

ORDINANCE NO. 38-21

AN ORDINANCE of the City of Richland amending  
Richland Municipal Code Title 15, Solid Waste.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code (RMC) to eliminate ambiguity, remedy conflict with state or federal law, and bring the code into alignment with current practices; and

WHEREAS, Title 15 of the RMC defines the terms of service for city-delivered solid waste services; and

WHEREAS, existing Title 15 RMC does not align with current solid waste industry terminology and is poorly organized; and

WHEREAS, a full restructuring and refresh of Title 15 RMC will correct the deficiencies noted in the existing chapter; and

WHEREAS, the City's utility rate setting policies direct that rates reflect the cost of service for each customer class and service; and

WHEREAS, a fall 2020 cost of service analysis indicated that rate adjustments, increases, and decreases are warranted in several disposal rates at the Horn Rapids Landfill and in the curbside recycling rates; and

WHEREAS, at present, the City's compost is marketed to wholesale purchasers and bulk haulers only, despite the fact that requests for compost sales to residential customers are received regularly; and

WHEREAS, creation of a self-service retail compost sales station at the Horn Rapids Landfill will meet the community demand for service; and

WHEREAS, at its September 8, 2020 meeting, the Utility Advisory Committee (UAC) reviewed the City's analysis and recommendation regarding a proposed rate action, and voted to support the recommendation to adjust various landfill disposal rates, increase curbside recycling rates, and create a self-service station for residential compost sales; and

WHEREAS, although the fall 2020 cost of service analysis and UAC recommendation called for a rate increase to the wholesale compost price, the wholesale compost price will remain unchanged based on 2021 sales volumes and feedback from regular purchasers; and

WHEREAS, updates to several terms of service, such as the service suspension fee and the method of Richland resident validation at the Horn Rapids Landfill, will improve operational effectiveness.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Title 15 of the Richland Municipal Code, entitled Solid Waste, as first enacted by Ordinance No. 79, and last amended by Ordinance No. 41-19, is hereby deleted in its entirety and replaced with the following:

**TITLE 15**  
**SOLID WASTE**

**Chapters:**

**15.01 General Provisions.**

**15.02 Definitions.**

**15.03 Collection Services.**

**15.04 Landfill Self-Haul Services.**

**15.05 Penalties.**

**Chapter 15.01**  
**General Provisions**

**Sections:**

**15.01.010 Creation.**

**15.01.020 Administration and enforcement authority.**

**15.01.030 Severability.**

**15.01.040 Service compulsory - compliance - cleanup.**

**15.01.010 Creation.**

For the purposes of carrying out the provisions of this chapter, there is created and established a solid waste utility for the city of Richland. The city council is authorized to make funds available by appropriation, borrowing, or by other means in accordance with the laws of the state for the establishment, maintenance and operation of the solid waste utility. The Solid Waste code is declared to be an exercise of the police power of the City to promote the public health, safety and general welfare, and its provisions shall be liberally construed for the accomplishment of that purpose.

**15.01.020 Administration and enforcement authority.**

The regulation of the disposal and hauling of garbage and rubbish in the city shall be under the supervision of the city manager; provided, however, that the city manager has delegated the duty of enforcing the provisions of this title to the director of public works or designee, who shall prepare reasonable regulations concerning the days of collection of refuse, location of waste containers, and any other regulation pertaining to the collection and disposal of waste as he or she may deem advisable, subject to the approval of the city manager, and provided that such regulations are not contrary to this title.

**15.01.030 Severability.**

The invalidity of any section, subsection, provision, clause, or portion thereof, or the invalidity of the application thereof to any person or circumstance, shall not affect the

validity of the remainder of this title or the validity of its application to other persons or circumstances.

**15.01.040 Service compulsory - compliance - cleanup.**

A. Compulsory. It is compulsory for every person in possession, charge or control of any dwelling or structure within the city where waste is created or accumulated to take a collection service provided by the city for refuse. Failure to make use of such service shall not exempt any party from the payment of the regular charges established for that service. The city may, when unusual or extraordinary circumstances prevail, grant an exemption from compliance with this section. The city must approve the service level for collection of refuse for all customers.

