



Legislation Details (With Text)

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On agenda:		Final action:	9/13/2022
Enactment date:	9/29/2022	Enactment #:	19497
Title:	AN ORDINANCE relating to solid waste fees charged at recycling and transfer facilities and at the Cedar Hills regional landfill; amending Ordinance 14913, Section 4, Ordinance 12564, Section 2, as amended, K.C.C.10.12.021 and Ordinance 12564, Section 2, as amended, and K.C.C.10.12.021, repealing Ordinance 19413, Section 3, and establishing effective dates.		
Sponsors:	Joe McDermott		
Indexes:	Cedar Hills, Fees, Landfills, Solid Waste		
Code sections:	10.12.021 -		
Attachments:	1. Ordinance 19497, 2. A. Updated Proposed Solid Waste Disposal Fees for 2023 and 2024, dated September 7, 2022, 3. 2022-0236 Title Amendment T1, 4. 2022-0236 Striking Amendment S1, 5. A. Proposed Solid Waste Disposal Fees for 2023 and 2024, 6. 2022-0236 Solid Waste Rates Transmittal Letter, 7. 2022-0236 transmittal letter - FCS Group, 8. 2022-0236 Copy of Fiscal Note, 9. 2022-0236 MSWAC Letter of Support, 10. 2022-0236 SWAC Letter of Support, 11. 2022-0236 Legislative Review Form, 12. 2022-0236 SR Solid Waste Fee Increase 2023-2024, 13. 2022-0236 Signed Memo from Chair--Advertising BEFORE Committee Action - DOCUSIGN.pdf, 14. 2022-0236 INVOICE & AFFIDAVIT - 09-03-22 Order 38489 KC Council Angel Foss-1545		

Date	Ver.	Action By	Action	Result
9/13/2022	1	Metropolitan King County Council	Passed as Amended	Pass
8/24/2022	1	Budget and Fiscal Management Committee	Deferred	
6/28/2022	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to solid waste fees charged at recycling and transfer facilities and at the Cedar Hills regional landfill; amending Ordinance 14913, Section 4, Ordinance 12564, Section 2, as amended, K.C.C.10.12.021 and Ordinance 12564, Section 2, as amended, and K.C.C.10.12.021, repealing Ordinance 19413, Section 3, and establishing effective dates.

STATEMENT OF FACTS:

1. The solid waste division of the department of natural resources and parks provides essential public services that protect human health, the environment, and the quality of life in our region.
2. The solid waste division operates the Cedar Hills regional landfill, eight transfer stations and

two drop boxes. It also provides innovative programs to help customers prevent and recycle waste.

3. Ordinance 19413, enacted March 31, 2022, proposed a new fee structure for disposal at solid waste facilities. However, the effective date of that ordinance was delayed approximately ten months so that the new fee structure and fee schedules would go into effect January 1, 2023.

4. The new fee restructure was based on recommendations made in a rate study prepared by the FCS Group. As set forth in Ordinance 19413, the new fee structure would add a fixed-annual charge component to be paid by billing entities as defined in Ordinance 19413.

5. At the August 19, 2022, Solid Waste Advisory Committee ("SWAC") meeting, the committee unanimously supported a motion, proposed by committee members who also serve on the Metropolitan Solid Waste Advisory Committee, to request the county delay for one year the new fee structure set out in Ordinance 19413. SWAC communicated this request to the county in a August 22, 2022, letter. According to SWAC's letter, both advisory committees support the new fee restructure. Also according to the SWAC letter, the delay of one year would allow the 37 King County cities and their respective partner collections service providers to negotiate changes in their contracts to account for the new fee structure.

6. In accordance with SWAC's request, this ordinance will delay the effective date of the new fee structure, including the fixed-annual charge, to January 1, 2024. However, a delay in the implementation of the new fee structure requires extending the status quo fee structure through 2023.

