

CITY OF WHITE SALMON  
ORDINANCE NO. 2010-08-849

**AN ORDINANCE OF THE CITY OF WHITE SALMON AMENDING WSMC  
CHAPTER 8.08 AND PROVIDING FOR SEVERABILITY AND AN  
EFFECTIVE DATE**

**WHEREAS**, the City of White Salmon provides refuse collection services to the residents of the City; and

**WHEREAS**, the City has acquired standardized refuse containers for use by customers allowing automated lifting for efficiency and to ensure the collectors health and safety; and

**WHEREAS**, the Council finds that the rates must be adjusted to account for the containers' depreciation, so an increase in rates is necessary.

**WHEREAS**, Chapter 8.08 requires other changes as set forth below.

**NOW, THEREFORE**, the City Council of the City of White Salmon do hereby ordain as follows:

Section 1: Chapter 8.08 is hereby amended as follows:

(~~Strikethrough~~ is deleted. **Bold** is added. Stricken sections are hereby repealed)

Chapter 8.08

GARBAGE COLLECTION AND DISPOSAL\*

Sections:

- 8.08.010 System--Establishment and operation.
- 8.08.020 System--Direction by city officials.
- 8.08.030 System--Use mandatory for city residents.
- ~~8.08.050 Garbage deposit requirements. [Repealed]~~
- ~~8.08.060 Trash deposit conditions. [Repealed]~~
- 8.08.070 ~~Container placement~~ **Container required.**
- 8.08.080 Collection times.
- 8.08.090 Administrative rules and regulations.
- 8.08.100 Rates and charges--Basis.

- 8.08.110 Rates and charges--Schedule.
- 8.08.120 Rates and charges--Low-income elderly rate reductions.
- 8.08.130 Rates and charges--Billing.
- 8.08.140 Billing--Method--Payment date.
- 8.08.160 Failure to use system--Collection by city authorized when--Costs.
- 8.08.150 Failure to pay for service.
- 8.08.170 Prohibition of illegal burning.
- 8.08.180 Reinstatement of service.
- 8.08.190 Theft of service--Prosecution.
- 8.08.200 Violation--Penalty.

8.08.010 System--Establishment and operation.

There is established a garbage collection and disposal system for the city, which shall be maintained and operated as provided in this chapter. With the objectives of service efficiency and economy and to effect an evaluation of service competitiveness, the city may, through a request for proposal, seek private proposals, without obligating the city, for garbage collection and disposal service at a minimum of three-year intervals.

8.08.020 System Direction by city officials. The

collection and disposal of garbage within the city shall be performed by and under the direction of the officials and employees of the city, unless otherwise determined and authorized by the city council.

8.08.030 System--Use mandatory for city

residents. Every owner or occupant of premises within the city shall be charged for a minimum of one can every other week, shall use the garbage collection and disposal system provided by the city, and shall deposit or cause to be deposited all garbage, refuse, trash and rubbish of such a nature that it is perishable or may decompose, or may be scattered by wind, or which otherwise may accumulate on any premises owned or occupied by him; provided, that no such owner or occupant shall make use of such collection and disposal system for the disposal of earth, stone or other such solids or incombustible materials.

~~**[repealed]** 8.08.050 Garbage deposit requirements. All residential garbage deposited in containers, as hereinafter provided, must be wrapped in paper or other suitable material, and all garbage must be placed or kept by the occupant or owner of the premises in watertight containers with two hand holds, and covers, of not over thirty gallons capacity; the containers shall be covered at all times, and shall be kept in a clean and sanitary condition.~~

~~8.08.060 Trash deposit conditions. All trash must be deposited in suitable solid containers, when loaded not to exceed sixty pounds in weight; except that brush and shrubbery trimmings may be tied in secure bundles not to exceed four feet in length and one and one half feet in diameter.~~

~~8.08.070 Container placement. All garbage containers shall be placed by the occupant or owner of the premises at curbside or another location approved by the City, and all brush and shrubbery bundles and other trash containers shall be placed at or near as possible to, but not on, the street or alley or sidewalk adjacent to the premises, and in a position convenient for loading onto trucks or vehicles. Two and three cubic yard bins shall be placed on a solid surface in an area suitable for pickup as approved by the City. For residential services, containers shall be placed before eight a.m. on the day of pickup. For commercial services, containers shall be placed before nine am. on the day of pickup. Senior citizens and handicapped persons may apply for an exemption from requiring placement of garbage at curbside.~~

**Container required.**

A. It is the duty of every person in possession, charge or control of any dwelling, flat, roominghouse, apartment house, trailer camp, hospital, hotel, school, club, restaurant, boardinghouse, or eating place, or in possession, charge or control of any shop, place of business, or manufacturing establishment where refuse is created or accumulated at all times to keep or cause to be kept portable cans provided by the city to deposit or cause to be deposited refuse therein.

