

ORDINANCE NO. 2021_____

AN ORDINANCE relating to health and sanitation; regarding an increase in refuse rates, and; amending Chapter 4.16.140 of the City of Yakima Municipal Code accordingly.

WHEREAS, the City Council previously approved refuse rates for January 1, 2021 – December 31, 2025; and

WHEREAS, the rates are posted in the Yakima Municipal Code in both table and narrative formats; and

WHEREAS, the City Council of the City of Yakima hereby finds that it is in the best interests of the City and its residents to amend Section 4.16.140 of the Yakima Municipal Code; now, therefore,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Chapter 4.16.140 of the Yakima Municipal code is hereby amended to read as follows:

4.16.140 Classification of premises—Charges.

A. For the purpose of regulating the collection of garbage and refuse in the city of Yakima there are established two classifications: one to be known as the “residential classification,” and the other as the “business classification.” The residential classification shall include all premises occupied as a single-family housekeeping unit, either in dwelling houses, apartments, or other multiple residences. “Residential unit,” as used herein, is defined as a unit in which all persons reside together as a single family, whether in single or multiple dwellings. The business classification shall include all other premises.

Provided, property owned by the city may be served by city equipment and crews independently of the classifications and rates established by this chapter; provided further, the rules and regulations established by this chapter pertaining to receptacles and to the preparation, storage, and collection of garbage, refuse and debris shall be applicable to all property within the city, including that owned by the city.

B. The collection of all refuse in the business classification shall be made only by licensed collectors, hereinafter provided for, at rates to be set by the Washington Utilities and Transportation Commission.

C. The collection of all refuse in the residential classification shall be conducted by the city of Yakima equipment and personnel and financed by garbage and refuse collection fees hereinafter set forth. The city of Yakima shall not collect refuse from apartments or multiple units in excess of four units except upon the request of the owner or operator thereof. The following collection fees and practices shall apply for all garbage collection services conducted by the city of Yakima:

1. There are hereby imposed for refuse collection in the residential classification the following charges and fees for each single-family dwelling and for each residential unit in any multiple dwelling:

Type of Residential Refuse Collection Service	Average Monthly Charge Effective Jan. 1, 2021	Average Monthly Charge Effective Jan. 1, 2022	Average Monthly Charge Effective Jan. 1, 2023	Average Monthly Charge Effective Jan. 1, 2024	Average Monthly Charge Effective Jan. 1, 2025
At Curb or Alley					
Each 32-gallon cart	\$ 19.10	\$21.00	\$21.65	\$22.30	\$22.95
Each 96-gallon cart	\$21.85	\$24.10	\$24.90	\$25.70	\$26.50
Carry-Out Collection					
Each 32-gallon cart	\$34.50	\$37.70	\$38.60	\$39.50	\$40.40
Each 96-gallon cart	\$37.10	\$40.75	\$41.90	\$43.10	\$44.25
Overfill Fee	\$3.00	\$3.30	\$3.40	\$3.50	\$3.60
Call Back Charge	\$15.00	\$16.00	\$16.00	\$16.00	\$16.00
Ready to Serve Fee Weekly	\$2.15	\$2.40	\$2.50	\$2.60	\$2.70
Ready to Serve Fee Monthly	\$9.10	\$9.95	\$10.25	\$10.50	\$10.75
Extra Cart	\$3.00	\$3.30	\$3.40	\$3.50	\$3.60

An overfill fee shall be imposed each time an automated cart is filled past its visible full limit or the cart lid will not close due to overfilling. Carts filled with unacceptable material will be tagged and left at the curb.

A call-back charge shall be imposed each time a customer requests refuse collection service at a time other than the regularly scheduled time.

Metal bin service charges shall be as follows:

Type of Residential Bin Service	Average Monthly Charge Effective Jan. 1, 2021	Average Monthly Charge Effective Jan. 1, 2022	Average Monthly Charge Effective Jan. 1, 2023	Average Monthly Charge Effective Jan. 1, 2024	Average Monthly Charge Effective Jan. 1, 2025
2-Yard					