7. Also, a consequence of delaying implementation of the new fee structure requires that the expected revenue from the anticipated fixed-annual charge be reallocated in the status quo fee structure for 2023.

8. Based on the current 2022 fee schedules, the fee schedules proposed in this ordinance will

result in an increase for the average single-family household with garbage collection of approximately seventy-nine cents per month in 2023 and ninety cents per month in 2024.

9. This ordinance amends the service fees charged for solid waste disposal at county transfer facilities and at the Cedar Hills regional landfill. The fees are established and imposed under RCW 36.58.040, RCW 70A.200.070 and K.C.C. 10.12.021. The fees proposed for 2023 and 2024 will enable the solid waste division of the department of natural resources and parks to maintain essential solid waste disposal and recycling services and generate the revenue needed to carry out programmatic responsibilities required under adopted policies. Attachment A to this ordinance provides the analytical basis for the proposed fee schedules in 2023 and 2024.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 19413, Section 3, is hereby repealed.

SECTION 2. Ordinance 19413, Section 4, is hereby amended as follows:

((This ~~o~~))Ordinance 19413, Sections 1 and 2, take((s)) effect January 1, ((2023)) 2024.

SECTION 3. Section 4 of this ordinance takes effect January 1, 2023.

SECTION 4. Ordinance 12564, Section 2, as amended, and K.C.C.10.12.021 are hereby amended as follows:

Except as otherwise provided in K.C.C. 10.12.058, all persons using county-operated solid waste transfer stations and drop boxes shall pay the service fees in the following schedules:

A. Fees for the use of solid waste facilities with scales, excluding Cedar Hills, shall be:

1. Solid waste disposal:

Fixed-rate vehicles	((\$24.64)) <u>\$26.98</u> per entry
Per-ton-rate vehicles	((\$154.02)) <u>\$168.68</u> per ton

Charitable organizations (((\$118.60)) \$129.88
per ton

Minimum (((\$24.64)) \$26.98 per vehicle

Charitable organizations, minimum charge ((~~\$18.89~~)) \$20.78 per entry

2. Deposit of source-separated yard waste, clean wood waste, or any combination thereof:

Fixed-rate vehicles ~~(((\$16.00))~~ \$18.00 per entry

Per-ton-rate vehicles	(((\$100.00)) <u>\$115.00</u>
	per ton

Minimum charge ((~~\$16.00~~)) \$18.00 per vehicle

3. Deposit of major appliances:

Major appliances with refrigerants	\$30.00 per unit
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4. Deposit of mattresses:

Mattresses \$30.00 per unit; and

5. Qualified low-income customers shall receive fee discounts of ~~(((\$14.00))~~ \$15.00 per entry for deposit of solid waste, yard waste, clean wood waste, appliances and mattresses. Customers with mixed loads must separate and deposit materials with sequential visits to the scale house to receive a discount on the individual waste types.

B. Fees for the use of solid waste facilities without scales shall be based upon the cubic yard or fraction thereof as follows:

1. Solid waste disposal:

Fixed-rate vehicles	((\$24.64)) \$26.98 per
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entry

Per-ton-rate vehicles:

Compacted wastes ((~~\$44.67~~)) \$48.92 per

cubic yard

Uncompacted wastes ((~~\$26.18~~)) \$28.68 per

cubic yard

Minimum charge ((~~\$24.64~~)) \$26.98 per

vehicle

2. Deposit of source-separated yard waste, clean wood waste or any combination thereof:

Fixed-rate vehicles ((~~\$16.00~~)) \$18.00 per

entry

Per-ton-rate vehicles:

Compacted wastes ((~~\$29.00~~)) \$33.35 per

cubic yard

Uncompacted wastes ((~~\$17.00~~)) \$19.55 per

cubic yard

Minimum charge ((~~\$16.00~~)) \$18.00 per

vehicle

3. Qualified low-income customers shall receive fee discounts of ((~~\$14.00~~)) \$15.00 per entry for deposit of solid waste, yard waste, clean wood waste, appliances and mattresses. Customers with mixed loads must separate and deposit materials with sequential visits to the scale house to receive a discount on the individual waste types.