B. Cans will be provided by the city, and obtainable in thirty-five, sixty-five and ninety-five gallon capacity. The customer is responsible for such can and shall keep the can clean inside and out, so that no odor nuisance shall exist.

C. Cans shall be placed within four feet of the road surface not later than 6:00 a.m. on the designated pick-up day with the lid opening toward the road. The City shall have no obligation to pick up any can not so placed.

C. Any person may rent from the city a container which is larger than those above specified (hereinafter "Large

Container") for both the collection of garbage and refuse. It shall be the responsibility of the Large Container renter to keep the Large Container clean inside and out so that no odor nuisance shall exist. Large Containers shall be kept at all times in a location accessible to the collector of refuse. Such Large Containers shall be kept on a firm surface such as concrete or asphalt, and shall not be placed on grass, gravel, dirt, sand, barkdust or other similar surfaces.

1. Large Containers that require the collector to roll them to the truck for dumping shall meet the following criteria:

a. Large Containers shall be kept no more than thirty feet from where they can be dumped by the collection truck.

b. Large Containers shall not be placed in a location that requires them to be rolled over grass, gravel, dirt, sand, barkdust, or other similar surfaces, or over obstacles such as curbs, loose debris, potholes or speed bumps.

c. Large Containers shall not be placed in a location that requires them to be rolled through restricted areas or openings, such as gates, doors, corridors or alleys that are narrower than eight feet in width, unless prior approval from the public works department is obtained.

d. Large Containers shall not be placed in a location that requires them to be rolled up or down a slope more than one-inch rise per one foot of length (1:12).

2. All locations where Large Containers are placed shall be subject to prior approval by the public works director or his duly appointed designee. Approval of placement shall consider the standards of this section and accessibility to city disposal trucks. The director of public works or his duly authorized designee shall further have the authority to approve the size of Large Containers and to impose screening requirements for them.

8.08.080 Collection times. The collection and disposal of garbage from all private residences and businesses within the city shall be made no less than once per month ~~every other week, with the exception of an exemption to such service as set forth in Section 8.08.040 of this chapter;~~ provided, however, that further collections and disposals may be made whenever, in the

judgment of the officials and employees of the city, such collection is necessary or advisable in the interests of cleanliness, public health, and general sanitation. The owner or occupant of the premises shall have the prerogative to increase the level or frequency of collection service from the minimum noted herein.

8.08.090 Administrative rules and regulations. The city shall have the power, from time to time, and in an appropriate manner, to set forth and determine rules, regulations, rates, duties and responsibilities, necessary salaries, and such other matters as may, in the discretion of its council, be necessary for the proper execution and administration of this chapter.

8.08.100 Rates and charges--Basis. The property owners or occupants of premises which shall be serviced under the provisions of this chapter shall pay for such collection and disposal at rates or charges based upon the quantity of garbage collected from the premises, the rates or charges for such collection and disposal to be determined by the city council from time to time and incorporated in a schedule of rates and charges for garbage collection and disposal, which schedule shall be kept at all times at the city hall in the city for public inspection.

8.08.110 Rates and charges--Schedule. The following schedule of monthly rates for garbage collection is enacted, to be effective ~~February~~ **September** 1, 2009**10** which monthly rates and dimensions of containers, as hereinafter set forth, shall be adopted, namely:

- A. One can per week, normal schedule: \$15.00 per month
- B. One can every other week, normal schedule: \$10.00 per month.
- C. Charge for extra can per week, normal schedule: \$12.00 per month.
- D. Charge for extra can, non-scheduled or missed by resident: \$5.00.
- E. **Can rental charge: \$1.00 per month to be deposited in the Garbage Operations and Maintenance Reserve Fund; customer shall be responsible for any loss or damage to cans beyond normal wear and tear at the City's replacement cost.**
- ~~E-~~ F. Charge to place 2 or 3 CY Container: \$25.00 initial and \$25.00 per month rental.
- ~~F-~~ G. Charge to Dump 2 CY Container: \$20.00 per time, or \$80.00 per month for weekly service.
- ~~G-~~ H. Charge to Dump 3 CY Container: \$25.00 per time, or

\$100.00 per month for weekly service.

