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ORDINANCE NO. 519

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING GARBAGE REGULATIONS TO UPDATE DEFINITIONS FOR TYPES OF GARBAGE AND RECYCLING CONTAINERS AND FOR GARBAGE, WASTE, YARD DEBRIS AND RECYCLABLES; ADD PROCEDURES FOR DISPOSAL AND COLLECTION OF RECYCLABLES; AND AMEND PROHIBITION FOR ACCUMULATION OF GARBAGE, WASTE AND RECYCLABLES; AND AMENDING CHAPTER 13.14

WHEREAS, the City's garbage code was adopted by Ordinance No. 251 on December 11, 2000 and amended by Ordinance No. 415 on June 12, 2006; and

WHEREAS, the chapter title of "solid waste code" is more comprehensive than "garbage code" in that it reflects the types of waste, including garbage, recyclables and yard debris, set out for collection;

WHEREAS, the types of garbage receptacles available for garbage disposal have changed since the garbage code adoption and 2006 amendments;

WHEREAS, the size of yard debris accepted for disposal under the yard waste program has slightly increased; and

WHEREAS, the code does not identify procedures for disposal and collection of recyclable materials;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment. The name of the chapter for Shoreline Municipal Code Chapter 13.14 is hereby changed from "Garbage Code" to "Solid Waste Code."

Section 2. Amendment. Shoreline Municipal Code Section 13.14.010 is hereby amended by adding definitions for "cart", "drop box container", "mixed paper", and "waste"; amending the definitions of "detachable container", "garbage", "garbage receptacle", "household hazardous wastes", "mini-can", "recyclable materials", and "yard waste"; and removing the definitions for "dumpster", "garbage can", "mobile toter", and "recycling container", to read as follows with subsections renumbered:

13.14.010 Definitions.

"Cart" means a City contractor-provided 20, 32, 45, 64 or 96 gallon wheeled cart suitable for household collection, storage and curbside placement of garbage, recyclable materials or yard debris.

"Detachable container" means a watertight, metal or plastic container, not less than ~~one-half~~ one cubic yard in capacity nor greater than eight cubic yards in capacity, ~~and~~

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equipped with a tight-fitting metal, plastic, or other city-approved cover, and capable of being mechanically unloaded into a collection vehicle. The term shall also apply to containers of other material of similar size when approved by the city manager.

"Drop-box Container" means an all-metal container with ten cubic yards or more capacity that is loaded onto a specialized collection vehicle, transported to a disposal or recycling site, emptied and transported back to customer's site.

~~"Dumpster" means any garbage receptacle with a capacity over one cubic yard.~~

"Garbage" means all biodegradable and nonbiodegradable solid and semisolid wastes, including but not limited to refuse, yard debris ~~waste~~, cold and bagged ashes, industrial wastes, ~~infectious wastes,~~ swill, CDL wastes, ~~junk vehicles or parts thereof,~~ and recyclable materials. The term "garbage" shall not include hazardous wastes, infectious wastes, special category wastes, and special wastes.

~~"Garbage can" means a container that is watertight galvanized sheet metal, or plastic container not exceeding four cubic feet or 32 gallons in capacity, weighing not over 15 pounds when empty, fitted with two sturdy handles, one on each side, and a tight cover equipped with a handle.~~

"Garbage receptacle" includes detachable container, ~~mini~~ micro-can, and garbage cart, ~~can, and/or mobile toters~~, which are rodent and insect proof. This may also include other forms of storage appropriate to the material in question that prevent seepage, contamination of soil, or surface or ground water, spreading due to animal or insect activity or weather conditions, odor, or any risk to public health or safety.

"Household hazardous wastes" means any discarded liquid, solid, contained gas, or sludge, including any material, substance, product, commodity or waste used or generated in the household, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste set forth in Chapter 173-303 WAC, but is exempt according to federal, state, and county regulations. Specific household hazardous wastes which are prohibited from disposal as city waste include infectious waste, sharps/ syringes; nonedible oils; flammable liquids and solids including fuels, solvents, paint thinners, and degreasers; pesticides, including herbicides, insecticides and wood preservatives; fluorescent light bulbs; televisions; computers, monitors and laptops; cellular phones; appliances with CFCs; corrosive materials; PCB capacitors and ballasts; mercury (such as thermometers and mercury switches); vehicle batteries; hobby chemicals and artists' paints; liquid paints; and any other material restricted by federal, state, and county regulations; provided, however, empty containers for household hazardous products may be disposed of as garbage.