Type of Residential Bin Service	Average Monthly Charge Effective Jan. 1, 2021	Average Monthly Charge Effective Jan. 1, 2022	Average Monthly Charge Effective Jan. 1, 2023	Average Monthly Charge Effective Jan. 1, 2024	Average Monthly Charge Effective Jan. 1, 2025
Each bin, collected weekly	\$111.50	\$123.05	\$127.35	\$131.85	\$136.45
Each additional bin	\$111.50	\$123.05	\$127.35	\$131.85	\$136.45
Each additional pickup per bin	\$67.38	\$74.35	\$76.95	\$79.65	\$82.45
Call back charge	\$15.00	\$16.00	\$16.00	\$16.00	\$16.00
4-Yard					
Each bin, collected weekly	\$177.53	\$195.95	\$202.80	\$209.90	\$217.25
Each additional bin	\$177.53	\$195.95	\$202.80	\$209.90	\$217.25
Each additional pickup per bin	\$131.96	\$145.65	\$150.75	\$156.00	\$161.50
Call Back Charge	\$15.00	\$16.00	\$16.00	\$16.00	\$16.00
6-Yard					
Each bin, collected weekly	\$243.62	\$268.90	\$278.30	\$288.05	\$298.10
Each additional bin	\$242.84	\$268.90	\$278.30	\$288.05	\$298.10
Each additional pickup per bin	\$199.49	\$220.15	\$227.90	\$235.85	\$244.10
Overfill fee	\$16.37	\$18.00	\$18.60	\$19.15	\$19.80
Call Back Charge	\$15.00	\$16.00	\$16.00	\$16.00	\$16.00

An overfill fee shall be imposed each time a bin is filled past its visible full limit or the bin lid will not close due to overfilling. Bins containing unacceptable material will not be collected.

A call-back charge shall be imposed each time a customer requests refuse collection service at a time other than the regularly scheduled time.

Other charges and fees:

Service	Effective Jan. 1, 2021	Effective Jan. 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025
Temporary 2-Yard Bin Accounts:					
Initial Delivery/Rental Fee	58.00	\$62.90	\$64.00	\$65.05	\$66.10
Bin Dump and Disposal	\$19.17	\$20.45	\$20.95	\$20.95	\$21.45
Daily Bin Rental	\$3.00	\$3.20	\$3.20	\$3.20	\$3.20
Temporary 4-Yard Bin Accounts:					
Initial Delivery/Rental Fee	\$68.00	\$73.60	\$74.65	\$75.70	\$76.80
Bin Dump and Disposal	\$28.34	\$30.20	\$31.25	\$31.25	\$32.30
Daily Bin Rental	\$5.00	\$5.35	\$5.35	\$5.35	\$5.35
Temporary 6-Yard Bin Accounts:					
Initial Delivery/Rental Fee	\$78.00	\$84.25	\$85.30	\$86.40	\$87.45
Bin Dump and Disposal	\$37.51	\$40.00	\$41.55	\$41.55	\$43.10
Daily Bin Rental	\$7.00	\$7.45	\$7.45	\$7.45	\$7.45
Overfill Fee	\$16.37	\$18.00	\$18.60	\$19.15	\$19.80

Bin service will be considered temporary for the first two months of service and charged per day rent charges accordingly. After two consecutive months of service, users will be considered permanent.

An overfill fee shall be imposed each time a bin is filled past its visible full limit or the bin lid will not close due to overfilling. Bins containing unacceptable material will not be collected.

A call back charge shall be imposed each time a customer requests refuse collection service at a time other than the regularly scheduled time.

2. In addition to the charges and fees imposed by subsection (C)(1) of this section, a separate charge, to be known as the "yard service charge," is imposed on each residential unit that elects to receive yard material collection service from the city during the nine-month period of each year commencing March 1st and ending November 30th. Such service shall utilize one or more ninety-six-gallon carts owned and provided by the city. The yard service charges shall be as follows:

Type of Residential Yard Waste Service	Average Monthly Charge Effective Jan. 1, 2021	Average Monthly Charge Effective Jan. 1, 2022	Average Monthly Charge Effective Jan. 1, 2023	Average Monthly Charge Effective Jan. 1, 2024	Average Monthly Charge Effective Jan. 1, 2025
Each 96-gallon cart	\$17.55	\$19.10	\$19.50	\$19.95	\$20.35
Each additional 96-gallon cart	\$8.85	\$9.55	\$9.75	\$9.98	\$10.28
Overfill fee (yard debris)	\$3.00	\$3.30	\$3.40	\$3.50	\$3.65
Call-back charge	\$15.00	\$16.00	\$16.00	\$16.00	\$16.00

The appropriate charge shall be billed to each residential unit that elects to receive this service at the time and as a part of the billings rendered for other city services applicable for that nine-month period.

