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Title: AN ORDINANCE relating to solid waste; and amending Ordinance 7737, Section 2, as amended, and K.C.C. 10.24.020.

Sponsors: Jane Hague

Indexes: Solid Waste

Code sections: 10.24.020 -

Attachments: 1. 16748.pdf, 2. 2010-0038 Staff Report - Amending KCC

Date	Ver.	Action By	Action	Result
1/25/2010	1	Metropolitan King County Council	Passed	Pass
1/12/2010	1	Physical Environment Committee	Recommended Do Pass Consent	Pass
1/11/2010	1	Metropolitan King County Council	Introduced and Referred	

Clerk 01/07/2010

AN ORDINANCE relating to solid waste; and amending Ordinance 7737,
Section 2, as amended, and K.C.C. 10.24.020.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. Under RCW 70.95.080, each county within the state, in cooperation with the various cities located within the county, is required to develop a coordinated, comprehensive solid waste management plan.

B. While cities may choose to prepare their own plans, all of the incorporated cities within King County, except for Seattle and Milton, have chosen via an interlocal agreement to participate in the development of a single, coordinated regional plan for the incorporated and unincorporated areas of King County.

C. Under RCW 70.95.094, local governments preparing plans are encouraged to work cooperatively

with the state Department of Ecology ("Ecology") during plan development. King County is required to submit a preliminary draft comprehensive solid waste management plan to Ecology for technical review. Ecology reviews and comments on the draft plan within one hundred twenty days of receipt. Ecology's comments direct specific actions or revisions that must be completed for plan approval. King County then submits a final draft solid waste management plan to Ecology for approval.

D. Under RCW 70.95.110, the comprehensive county solid waste management plan shall be reviewed and revised, if necessary, at least every five years.

E. Ecology recommends the involvement of the county's solid waste advisory committee in the development and updating of the Comprehensive Plan. King County has also created the metropolitan solid waste management advisory committee comprised of representatives of every city that has an interlocal agreement with King County to advise on solid waste issues, including the preparation of the Comprehensive Plan.

F. The King County Code currently does not specify a public comment period for the preliminary draft comprehensive solid waste management plan. However, the solid waste division has typically solicited comment on the preliminary draft plan from the general public and in particular from the cities that have interlocal agreements with King County. Other comprehensive planning processes of King County require a comment period.

G. The King County Code currently requires a public hearing before the council for both the preliminary draft plan, though no associated legislation is pending before the council, and the final plan before adoption of the plan.

H. To ensure that public comments will be considered before the solid waste division prepares its final draft, a defined public comment period should be required.

I. The council may choose to hold hearings on the preliminary draft plan.

SECTION 2. Ordinance 7737, Section 2, as amended, and K.C.C. 10.24.020 are each hereby amended

to read as follows:

A. The division shall maintain an updated comprehensive solid waste management plan and shall review and propose (~~((necessary))~~) plan revisions, if necessary, to the council at least once every five years in accordance with RCW 70.95.110, as now enacted or hereafter amended.

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

C. The interlocal forum shall have the following responsibilities:

1. Advise the King County council and county executive and other jurisdictions as appropriate on all policy aspects of solid waste management and planning, and 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 solid waste 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.

D. The division shall seek public comment on the preliminary draft comprehensive solid waste

management plan , in addition to conducting the public review and comment procedures required by the state Environmental Policy Act. Copies of the plan should be provided to King County cities, unincorporated area councils and the King County council and should be available for public review at all King County libraries. The public comment period on the preliminary draft shall be at least thirty days and shall be completed before the division transmits the preliminary draft to the Washington state Department of Ecology. The division should provide the unincorporated area councils, commissions, cities and individuals an opportunity to submit written statements. If necessary, the division should revise the preliminary draft to address comments received.

E. The council's committee of the whole or another committee designated by the council may hold hearings on the preliminary draft plan and the council shall hold a public hearing on the ((draft plan and another public hearing on the)) final draft plan before adoption of the plan. Any city using county solid waste facilities shall be notified of these hearings and shall be requested to comment on the plan.

((E.)) F. The division shall submit to the council by May 1 of each year an annual report of its progress toward objectives identified in the plan.

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

((G.)) H. The division shall provide staff support to the metropolitan solid waste management advisory committee and the interjurisdictional technical staff group.