B. Compliance. It is unlawful for any person to burn, dump, collect, remove or in any manner dispose of garbage, rubbish, trash, offal and any other waste upon or over any of the streets, alleys, public places or private property within the city except as may be directed by the city on special occasions and/or otherwise than as is provided for in this title.

C. Cleanup. It is unlawful for any person in possession, charge or control of any property from which refuse is collected by the city, who has knowledge that refuse from their property has been deposited by the elements, animals or other causes upon public property or private property, to allow such refuse to remain for more than twenty-four (24) hours.

**Chapter 15.02**  
**Definitions**

**Sections:**

- 15.02.005 Definitions.**
- 15.02.010 Administrative notice of violation.**
- 15.02.015 Ashes.**
- 15.02.020 City.**
- 15.02.025 City council.**
- 15.02.030 City manager.**
- 15.02.035 Commercial or commercial dwelling.**
- 15.02.040 Construction waste.**
- 15.02.045 Container.**
- 15.02.050 Curbside.**
- 15.02.055 Dead animals.**
- 15.02.060 Director.**
- 15.02.065 Extra refuse.**
- 15.02.070 Individual duplex.**
- 15.02.075 Multiple dwelling.**
- 15.02.080 Offal.**
- 15.02.085 Overloaded container.**
- 15.02.090 Recycling service charge.**

**15.02.095 Refuse.**

**15.02.100 Residential.**

**15.02.105 Residential waste.**

**15.02.110 Richland resident.**

**15.02.115 Richland commercial customer.**

**15.02.120 Sanitation service charge or service charge.**

**15.02.125 Single-family unit.**

**15.02.130 Trash.**

**15.02.135 Unsecured load.**

**15.02.140 Waste.**

**15.02.145 Yard waste.**

**15.02.005 Definitions.**

The city of Richland hereby adopts by reference Washington Administrative Code (WAC) 173-350, as currently enacted or hereafter amended, including the definitions provided therein. The following definitions are made to supplement and supersede any conflicting definitions found in WAC 173-350. Generally, words used in the present tense shall include the future tense; the singular shall include the plural and the plural shall include the singular; and the masculine shall include the feminine gender.

**15.02.010 Administrative notice of violation.**

“Administrative notice of violation” means a notice issued by the director that identifies a violation of RMC 15.03.020(B), (D)-(M) and/or RMC 15.03.030 (B)-(F) and directs corrective action, which may include imposition of up to a \$100.00 fine and/or revocation of the City’s solid waste container and service. An administrative notice of violation is distinguished from a notice of civil violation issued pursuant to RMC 10.02.050 and adjudicated by the Richland Code Enforcement Board.

**15.02.015 Ashes.**

“Ashes” means the solid waste products produced after the combustion of coal, wood and other fuels, and other combustible materials.

**15.02.020 City.**

“City” means the city of Richland.

**15.02.025 City council.**

“City council” means the city council of the city of Richland.

**15.02.030 City manager.**

“City manager” means the city manager of the city of Richland.

**15.02.035 Commercial or commercial dwelling.**

“Commercial” or “commercial dwelling” means a building or group of buildings designed, intended for or used for any purpose other than single or multiple dwellings, and shall include office buildings. Any building or group of buildings where combined residence and business is practiced, where such business is advertised by a sign of any type on the

premises and/or is identified as a business in online platforms, except those businesses conducted in an approved home occupation or otherwise exempted by the city, shall be classified as a commercial dwelling.

**15.02.040 Construction waste.**

“Construction waste” means any debris generated during the construction, renovation and/or demolition of buildings, roads and bridges.

**15.02.045 Container.**

“Container” means a receptacle which is the type approved by the city and furnished by the city for use with its mechanical refuse collection system.

**15.02.050 Curbside.**

“Curbside” means the placing of containers on or near public right-of-way that allows for pickup from said public right-of-way.

**15.02.055 Dead animals.**

“Dead animals” means all animals, large or small, which may die or be killed for other than food purposes.

**15.02.060 Director.**

“Director” means the city of Richland’s public works director or designee.

**15.02.065 Extra refuse.**

“Extra refuse” means refuse that does not fit within a customer’s container and is placed beside the container in a bag or box.