A two-month minimum service level shall be established. If yard waste service is canceled mid-season accompanied by a cart removal request a call-back charge shall be imposed.

A call-back charge shall be imposed each time a customer requests yard material collection service at a time other than the regularly scheduled time.

Yard waste carts shall only contain vegetation material such as grass clippings and plant trimmings including woody material less than three inches in diameter. Dirt, construction and demolition debris, tree branches more than three inches in diameter, or rubble is not allowed in yard waste carts. Yard waste carts filled with nonvegetation material will be tagged and left at the curb. Failure to use this cart as described will result in an additional refuse cart fee added to the utility bill.

An overfill fee shall be imposed each time a yard service cart is filled past its visible full limit or the cart lid will not close due to overfilling. Carts containing unacceptable material will not be collected.

3. All of the charges and fees for garbage, refuse and yard waste collection provided in subsections (C)(1) and (C)(2) of this section shall be billed for and paid at the same time and for the same period as billings and payments are made for other city utility services; or, in the event a customer is served by the refuse division but is not served with another city utility, garbage and refuse collection charges shall be billed and paid for according to the schedule which would be applicable to such customer were he so served with another city utility service. Accounts shall become delinquent if not paid within the time specified by YMC 7.50.080 for payment of water service charges.

4. Occupied Residences. A residence shall be considered occupied until the owner or his/her authorized agent notifies the city's utility billing department that the unit is vacant. Vacancy status starts the date the owner gives proper notice or at a future date specified by

the owner. A residence is considered occupied until it no longer contains residents or occupants. Upon notification to the city, the account can be placed in abeyance for a fee of twenty-five dollars, which will suspend the monthly refuse charge until a notification of occupancy is received by utility billing. The refuse carts will be picked up upon abeyance notification and returned upon renewed occupancy notification. If carts are not available for pickup, then the abeyance will be denied and monthly refuse charges will continue to be billed. Garbage and refuse collection charges will be suspended for any customer upon advance notice to the office of the division of utility accounts that a particular premises served will be unoccupied and such charges will be resumed on notice to such office to resume service. No refund of charges will be made if the resident makes application after the fact. Except as otherwise provided in subsection (C)(5) of this section pertaining to snowbird accounts, no such suspension of charges for garbage and refuse collection service will be made for any premises served with any other city utility unless all city utility services to such premises are likewise suspended or placed in abeyance.

Application for resumption of service to a new customer shall be made to the office of the division of utility accounts on forms provided for that purpose which shall contain the name of the customer and the street address and number of units of the premises to be served.

5. Snowbird. Owner/occupants who are planning to leave the city of Yakima for a period greater than thirty days may make application at the city utility division to have their waste collection placed in snowbird status for the time of their absence. The absence must be continuous and the request for a disruption in service must be made prior to the resident leaving the city for an extended period.

No refund of charges will be made if the resident makes application after the fact.

Owner/occupant must request a resumption of service in the month of their return. If the cart is placed out for service while the account is in snowbird status, a collection fee will be assessed.

Owner/occupant will be charged the ready to serve fee for each week that they are in snowbird status.

Waste pickup may be discontinued for no more than ninety days and not less than thirty days during snowbird status.

A call-back charge will be assessed if a cart is requested to be removed during snowbird status.

Any resident who is found abusing this policy will not be given the opportunity to avail themselves of this policy in the future.

6. Collection service may be suspended for nonpayment of accounts, but such suspension shall not relieve the person owing such account from the duty of complying with the provisions of this chapter or other ordinances pertaining to garbage, refuse, or sanitation. Such suspension of service shall render the premises where such collection service is suspended subject to condemnation for lack of sanitary requirements, and the owner or person in charge or in possession of said premises shall be subject to prosecution for maintaining a nuisance thereon, as well as enforcement of all other applicable laws.

7. Upon failure to pay such charges and upon delinquency, the amount thereof shall become a lien against the property from which the garbage collection service shall have

been rendered. Such lien shall be made effective by filing a notice thereof specifying the charges, the period covered by the charges and giving a legal description of the premises at which the service was rendered. Such lien shall be filed with the same official and within the time and shall be foreclosed within the time and manner prescribed by law for filing and foreclosing liens for labor and material, and shall be superior to encumbrances filed subsequent to the filing of such lien, but shall be subject to all general taxes and local improvement assessments, whether levied prior or subsequent thereto.