C. Fees at the Cedar Hills regional landfill shall be:

Cedar Hills Regional Direct ((~~\$131.00~~)) \$143.00

	per ton
Per-ton-rate	((\$154.02)) <u>\$168.68</u>
vehicles	per ton
Per-ton-mattress	\$1,090.00 per ton

Disposal by other vehicles is at the discretion of the division director.

D. A moderate-risk waste surcharge shall be added to all solid waste disposed by nonsolid waste collection entities using county operated solid waste facilities. The fee schedule is as follows:

1. For facilities with scales:

Per-ton-rate vehicles	\$5.84 per ton
Minimum charge	\$2.23 per entry
Fixed-rate vehicles	\$2.23 per entry

2. For facilities without scales:

Compacted	\$1.28 per cubic yard
Uncompacted	\$0.73 per cubic yard
Minimum charge	\$2.23 per entry
Fixed-rate vehicles	\$2.23 per entry

E. As determined by the division director, a special waste fee shall be charged for special waste including asbestos-containing waste material and other wastes requiring clearances in accordance with King County Board of Health Code Title 10 or rules adopted by the department. The fee schedule is as follows:

Special waste fee	((\$185.00)) <u>\$203.00</u>
	per ton
Special waste fee minimum charge	((\$29.60)) <u>\$32.48</u> per
	entry
Special waste fee, extra handling	((\$216.00)) <u>\$236.00</u>

	per ton
Special waste fee, extra handling	
minimum charge	((\$34.56)) <u>\$37.76</u> per
	entry

F. In the absence of exact weights or measurements, the estimate by the division director is binding upon the user.

G. The division director may establish fees for handling and processing of recyclable materials for which no other fee has been established by ordinance. The fees need not recover the full cost of handling and processing.

SECTION 5. Section 6 of this ordinance takes effect January 1, 2024.

SECTION 6. Ordinance 12564, Section 2, as amended, and K.C.C.10.12.021 are hereby amended as follows:

Except as otherwise provided in K.C.C. 10.04.020 and 10.12.058, all persons using county-operated solid waste transfer stations (~~((and))~~), drop boxes and Cedar Hills regional landfill shall pay the service fees in the following schedules:

A. Fees for the use of solid waste facilities with scales, excluding Cedar Hills, shall be:

1. Solid waste disposal:

Fixed-rate vehicles	((\$26.98)) <u>\$29.65</u> per
	entry
<u>Solid waste collection entity ((P))</u> per-ton-rate	
vehicles	((\$168.68)) <u>\$150.83</u>
	per ton
<u>Self-hauler per-ton-rate vehicles</u>	<u>\$185.28</u>
	<u>per ton</u>

Charitable organizations	(((\$129.88)) <u>\$142.67</u> per ton
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Minimum	(((\$26.98)) <u>\$29.65</u> per vehicle
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Charitable organizations, minimum charge	(((\$20.78)) <u>\$22.83</u> per entry
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2. Deposit of source-separated yard waste, clean wood waste, or any combination thereof:

Fixed-rate vehicles	\$18.00 per entry
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Per-ton-rate vehicles	\$115.00 per ton
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Minimum charge	\$18.00 per vehicle
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3. Deposit of major appliances:

Major appliances with refrigerants	\$30.00 per unit
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4. Deposit of mattresses:

Mattresses	\$30.00 per unit; and
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5. Qualified low-income customers shall receive fee discounts of ~~(((\$15.00))~~ \$16.00 per entry for deposit of solid waste, yard waste, clean wood waste appliances and mattresses. Customers with mixed loads must separate and deposit materials with sequential visits to the scale house to receive a discount on the individual waste types.