**15.02.070 Individual duplex.**

“Individual duplex” means a duplex which is not part of a group of buildings under common ownership and which has a separate legal description.

**15.02.075 Multiple dwelling.**

“Multiple dwelling” means a building or group of buildings, except those defined as individual duplexes herein, designed as, or intended for, or used as two or more dwellings, such as apartments, rooming houses, multiple houses or courts and tenant houses; provided such buildings or group of buildings are under common ownership; and provided further, that such group of buildings by nature of construction or reference infer multiplex dwelling, except tourist courts, motels, hotels and trailer courts, or other establishments catering to transient residents; and provided that, for the purpose of this title, three (3) rooms shall be equal to one (1) apartment and any number of rooms shall be billed to the nearest multiple of three.

**15.02.080 Offal.**

“Offal” means waste animal matter from butcher, slaughterer or packing houses.

**15.02.085 Overloaded container.**

“Overloaded container” means a commercial container in which material has been placed to a height that exceeds the top of the container walls.

**15.02.090 Recycling service charge.**

“Recycling service charge” means the charge imposed by the city council for recycling services performed by the solid waste utility or its authorized representatives.

**15.02.095 Refuse.**

“Refuse” means garbage, rubbish, trash and offal, as defined in this chapter, placed and stored together in a standard refuse container.

**15.02.100 Residential.**

“Residential” means a building or separate living unit designed and intended for occupancy as a dwelling and having its own housekeeping and kitchen facilities. Single-family residences, apartment units, duplexes, triplexes, fourplexes and condominium units shall be considered residential units. Hotel, motel and rooming and boarding units designed primarily for transient tenancy shall not be considered residential units, but shall be subject to commercial charges.

**15.02.105 Residential waste.**

“Residential waste” means yard waste, normal household waste, garbage, refuse or rubbish in quantities anticipated from normal daily activities from a residence, including, but not limited to, construction and demolition waste and extra refuse. Such waste does not include waste delivered to the landfill in any type of commercial vehicle identified by a sign, insignia, or decal with a commercial business name, or any waste delivered to the landfill in a vehicle greater than one ton in carrying capacity.

**15.02.110 Richland resident.**

“Richland resident” means an occupant of a residence within Richland city limits, verifiable using a current government-issued identification or utility account verification.

**15.02.115 Richland commercial customer.**

“Richland commercial customer” means an occupant meeting the “commercial” or “commercial dwelling” definition herein, that receives refuse service from the city of Richland or a city-authorized solid waste collection service provider at their brick and mortar Richland address and pays a monthly refuse bill to one of these providers.

**15.02.120 Sanitation service charge or service charge.**

“Sanitation service charge” or “service charge” means a charge imposed by the city council for the services performed by the solid waste utility or its authorized representatives.

**15.02.125 Single-family unit.**

“Single-family unit” means a building designed as, or intended for, or used as a residence for a single family or a group of persons other than a single family using the building as a

single housekeeping unit.

**15.02.130 Trash.**

“Trash” means all waste matter not subject to decay or putrefaction which, for the purpose of this title, includes ashes.

**15.02.135 Unsecured load.**

“Unsecured load” means a load of waste, refuse, trash or similar materials which has not been tied, covered, or secured in the vehicle in such a manner that will prevent any part of the waste from leaving, dropping or escaping the vehicle while the vehicle is in motion.

**15.02.140 Waste.**

“Waste” means all discarded materials and/or substances.

**15.02.145 Yard waste.**

“Yard waste” means leaves, grass, prunings and clippings of woody as well as fleshy plants. Yard waste does not include dirt and rocks. Small trees and Christmas trees will be considered yard waste if they have been cut and bundled to a maximum length of four (4) feet.

**Chapter 15.03**  
**Collection Services**

**Sections:**

**15.03.010 Collection service.**

**15.03.020 Container use.**

**15.03.030 Container requirements.**

**15.03.040 Sanitation service - Billings, delinquencies, penalties and liens.**

**15.03.050 Service description - Residential.**

**15.03.060 Service charges - Residential.**

**15.03.070 Service description - Commercial.**

**15.03.080 Service charges - Commercial.**

**15.03.090 Service description - Roll-off container.**

**15.03.100 Services charges - Roll-off container.**

**15.03.010 Collection service.**

It is unlawful for anyone except the city to collect solid waste within the city for compensation without the approval of the city.