- ~~H.~~ **I.** Yard Debris: \$30.00 per cubic yard, except that each residential service may have two 30 gallon disposable bags with yard or garden debris picked up at each regularly scheduled garbage pickup at no extra cost. Bags shall be secured and tied appropriately and shall weigh no more than 40 pounds.
- ~~F.~~ **J.** Low-income elderly rate reduction: Seniors meeting criteria in 8.08.120 of this Ordinance shall be granted a reduction of 20% in the base rate for one can per week, or a standard monthly charge of \$12.00. All additional use over and above this base shall be at Standard Rates stipulated herein.
- ~~F.~~ **K.** A fee of five dollars will be charged for missed pickups not the fault of the city.
- ~~K.~~ **L.** Four dollars of each collection charge shall be allocated to Reserve Funds; Three dollars to the "Garbage Reserve Fund" and one dollar to a new fund entitled "Garbage Operation and Maintenance Reserve Fund". Included in the above garbage collection rates is a six percent utility business and occupation tax.

8.08.120 Rates and charges--Low-income elderly rate reductions. All persons qualifying as low-income senior citizens, pursuant to RCW 74.38.070, upon filing a claim in the office of the city clerk-treasurer, being of the age of sixty-two years or older and meeting the standards for low income established each year by Washington State, shall be granted a twenty-percent reduction of the base garbage rate for the collection of one can per week. Additional cans or special collections shall be at the normal rate.

8.08.130 Rates and charges--Billing. The city, by and through its clerk-treasurer, is authorized and directed to permit and make garbage billings to property owners or occupants, as set forth in Section 8.08.110, on either a monthly or bimonthly basis, in the discretion of the city council.

8.08.140 Billing--Method--Payment date. A. The billings for all services provided for in this chapter shall be mailed to and be the responsibility of the owner of the property served. The billings shall be mailed to the owner's address, as used by the treasurer's office of Klickitat County for the mailing of real property tax notices.

B. All charges for services provided for in this chapter shall be due and payable by the twentieth day of the month following the billing period.

8.08.150 Failure to pay for service. If a customer fails to pay a garbage service billing on or before its due date, a service charge of ten dollars (\$10.00) shall be added to the account, and interest shall accrue on any balance owing at the rate of twelve percent (12%) per annum until fully paid. The City shall have a lien on the property serviced by the refuse collection for any sums owing for refuse collection, as provided by RCW 35.21.140-150 and may suspend garbage collection until an overdue balance and reinstatement charges are fully paid, and shall continue to charge the applicable rate notwithstanding the collection suspension. The City may take any legal action to collect the overdue balance in addition to the right to suspend service.

8.08.160 Failure to use system--Collection by city authorized when--Costs. Should any owner or occupant of premises with the city permit garbage, rubbish, refuse or trash to accumulate thereon, or that would have the effect to cause or present a public health issue, or fail or refuse to deposit such garbage, rubbish, refuse or trash in suitable containers in accordance with the provisions hereof, the city, in the discretion of its officials and employees, may collect and dispose of such garbage, rubbish, refuse or trash, and the entire expense of such collection and disposal, as determined by the city, shall be charged against such premises in addition to the regular charge for collection and disposal of such garbage.

8.08.170 Prohibition of illegal burning. The use of burning barrels and the burning of garbage is prohibited as set forth in Municipal Code Chapter 8.30, Fire Restrictions. The burning of garbage and disposable plastic items in stoves or fire places within any residential structure is prohibited.

8.08.180 Reinstatement of service.

A. There is established a fee of the sum of twenty-five dollars for the reinstatement of garbage services at buildings where garbage service was suspended, as provided herein.

B. This section applies to any and all residences or

dwelling or commercial buildings serviced by city garbage collection.

8.08.190 Theft of service--Prosecution. Any person who deposits garbage, refuse, rubbish, trash in a collection container not on his property, or property they rent, lease, or otherwise control, shall be deemed to have committed a gross misdemeanor and shall be subject to prosecution for theft of service as per RCW 9A.56.050 and penalized in the sum not to exceed five thousand dollars and/or sentenced up to one year in jail, and/or both fine and jail sentence may apply.


8.08.200 Violation--Penalty. Any person violating any of the provisions of this chapter shall be deemed to have committed an infraction, and shall be penalized in the sum not exceeding one hundred fifty dollars, or the amount owed for services, whichever is greater, plus any court costs and/or attorneys fees, with the exception that the penalty for theft of service as set forth in Section ~~8.08.170~~ **8.08.190** of this chapter shall apply for such violation.

Section 3: Effective Date: This ordinance shall take effect five days after its publication.

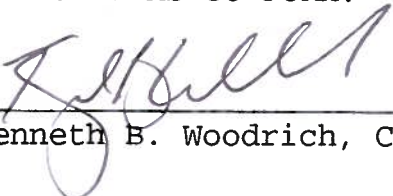
**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITE SALMON, WASHINGTON, THIS 4<sup>th</sup> day of August 2010.**

  
David Poucher, Mayor

ATTEST:

  
Lori Kreps, Clerk Treasurer

APPROVED AS TO FORM:

  
Kenneth B. Woodrich, City Attorney