"~~Mini-~~Micro-can" means a ~~15-gallon to 20-~~10-gallon container made of ~~galvanized metal or~~ plastic and supplied by the City's solid waste provider. ~~, which meets the approval of the city manager~~.

~~"Mobile toter" means a moveable receptacle that holds 32 to 96 gallons of garbage with a tight-fitting, hinged lid, thick-skinned, one-piece balanced weight body which sits on tires, which will be picked up at curbside.~~

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"Mixed paper" means magazines, junk mail, phone books, bond or ledger grade paper, cardboard, paperboard packaging and other fiber-based materials meeting industry standards. Paper packaging combined with plastic wax or foil, tissue paper, paper towels and food-contaminated paper are excluded from the definition of mixed paper.

~~"Recycling container" means a designated garbage receptacle in which recyclable materials can be stored and later placed at curbside, or other location designated by the city manager. This term also includes but is not limited to the designated commercial front load boxes, drop boxes and compactors at locations as may be specified by the city manager.~~

"Recyclable materials" means aluminum and tin cans, corrugated cardboard, glass containers, mixed paper, newspaper, recyclable plastic containers that have contained non-hazardous products, plastic films, polycoated cartons, and scrap metals. ~~garbage that is separated for recycling or reuse, such as papers, metals, and glass, that are identified as recyclable materials through administrative action of the city manager.~~ The term "recyclable materials" shall include motor oil and flourescent bulbs that are properly packaged, set out for collection separately and not commingled with other recyclable materials.

"Waste" means hazardous waste, household hazardous waste, small quantity generator hazardous waste, special category waste, special waste and unacceptable waste.

"Yard debris ~~waste~~" means plant material (such as leaves, grass clippings, branches, brush, flowers, roots, wood waste, unflocked holiday trees ~~etc~~.) and debris commonly removed ~~thrown away~~ in the course of maintaining yards and gardens that do not exceed four inches in diameter and four feet in length. ~~and.~~ ~~, including sod and rocks not over two inches in diameter; and biodegradable waste approved for the yard waste programs by the city manager.~~ Bundles of debris shall not exceed two feet by two feet by four feet in dimension and shall be secured by degradable string or twine, not nylon or synthetic materials. ~~It~~ Food scraps and compostable paper may be disposed of as yard debris. This term excludes rocks, loose soils~~, food waste~~; plastics and synthetic fibers; lumber; human or animal excrement; and soil contaminated with hazardous waste.

Section 3. Amendment. Shoreline Municipal Code section 13.14.080 is hereby amended to read as follows:

13.14.080 Placement of garbage receptacles.

A. Garbage Receptacles.

1. Garbage receptacles other than approved ~~dumpsters~~ drop-box containers shall be placed for collection by the occupants in a convenient, accessible location off the sidewalk as near as practicable to the curbside in a manner that does not interfere with

transportation use or use of the sidewalk. Receptacles shall be placed in the following manner:

a. For properties with level planting strips, in the planting strip or driveway within five feet of the curb; or

b. For properties with sidewalks but no planting strips, on the owner's property within five feet of the curb ~~sidewalk, if level~~; or

c. When the foregoing locations slope at a grade making placement of a container difficult, a level area that is nearest to either of the previous locations; or

d. If the foregoing locations are not available due to dense shrubbery or extraordinary circumstances, then placement shall be at a location suitable to the customer and approved by ~~convenient to~~ the authorized collection company that does not interfere with transportation or the use of the sidewalk.

2. Receptacles shall not be placed for collection until a reasonable time prior to collection. Containers shall be removed within a reasonable time thereafter.

3. Detachable containers may be stored within a building but shall be readily accessible for servicing without ~~unnecessary delay or~~ special collection equipment and minimal delay.

B. ~~Dumpsters.~~ Drop-box Containers.

1. ~~Dumpsters~~ Drop-box Containers shall be placed at a location that is agreed to by the customer and the authorized collection company that does not interfere with transportation or the use of the sidewalk.

Section 4. Amendment. A new section 13.14.175 is added to the Shoreline Municipal Code to read as follows:

13.14.175 Recycling program.

A. The City encourages customers to participate in the recycling program. Recyclable materials may be set out for separate curbside collection in a 32, 64 or 96 gallon recycling carts supplied by the authorized collection company. Recyclable materials shall be defined as set forth in SMC 13.14.010.

