



Legislation Details (With Text)

**File #:** CB 118935    **Version:** 1    **Name:** CB 118935  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 4/10/2017  
**Final Action:** 4/14/2017    **Ord. No.** Ord 125288

**Title:** AN ORDINANCE relating to Seattle Public Utilities; updating and consolidating provisions relating to Seattle recycling requirements; and amending Sections 21.36.082 and 21.36.083 of the Seattle Municipal Code.

**Sponsors:** Lisa Herbold

**Indexes:**

**Attachments:** 1. Summary and Fiscal Note, 2. Draft Director's Rule, 3. Presentation, 4. Central Staff Memo, 5. Signed Ord 125288, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
4/14/2017	1	City Clerk	attested by City Clerk	
4/14/2017	1	Mayor	returned	
4/14/2017	1	Mayor	Signed	
4/12/2017	1	City Clerk	submitted for Mayor's signature	
4/10/2017	1	City Council	passed	Pass
3/31/2017	1	Civil Rights, Utilities, Economic Development, and Arts Committee	pass	Pass
3/20/2017	1	City Council	referred	
1/13/2017	1	Council President's Office	sent for review	
1/10/2017	1	City Clerk	sent for review	
1/10/2017	1	Mayor	Mayor's leg transmitted to Council	

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to Seattle Public Utilities; updating and consolidating provisions relating to Seattle recycling requirements; and amending Sections 21.36.082 and 21.36.083 of the Seattle Municipal Code.  
WHEREAS, The City of Seattle adopted recycling requirements in 2004 and additional requirements for food waste and compostable paper in 2014; and

WHEREAS, Seattle Public Utilities seeks to update and consolidate Seattle Municipal Code provisions relating to recycling requirements; and

WHEREAS, Seattle Public Utilities intends to update and clarify enforcement procedures by amending its administrative rules in 2017; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 21.36.082 of the Seattle Municipal Code, last amended by Ordinance 124582, is amended as follows:

**21.36.082 Commercial recycling required ((-))**

A. ~~((Required Recycling of Paper, Cardboard, and Yard Waste.))~~ Required recycling of paper, cardboard, glass, plastic, aluminum, tin, food waste, compostable paper, and yard waste

1. ~~((As of January 1, 2005, a))~~ All commercial establishments, including those hauling their own waste, shall separate paper (including paper cups), cardboard, glass and plastic bottles and jars, aluminum and tin cans, food waste, compostable paper, and yard waste for recycling, and no paper, cardboard, glass or plastic bottles and jars, plastic cups, aluminum or tin cans, food waste, compostable paper, or yard waste shall be deposited in garbage containers or drop boxes or disposed as garbage at the City's transfer stations.

2. ~~((Enforcement.))~~ Any violation of this subsection 21.36.082.A shall result in an additional collection fee of \$50 per collection.

B. ~~((Required Recycling of Glass, Plastic, Aluminum and Tin.~~

1. ~~As of July 1, 2014, all commercial establishments, including those hauling their own waste, shall separate glass bottles and jars, plastic cups, bottles and jars, and aluminum and tin cans for recycling, and no glass bottles and jars, plastic cups, bottles and jars, nor aluminum or tin cans shall be deposited in garbage containers or drop boxes or disposed as garbage at the City's transfer stations.~~

~~2. Enforcement.~~

a. ~~As of July 1, 2014, the Director of Seattle Public Utilities shall monitor commercial containers and provide educational notices or tags for commercial garbage cans, detachable containers and drop boxes with significant amounts of glass bottles and jars, plastic cups, bottles and jars, and aluminum or tin cans.~~

~~b. As of July 1, 2015, any violation of this subsection shall result in an additional collection fee of \$50 per collection.~~

~~C. Required Recycling of Food Waste and Compostable Paper.~~

~~1. As of January 1, 2015, all commercial establishments, including those hauling their own waste, shall separate food waste and compostable paper for recycling, and no food waste or compostable paper shall be deposited in garbage containers or drop boxes or disposed as garbage at the City's transfer stations.))~~

All commercial establishments that generate food waste or compostable paper shall subscribe to a composting service, process their food waste onsite, or self-haul their food waste for processing. All building owners shall provide composting service for their tenants or provide space for tenants' own food waste containers. ((The Director of Seattle Public Utilities is authorized to promulgate rules, in accordance with the provisions of the Administrative Code, SMC Chapter 3.02, for purposes of interpreting and clarifying the requirements of this subsection.

~~2. Enforcement.~~

~~a. As of October 1, 2014, the Director of Seattle Public Utilities shall begin a program of customer outreach and assistance regarding these new recycling requirements.~~

~~b. As of January 1, 2015, the Director of Seattle Public Utilities shall monitor commercial containers and provide educational notices or tags for containers with significant amounts food waste and compostable paper.~~

~~c. As of July 1, 2015, any violation of this section shall result in an additional collection fee of \$50 per collection.~~

~~D.))C. Exceptions ((-))~~

1. ((Existing Structures: Existing e)) C Commercial structures that do not have adequate storage space for recyclable materials may be exempt from all or portions of this Section 21.36.082 if so determined by the Director of Seattle Public Utilities. The Director of Seattle Public Utilities, in cases where space constraints

are determined to exist, shall review compliance with solid waste storage space requirements under Section 23.54.040, and shall also evaluate the feasibility of shared recycling containers by contiguous businesses or multifamily structures.