B. Each billing entity in the solid waste system will pay a share of the fixed-annual charge. The share each billing entity pays, for each service area it serves, is directly proportional to the total tons of municipal solid waste deposited by solid waste collection entities at county-operated solid waste facilities in the most recent calendar year for which data is available, as shown in the following formula:

1. $W = X * (Y / Z)$, where:

a. W is the billing entity's share in dollars of the fixed-annual charge for a specific service area;

b. X is the total amount of the fixed-annual charge for the calendar year;

c. Y is the number of tons of municipal solid waste from a specific service area of the billing entity that is deposited at county-operated solid waste facilities in the most recent calendar year for which data is available; and

d. Z is the total number of tons of municipal solid waste from all service areas deposited at county-operated solid waste facilities by all solid waste collection entities in the most recent calendar year for which data is available, excluding regional direct tons.

2. Beginning January 1, 2024, the fixed-annual charge is \$22,614,181.

C. Fees for the use of solid waste facilities without scales shall be based upon the cubic yard or fraction thereof as follows:

1. Solid waste disposal:

Fixed-rate vehicles	(((\$26.98)) <u>\$29.65</u> per entry
Per-ton-rate vehicles:	
Compacted wastes	(((\$48.92)) <u>\$53.73</u> per cubic yard
Uncompacted wastes	(((\$28.68)) <u>\$31.50</u> per cubic yard
Minimum charge	(((\$26.98)) <u>\$29.65</u> per vehicle

2. Deposit of source-separated yard waste, clean wood waste or any combination thereof:

Fixed-rate vehicles	\$18.00 per entry
Per-ton-rate vehicles:	
Compacted wastes	\$33.35 per cubic yard

Uncompacted wastes	\$19.55 per cubic yard
Minimum charge	\$18.00 per vehicle

3. Qualified low-income customers shall receive fee discounts of ~~(((\$15.00))~~ \$16.00 per entry for deposit of solid waste, yard waste, clean wood waste, appliances and mattresses. Customers with mixed loads must separate and deposit materials with sequential visits to the scale house to receive a discount on the individual waste types.

~~((C-))~~ D. Fees at the Cedar Hills regional landfill shall be:

Cedar Hills Regional Direct	(((\$143.00)) <u>\$157.00</u> per ton
<u>Solid waste collection entity</u> ((P)) per-ton-rate	(((\$168.68)) <u>\$150.83</u> vehicles per ton
Per-ton-mattress	\$1,090.00 per ton

Disposal by other vehicles is at the discretion of the division director.

~~((D-))~~ E. A moderate-risk waste surcharge shall be added to all solid waste disposed by nonsolid waste collection entities using county operated solid waste facilities. The fee schedule is as follows:

1. For facilities with scales:

Per-ton-rate vehicles	\$5.84 per ton
Minimum charge	\$2.23 per entry
Fixed-rate vehicles	\$2.23 per entry

2. For facilities without scales:

Compacted	\$1.28 per cubic yard
Uncompacted	\$0.73 per cubic yard
Minimum charge	\$2.23 per entry
Fixed-rate vehicles	\$2.23 per entry

((E.)) F. As determined by the division director, a special waste fee shall be charged for special waste including asbestos-containing waste material and other wastes requiring clearances in accordance with King County Board of Health Code Title 10 or rules adopted by the department. The fee schedule is as follows:

Special waste fee	(((\$203.00)) <u>\$223.00</u>
	per ton
Special waste fee minimum charge	(((\$32.48)) <u>\$35.68</u> per
	entry
Special waste fee, extra handling	(((\$236.00)) <u>\$259.00</u>
	per ton
Special waste fee, extra handling	
minimum charge	(((\$37.76)) <u>\$41.44</u> per
	entry

((F.)) G. In the absence of exact weights or measurements, the estimate by the division director is binding upon the user.

((G.)) H. The division director may establish fees for handling and processing of recyclable materials for which no other fee has been established by ordinance. The fees need not recover the full cost of handling and processing.