks
331	Long-term Leases	Dept. of Executive Services
333	Health Centers Construction	Dept. of Executive Services
334	Capital Acqn and County Fac Renovation	Office of Management and Budget
335	Youth Services Facilities Construction	Dept. of Executive Services
338	Airport Construction	Dept. of Transportation
339	Working Forest 1995 B	Dept. of Natural Resources and Parks
340	Parks CIP	Dept. of Natural Resources and Parks
340-3	Urban Reforestation (( <del>&amp;</del> ) <u>and</u> Habitat Restoration	Dept. of Natural Resources and Parks
341	Arts and Historic Preservation Capital	Dept. of Executive Services
342	Major Maintenance Reserve	Dept. of Executive Services
343	Core GIS Capital Project	Dept. of Natural Resources and Parks
346	Regional Justice Center Construction	Dept. of Executive Services
347	Emergency Communications System	Dept. of Executive Services
349	Parks Facilities Rehabilitation	Dept. of Executive Services
350	Open Space Acquisition	Dept. of Natural Resources and Parks
364-3	Transit Cross-border Lease Financing Fund	Dept. of Executive Services
369	Transfer of Development Credits Program (TDC) Fund	Dept. of Natural Resources and Parks



377-1	OIRM Capital Fund	Office of Information Resource Management
378	Information and Telecommunications Capital Improvement Fund	Dept. of Executive Services
381	Solid Waste Cap Equip Recovery	Dept. of Natural Resources and Parks
383	Solid Waste Environmental Reserve	Dept. of Natural Resources and Parks
384	Farmland and Open Space Acquisition	Dept. of Natural Resources and Parks
385	Renton Maintenance Fac_ Const	Dept. of Transportation
386	County Road Construction	Dept. of Transportation
387	HMC Construction	Dept. of Executive Services
388	Jail Renovation ((&)) and Construction	Dept. of Executive Services
390	Solid Waste Construction	Dept. of Natural Resources and Parks
391	((Solid Waste)) Landfill Reserve	Dept. of Natural Resources and Parks
394	Kingdome CIP	Dept. of Executive Services
395	Building Capital Improvement	Dept. of Executive Services
396	HMC Building Repair and Replacement	Dept. of Executive Services
404	Solid Waste Operating	Dept. of Natural Resources and Parks
429	Airport Operating	Dept. of Transportation

448	Stadium Management	Dept. of Executive Services
453-1	Institutional Network Operating Fund	Dept. of Executive Services
461	Water Quality	Dept. of Natural Resources and Parks
464	Public Transportation	Dept. of Transportation
542	Safety ((&)) <u>and</u> Workers' Compensation	Dept. of Executive Services
544	Wastewater Equipment Rental and Revolving Fund	Dept. of Transportation
547	Office of Information Resource Management Operating Fund	Dept. of Executive Services
550	Employee Benefits Program	Dept. of Executive Services
551	Facilities Management	Dept. of Executive Services
552	Insurance	Dept. of Executive Services
557	Public Works Equipment Rental	Dept. of Transportation
558	Motor Pool Equipment Rental	Dept. of Transportation
559	Purchasing Stores	Dept. of Executive Services
560	Printing/Graphic Arts Services	Dept. of Executive Services
603	Cultural Resources Endowment	Dept. of Executive Services
622	Judicial Administration Trust and Agency	Dept. of Judicial Administration
624	School District Impact Fee	Office of Management and Budget
674	Refunded Ltd GO Bond Rdmp.	Dept. of Executive Services
675	Refunded Unltd GO Bond	Dept. of Executive Services
676	H&CD Escrow	Dept. of Executive Services
693	Deferred Compensation	Dept. of Executive Services

696 Mitigation Payment System Dept. of Transportation

843 DMS Limited GO Bonds Dept. of Executive Services

B. The following shall also be first tier funds:

1. All funds now or hereafter established by ordinance for capital construction through specific road improvement districts, utility local improvement districts or local improvement districts. The director of the department of transportation shall be the fund manager for transportation-related funds. The director of the department of natural resources and parks shall be the fund manager for utility-related funds.

2. All county funds that receive original proceeds of borrowings made pursuant to Chapter 216, Washington laws of 1982, as now existing or hereafter amended, to the extent of the amounts then outstanding for such borrowings for that fund. For purposes of this subsection, the director of the county department or office primarily responsible for expenditures from that fund shall be the fund manager.

3. Any other fund as the council may hereinafter prescribe by ordinance to be invested for its own benefit. County funds shall be treated as provided in K.C.C. 4.10.110 unless a designation is made by the council.

**SECTION 43. Repealer.** Ordinance 6177, Section 2, as amended, and K.C.C. 10.12.020, Ordinance 9271, Section 14, and K.C.C. 10.12.022, Ordinance 6177, Section 4, as amended, and K.C.C.10.12.025, Ordinance 7786, Section 4, and K.C.C. 10.14.060, Ordinance 7786, Section 6, and K.C.C. 10.14.070, Ordinance 9240, Section 4, and K.C.C. 10.16.040, Ordinance 9240, Section 5, as amended, and K.C.C. 10.16.050, Ordinance 9240, Section 7, as amended, and K.C.C. 10.16.070, Ordinance 9240, Section 8, and K.C.C. 10.16.080, Ordinance 9240, Section 10, and K.C.C. 10.16.100, Ordinance 9240, Section 11, and K.C.C. 10.16.110, Ordinance 9240, Section 12, and K.C.C. 10.16.120, Ordinance 9240, Section 13, and K.C.C. 10.16.130, Ordinance 9240, Section 14, and K.C.C. 10.16.140, Ordinance 9240, Section 15, and K.C.C. 10.16.150, Ordinance 9928, Section 9, and K.C.C. 10.18.080, Ordinance 9928, Section 10, and K.C.C. 10.18.090, Ordinance 11949, Section 2, and K.C.C. 10.22.005, Ordinance 11949, Section 3, and K.C.C.

10.22.015, Ordinance 11949, Section 4, as amended, and K.C.C. 10.22.025, Ordinance 11949, Section 5, as amended, and K.C.C. 10.22.035, Ordinance 11949, Section 6, and K.C.C. 10.22.045, Ordinance 11949, Section 7, and K.C.C. 10.22.055, Ordinance 11949, Section 8, and K.C.C. 10.22.065 and Ordinance 11949, Section 9, and K.C.C. 10.22.075 are each hereby repealed.

**SECTION 44. Severability.** If any provision of this ordinance or its application

to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.