2. ~~((New or Expanded Structures: New structures permitted in commercial zones that have demonstrated difficulty in meeting the solid waste and recyclable materials storage space specifications required under SMC Section 23.54.040 may be exempt from all or portions of this Section as determined by the Director of Seattle Public Utilities.~~

3. ~~Publicly accessible garbage containers:))~~ Commercial establishments will not be responsible for recyclable materials deposited in commercial garbage containers made available to members of the general public.

D. The Director of Seattle Public Utilities is authorized to promulgate rules in accordance with the provisions of Chapter 3.02 for purposes of interpreting and clarifying the requirements of this Section 21.36.082.

Section 2. Section 21.36.083 of the Seattle Municipal Code, last amended by Ordinance 124582, is amended as follows:

**21.36.083 Residential recycling required ((-))**

A. ~~((Recycling Required of Paper, Cardboard, Glass, Plastic, Aluminum, and Tin.))~~ Recycling required of paper, cardboard, glass, plastic, aluminum, tin, food waste, and compostable paper

1. ~~((As of January 1, 2005, a))~~ All residents living in single-family structures, multifamily structures, and mixed-use buildings shall separate paper, cardboard, glass and plastic bottles and jars, ~~((and))~~ aluminum and tin cans, food waste, and compostable paper for recycling, and no paper, cardboard, glass or plastic bottles and jars, ~~((and))~~ aluminum or tin cans, food waste, or compostable paper shall be deposited in a garbage container or drop box or disposed as garbage at the City's transfer stations.

2. ~~((Enforcement.~~

~~a. As of January 1, 2006, residential customers that self-haul their garbage shall be prohibited from disposing of garbage with significant amounts of paper, cardboard, or glass or plastic bottles or jars or aluminum or tin cans at the City's Recycling and Disposal Stations.~~

~~b. Up through June 30, 2015, any violation of this section by residential curbside or backyard customers shall result in refusal of curbside garbage collection services. Residential customers shall be required to remove these items from garbage containers before they will be collected.~~

~~e. As of July 1, 2015, a) Any violation of this ((section)) Section 21.36.083 by residential curbside or backyard customers shall result in an additional collection fee of \$1 per can collection.~~

~~((d.)) Any violation of this ((section)) Section 21.36.083 by detachable container and drop box customers shall result in an additional collection fee of \$50 per detachable or drop box collection.~~

~~B. ((Required Recycling of Food Waste and Compostable Paper.~~

~~1. As of January 1, 2015, all residents living in single-family structures, multifamily structures and mixed-use buildings shall separate food waste and compostable paper for recycling, and no food waste or compostable paper shall be deposited in a garbage container or drop box or disposed as garbage at the City's transfer stations. The Director of Seattle Public Utilities is authorized to promulgate rules, in accordance with the provisions of the Administrative Code, SMC Chapter 3.02, for purposes of interpreting and clarifying the requirements of this subsection.~~

~~2. Enforcement.~~

~~a. As of October 1, 2014, the Director of Seattle Public Utilities shall begin a program of educational outreach regarding the food waste and compostable paper recycling requirements.~~

~~b. As of January 1, 2015, the Director of Seattle Public Utilities shall establish a program of placing educational notices or tags on garbage containers with significant amounts of food waste and compostable paper.~~

~~e. As of July 1, 2015, any violation of this section by residential curbside or backyard~~

~~customers shall result in an additional collection fee of \$1 per can collection.~~

~~d. As of July 1, 2015, any violation of this section by detachable container and drop box customers shall result in an additional collection fee of \$50 per collection.~~

C.) Exceptions ((-))

~~((1. Existing structures Existing m))~~ Multifamily structures that do not have adequate storage space for recyclable materials may be exempt from all or portions of this ~~((ordinance))~~ Section 21.36.083 if so determined by the Director of Seattle Public Utilities. The Director of Seattle Public Utilities, in cases where space constraints are determined to exist, shall review compliance with solid waste storage space requirements under Section 23.54.040, and shall also evaluate the feasibility of shared recycling containers by contiguous businesses or multifamily structures.

~~((2. New or Expanded Structures: New multifamily structures permitted in commercial zones or expanded multifamily structures that have demonstrated difficulty in meeting the solid waste and recyclable materials storage space specifications required under SMC Section 23.54.040 may be exempt from all or portions of this ordinance as determined by the Director of Seattle Public Utilities.))~~

C. The Director of Seattle Public Utilities is authorized to promulgate rules in accordance with the provisions of Chapter 3.02 for purposes of interpreting and clarifying the requirements of this Section 21.36.083.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)