B. Only recyclable materials shall be placed in a recycling cart and set out for collection.

Section 5. Amendment. Shoreline Municipal Code section 13.14.180 is hereby amended to read as follows:

13.14.180 Yard debris ~~waste~~ programs.

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A. The City encourages customers to participate in the yard debris program. Yard debris ~~waste for collection~~ may be set out for separate curbside collection ~~at the curbside shall be set apart from other garbage for pickup~~ in a 32, 64 or 96 gallon yard debris cart supplied by the authorized collection company ~~garbage receptacle that is readily identifiable by the collectors.~~ Extra yard debris and food scraps may be placed in biodegradable paper bags specifically marketed for such use. Plastic bags are not to be used for yard debris collection. Extra limbs and brush may be set out in bundles not exceeding two feet by two feet by four feet in length and secured with biodegradable string or twine. Limbs cannot exceed four inches in diameter and four feet in length. Yard debris ~~waste~~ shall be defined as set forth in SMC 13.14.010. Food scraps and compostable paper may be placed in a yard debris cart. ~~(37), except that yard debris waste for curbside collection shall not include wood or tree limbs over three feet long, nor three inches in diameter.~~ Only yard debris ~~waste~~ generated at the dwelling unit shall be collected at curbside. ~~Yard waste may be set out for separate curbside collection in a garbage receptacle clearly marked for that purpose or in biodegradable paper bags specifically marketed for such use. Plastic bags are not to be used for this purpose~~.

B. Only yard debris, food scraps and compostable paper ~~waste~~ shall be placed in a ~~garbage receptacle marked for~~ yard debris cart ~~waste~~ and set out for collection.

Section 6. Amendment. Shoreline Municipal Code section 13.14.210 is hereby amended to read as follows:

13.14.210 Littering.

A. No person shall throw, discard, or deposit litter on any street, sidewalk, or other public property within the city, on any private property within the city and not owned by the person, or in or upon any body of water within the jurisdiction of the city, whether from a vehicle or otherwise; except:

1. When the property is designated by the state of Washington or any of its agencies or political subdivisions or by the city for the disposal of litter or other garbage and such person is authorized to use the property in such manner; or

2. Into a public garbage receptacle or garbage receptacle or ~~dumpster~~ drop-box container owned by or authorized for the person's use, in a manner in which the litter will be prevented from being carried or deposited by the elements or otherwise on any street, sidewalk, or other public or private property.

B. No owner, tenant, or other person responsible for the condition of a construction site shall cause or allow any litter from the site to be deposited by the elements or otherwise on any other public or private property in the city. During such time as the site is not being used, all litter shall be stored or deposited in garbage receptacles or other containers in such a manner as to prevent the litter from being deposited on any other public or private property.

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C. No person shall place or tack notices, handbills, literature, etc., on vehicles, utility or sign poles, or other features or improvements on public property. This provision does not prohibit the handing of notices, handbills, literature, etc., from one person into the hands of another or the posting of informational materials upon public kiosks designated for that purpose

Section 7. Amendment. Shoreline Municipal Code section 13.14.230 is hereby amended to read as follows:

13.14.230 Accumulation of garbage, waste and recyclables.

A. It shall be unlawful for any person to keep ~~garbage~~ or allow garbage or recyclables to accumulate on any property, or in any public place, except in a garbage receptacle or recycling cart, or as otherwise authorized by ordinance or by the city manager. It shall be unlawful for any person to keep or allow waste to accumulate on any property, or in any public place, except as provided in this chapter. This subsection applies to any accumulation of garbage, waste and recyclables ~~accumulation~~ with the exclusion of litter.

B. It shall be unlawful for any owner or occupant of abutting private property, residential or nonresidential, to allow the accumulation of any garbage, waste or recyclables on sidewalks or planting strips, whether the garbage, waste or recyclables are ~~is~~ deposited by such owner or occupant or not. Garbage, waste and recyclables that is prohibited to accumulate includes but is not limited to cigarette butts and burning or smoldering materials. This provision shall not apply to:

1. The sheriff when removing the contents of a building to a public place pursuant to an eviction order; provided, however, any contents remaining in a public place for greater than 24 hours shall be considered abandoned property by the tenant and a violation of this section by the landlord if not removed and disposed of pursuant to RCW 59.18.312;

2. Firefighters placing debris on the sidewalk or planting strip in the course of extinguishing a fire or explosion;

3. The use of receptacles placed or authorized by the city for the collection of garbage or recyclables on sidewalks or planting strips; or

4. Accumulations temporarily authorized under a street use permit.

Section 8. Effective date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City and the ordinance shall take effect and be in full force five (5) days after the publication date.

PASSED BY THE CITY COUNCIL ON NOVEMBER 24, 2008.

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Mayor Cindy Ryu

ATTEST:

Scott Passey
City Clerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of Publication: November 27, 2008
Effective Date: December 2, 2008