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| <b>Title</b><br>Prohibition of Recyclables in Garbage | <b>Number</b><br>SW-402.1 | <b>Rev. no.</b><br>5 |
| <b>Responsibility</b><br>Solid Waste                  | <b>Supersedes</b><br>N/A  | <b>Pages</b><br>4    |
| <b>SPU Director's Approval</b>                        | <b>Effective Date</b>     |                      |

## 1. PURPOSE

Seattle Municipal Code (SMC) 21.36.082 and 21.36.083 prohibit the disposal of certain recyclable materials in the garbage by residential and commercial customers and authorize additional fees for the collection and disposal of such materials in the garbage. SMC 21.36.05 also prohibits the disposal of yard waste in the garbage by residential customers.

Since 2005, residential and commercial customers have been required to recycle paper, cardboard, glass bottles and jars, aluminum and tin cans, as well as yard waste. In 2014, SMC 21.36.082 and 21.36.083 were amended to add food waste and compostable paper to the list of materials that must be recycled by all residential and commercial customers, including those hauling their own waste.

SPU began a program of educational outreach regarding the food waste and compostable paper recycling requirements in 2014.

## 2. RULE

### A. Commercial Establishments

- 1) All commercial establishments that generate food waste or compostable paper will subscribe to a composting service, process their food waste on-site or self-haul their food waste for processing. All building owners will provide composting service for their tenants or provide space for the tenant's own food waste containers.
- 2) SPU will place educational tags on commercial garbage cans, detachable containers, and drop boxes that contain recyclables, including food waste and compostable paper.
- 3) The presence of recyclables, including food waste and compostable paper, in a commercial garbage can, detachable container, or drop box will be subject to an additional collection fee of \$50 per collection after two warning notices have been mailed to the garbage account customer at the address in SPU's customer records.

## **B. Residential—Can Customers**

- 1) SPU will place educational tags on garbage cans or carts that contain recyclables in plain view, including food waste and compostable paper.
- 2) The presence of recyclables in plain view, including food waste and compostable paper, in residential garbage cans or carts will be subject to an additional collection fee of \$1 per collection after an initial warning period.

## **C. Residential—Detachable Container and Drop Box Accounts**

- 1) SPU will place educational tags on detachable garbage containers and drop boxes that contain recyclables, including food waste and compostable paper.
- 2) The presence of recyclables, including food waste and compostable paper, in the garbage in a detachable container or drop box will be subject to an additional collection fee of \$50 per collection after two warning notices have been mailed to the garbage account customer at the address in SPU's customer records.

## **D. City Transfer Stations**

If self-haul customers have loads of garbage containing recyclables in plain view, including food waste and compostable paper, they will be instructed to separate the designated recyclables at or away from the City transfer station. Loads containing amounts of recyclables in plain view, including food waste and compostable paper, will not be accepted in the garbage disposal areas of City transfer stations.

## **E. Determination of Garbage Account Customer Responsibility**

### **1) Space Limitations—Existing and New Structures**

Commercial and multifamily buildings must comply with solid waste storage space and access requirements as described in SMC 23.54.040. Commercial and multifamily customers in existing structures may be exempted by the General Manager/CEO or designee from all or portions of this rule, in writing, if it is determined through a site visit requested by the customer that there is not adequate storage space for recyclables, including food waste and compostable paper, on-site and that it is infeasible for the customer to share containers for recycling and compostable materials with a customer on the adjoining property. If the General Manager/CEO or designee determines that it is feasible for recycling and compostable material containers to be placed on site or shared with an adjoining customer at no additional cost, then that customer will be responsible for compliance with the rule.

### **2) Placement of Recyclables and Compostable Material in Garbage Containers by the Public**

- a. Commercial establishments will not be responsible for recyclable and compostable materials deposited in commercial garbage containers made available to members of the general public. This includes any garbage can made available to the general public or the customers of a business for bussing their own food waste and

compostable paper. Such containers are exempt from the enforcement of these requirements.

- b. Upon request a SPU inspector will meet with operations personnel of educational and health institutions, public-transportation and entertainment facilities, and hotels and mixed use buildings to determine which garbage containers receive substantial waste from the general public in the public-access areas of the property. Garbage containers the General Manager/CEO determines are expected to receive waste exclusively from employees, residents, or guests (subject to the self-bussing of food waste and compostable paper exemption under section E.2.a) will be subject to enforcement of the recycling requirements.
- c. On a case-by-case basis, a garbage customer will not be held responsible for recyclables, including food waste and compostable paper, deposited by the public in curb/alley containers located outside a premise on a public street or alley if the customer demonstrates to the General Manager/CEO that (1) the public was the source of the recyclables, including food waste and compostable paper, (2) the customer has collection services for those types of recyclables and compostables that are prohibited in that customer's garbage, or (3) a free lock for the garbage container was either not offered by the City or, if offered and accepted, was not received by the customer.
- d. A hotel, inn, or similar facility will not be held responsible for recyclables, including food waste and compostable paper, deposited in individual room garbage containers by its guests if the facility has a method and system for guests to recycle paper (including paper cups), cardboard, cans and bottles, as well as plastic cups. This system will include instructions for the guests on the means of recycling as well as the fact that the paper, cardboard, cans, and bottle recycling is a requirement of the City of Seattle.

### 3) Multiple-Building Situations

The General Manger/CEO may reach a tailored agreement with a housing authority, large institution, or private business with multiple buildings and operations on how to apply the definition of significant amounts of recyclables in the garbage across multiple buildings while preserving the spirit and intention of this rule.

## F. Appeals

Customer disputes or appeals of any notice or charge imposed under this rule are governed by Seattle Public Utilities – Policy & Procedure, SPU-CS-104.

## 3. AUTHORITY/REFERENCES

- SMC 21.36.082, Commercial recycling required
- SMC 21.36.083, Residential recycling required
- SMC 23.54.040, Solid waste and recyclable materials storage and access
- Ordinance 121372, Prohibiting certain recyclable materials from disposal in residential, commercial and self-haul garbage (2004)

- Ordinance 124313, Prohibiting certain recyclable materials from disposal in commercial garbage (2013)
- Ordinance 124582, Prohibiting food waste and compostable paper from disposal as garbage (2014)
- Ordinance \_\_\_\_\_, Updating Recycling Requirements (2017)