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**Title:** AN ORDINANCE relating to facilitating the cleanup of illegal dumping on private property.

**Sponsors:** Reagan Dunn, Larry Phillips

**Indexes:** Natural Resources, Department of, Solid Waste, Transportation

**Code sections:**

**Attachments:** 1. 16377.pdf, 2. 2008-0538 Fiscal Note.xls, 3. 2008-0538 Staff Report (02-24-09).doc, 4. 2008-0538 staff report 12-03-08.doc, 5. 2008-0538 Transmittal Letter.doc

Date	Ver.	Action By	Action	Result
3/9/2009	1	Metropolitan King County Council	Passed	Pass
2/24/2009	1	Physical Environment Committee	Recommended Do Pass Consent	Pass
2/2/2009	1	Metropolitan King County Council	Reintroduced	
12/3/2008	1	Utilities and Parks Committee	Deferred	
10/6/2008	1	Metropolitan King County Council	Introduced and Referred	

Clerk 10/03/2008

AN ORDINANCE relating to facilitating the cleanup of illegal dumping on private property.

STATEMENT OF FACTS:

1. Illegal dumping has significant negative impacts on King County and its residents. It is unsightly, can decrease land values, attracts more dumping and can be the source of fires. Illegal dumping can contaminate land, streams, lakes and rivers, as well as nearby drinking water wells. Illegally dumped materials are a health hazard, attracting rodents, mosquitoes and other vermin. Dumped materials can also be a physical hazard to children playing in or around them.
2. King County has developed a variety of programs and regulations to help prevent illegal dumping and to facilitate its cleanup. These include the Adopt-A-Roadway program

administered by the King County roads division of the department of transportation and numerous educational programs implemented by the solid waste division of the department of natural resources and parks. In addition, the county recently proposed legislation that would broaden enforcement authority for illegal dumping and require illegal dumpers to pay restitution to property owners in addition to paying applicable civil penalties.

3. Responding to illegal dumping is expensive, costing county government alone more than two million dollars every year to respond to complaints, clean up dump sites on county lands and roads, abate dump sites on private lands and conduct enforcement actions.

4. Illegal dumping in King County communities can pose serious health risks. Not only do these illegal dump sites cause a heightened risk of physical injury from contact with broken glass and sharp metal, but the sites also can promote the spread of disease.

5. The accumulation of trash on vacant lots, yards, sidewalks and planting strips increases the health risks. Sites that are not cleaned up can also invite more illegal dumping.

6. It is in the public interest to facilitate the clean up of illegally dumped waste on both public and private property.

7. Illegal dumping is expensive for citizens. Private property owners who are victims of illegal dumping must not only pay for the cost of cleanup, but also must pay for the proper disposal of the waste.

Although King County has the lowest solid waste disposal fees in the region, even the county's minimum fee of seventeen dollars and twenty five cents can be a deterrent to the clean up of illegally-dumped waste, particularly for low-income property owners.

9. In the past, the county has successfully used disposal fee waivers to help facilitate the prompt cleanup and proper disposal of storm debris following major storms and flooding.

10. In May 2008, the solid waste division launched a pilot program called the Community

Cleanup Assistance Program to help keep communities clean and reduce costs to the public related to illegal dumping, such as repeated inspections and enforcement actions. The program provides vouchers to pay disposal fees for low income residents and victims of illegal dumping.

11. The Community Cleanup Assistance Program has been successful at facilitating the cleanup of illegally dumped waste and will ultimately reduce the county's enforcement and inspection costs.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The solid waste division is authorized and directed to continue to provide the Community Cleanup Assistance Program to provide vouchers or other waivers to cover at least the minimum disposal fee at King County disposal facilities to facilitate the cleanup of illegally-dumped waste for low income residents and victims of illegal dumping. The division shall publicize the Community Cleanup Assistance Program through appropriate outreach and other communications to help facilitate the cleanup of illegally dumped waste.

SECTION 2. The solid waste division may develop criteria and procedures for distributing vouchers or other fee waiver mechanisms as well as verifying eligibility of recipients.

SECTION 3. To ensure that fee waivers do not have an adverse impact on rates for other customers or solid waste disposal operations, the division may limit the total cost of the Community Cleanup Assistance Program and the total number of waivers in any year. In addition, the division may limit the number of waivers per person in a particular time period as well as limit the volume and frequency of waste disposal using waivers and the types of materials accepted. The division may implement such other requirements as are necessary or convenient to implement the Community Cleanup Assistance Program.

SECTION 4. Persons receiving a fee waiver assume all risks related to clean-up and disposal and must comply with all applicable legal requirements, including, but not limited to, safety regulations, waste acceptance policies and regulations governing covered loads. The division shall provide a report to the council within eight months after the adoption of this ordinance regarding issues and recommendations related to the

implementation of such waivers, as well as the impacts of such waivers on rates and operations.

SECTION 5. 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.