D. The yard material collection service, for which the yard service charge is imposed by subsection (C)(2) of this section, shall include the weekly collection of yard material from automated ninety-six-gallon carts furnished by the city department of public works during the nine-month period for which the yard service charge is billed to any particular premises. For collection purposes, the total weight of each cart including yard material deposited therein may not exceed two hundred pounds. Yard material larger than three inches in diameter or too long to fit within a yard waste cart when covered by its lid shall not be placed in a cart for collection, but may, upon proper request, be collected as special haul material.

E. In addition to the regulations adopted and charges imposed by subsections C and D of this section, further charges are imposed in the following types of service:

1. An extra charge shall be made for each extra cart, bag, box or bundle of tree or shrub trimmings, collected from any particular residential premises.
2. For a special garbage pickup, actual cost shall be charged to the customer. Actual cost shall include the city's actual cost for labor, equipment rental, and landfill fees. The minimum charge for this service shall be twenty-five dollars.
3. A replacement fee respective to the cost of the container shall be applied to the utility account if the refuse containers are damaged, misused or lost.
4. The city will clean any size residential cart. Cleaning is completed off site; therefore, an agreed time will be scheduled to pick up the carts. Charges for this service are based on an hourly rate and will be arranged at the time of the request and billed to the utility account.
5. Residents will be limited to one free cart exchange per year per household. Each exchange over the one-time exchange will be charged a call-back charge.
6. A call-back charge shall be imposed when a customer fails to have a cart accessible for removal after the first attempt.
7. Request to have refuse collected on private drives not at the curbside will be assessed the carry-out fee.
8. Residential requests for call back or return by solid waste personnel to empty containers which had cars parked too close to a container; not at curbside and in street by six a.m.; had grass, cardboard or any other obstruction preventing the flow of the refuse out of the container; or to pick up additional refuse will be charged a call-back fee. (Ord. 2018-005 § 1, 2018: Ord. 2016-038 § 1, 2016: Ord. 2015-031 § 4, 2015: Ord. 2013-009 § 1 (part), 2013: Ord. 2011-64 § 1, 2011: Ord. 2011-06 § 1, 2011: Ord. 2009-60 § 1, 2009: Ord. 2009-49 § 1, 2009: Ord. 2007-63 § 1, 2007: Ord. 2006-07 § 1, 2006: Ord. 2005-77 § 1, 2005: Ord. 2004-80 § 1, 2004: Ord. 2004-25 § 8, 2004: Ord. 2002-58 § 1, 2002: Ord. 2001-75 § 1, 2001: Ord. 2001-34 §§ 2—4, 2001: Ord. 2000-61 § 1, 2000: Ord. 99-52 § 1, 1999: Ord. 98-71 § 1, 1998: Ord. 97-75 § 1, 1997: Ord. 96-83 § 1, 1996: Ord. 95-61 § 1, 1995: Ord. 94-81

§ 1, 1994: Ord. 3507 § 1, 1993: Ord. 3425 § 1, 1991; Ord. 3319 § 1, 1990; Ord. 3228 § 1, 1989; Ord. 3005 §§ 1, 2, 1987; Ord. 2922 § 6, 1985; Ord. 2880 § 4, 1985; Ord. 2868 §§ 1, 2, 1985; Ord. 2658 § 1, 1982; Ord. 2574 § 1, 1981; Ord. 2480 § 1, 1980; Ord. 2272 §§ 2, 3, 1979; Ord. 2144 §§ 1, 2, 1977; Ord. 1876 §§ 1, 2, 1975; Ord. 1589 § 1, 1973; Ord. 1363 § 1, 1971; Ord. 1238 § 1, 1970; Ord. 441, 1963: Ord. 259 (part), 1961: Ord. B-2028, 1957: Ord. B-1876, 1956: Ord. B-1523 § 10, 1953).

Section 2. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter. The rates will not take effect until 45 days after notification in accordance with RCW 35.21.157.

PASSED BY THE CITY COUNCIL, signed and approved this 16th day of November, 2021.

ATTEST:

Patricia Byers, Mayor

Sonya Claar Tee, City Clerk

Publication Date:_____

Effective Date:_____