**15.03.020 Container use.**

A. Refuse containers for residential and commercial use shall be furnished by the city. The city retains ownership of all containers.

B. No person shall place any garbage, rubbish, refuse or recycling materials in any city-owned container other than in the container which was assigned by the city to such person and as directed by the city.

C. No person other than a city-approved, authorized collector or city employee charged with that responsibility shall tamper with or remove any solid waste or recyclables from a city-owned container other than the owner or occupant of the property served by such container.

D. The gray household waste container shall only contain garbage, refuse, rubbish and trash as defined herein.

E. Hot ashes, clinkers and lithium-ion batteries shall not be placed in containers for disposal.

F. All garbage shall be drained of liquids before being placed in the container and secured in such manner as to prevent, to the extent possible, moisture gathering in refuse containers. The city may decline to collect undrained garbage which is in a liquid state, unwrapped, or improperly placed.

G. Refuse containing hypodermic needles or other sharp objects should be disposed of in proper disposal containers, or at a minimum, a solid-wall container such as a plastic beverage or milk container.

H. Dead animals shall not be placed in any city-owned container unless approved by the city. Any animal or any part of an animal from slaughterhouses or similar places, regardless of size, shall be regarded as industrial refuse and shall not be collected by the city. All persons seeking to remove or dispose of any dead animal may do so at the Horn Rapids Landfill at a rate described in RMC 15.04.020.

I. The green yard waste containers shall only contain vegetation material such as grass clippings and plant trimmings including woody material equal or less than four (4) inches in diameter. Refuse, dirt, construction and demolition debris, packaging or bags, tree branches of more than four (4) inches in diameter, or rubble is not allowed in the yard waste containers. Failure to use this container as described is a violation subject to the provisions of 15.05.010 RMC.

J. The blue recycling container shall only contain cardboard, plastic, newspaper, aluminum and tin. No glass is allowed in the recycling containers. Contamination of the recycle container with glass or other materials is a violation subject to the provisions of 15.05.010 RMC.

K. No residential refuse container set out for removal by city personnel shall weigh more than the maximum container-rated weight as specified by the director or 40 pounds per unit of extra refuse.

L. All persons setting out refuse for collection shall take adequate precautions to prevent the escape thereof. Materials susceptible to escaping shall be bagged.



M. No person shall place household or commercial dangerous or hazardous waste in any city-owned containers.

**15.03.030 Container requirements.**

A. It is the duty of every person in possession, charge or control of any structure or dwelling within the city where waste is created or accumulated at all times to use city-owned containers or other containers as approved by the city, in accordance with this chapter, and to deposit or cause to be deposited refuse therein.

B. Refuse containers shall be kept in a sanitary condition with the outside thereof clean and free from grease and decomposing material. Lids shall be kept on containers except while refuse is being put in or removed from such containers. When any person puts refuse in or removes refuse from a refuse container, the lid shall be placed in the closed position.

C. Location. No container shall be kept or stored within the confines of any street or public alley in the city, except as otherwise allowed by the city. Containers placed on private property which have been approved for pickup by the city shall be placed in a pre-approved, readily accessible location.

D. Curbside. By 6:00 a.m. on the day of collection, containers to be picked up curbside shall be placed in a location accessible by the traveled roadway and positioned with the lid opening toward the collection vehicle when the container is dumped. Containers and any extra refuse shall maintain a minimum of three (3) feet from all obstructions, including other containers. Any container placed out for curbside pickup shall be removed from public right-of-way by the person in possession, charge or control of said container within twenty-four (24) hours after collection unless otherwise allowed by the city. Residents located in cul-de-sacs, courts, or set back from the main travel way of a city street shall locate their containers at a location adjacent to the main traveled way established by the director for safe and efficient pickup.

E. No enclosure or other structure may be placed around any city-owned container in its accessible location for pickup without the review and approval of the city.

F. Special containers. Suitable containers, such as compactor units and drop boxes, may, with the permission of the city, be used by establishments which dispose of refuse in such quantity that containers, as defined in this title, would be impractical or inefficient. These containers shall be kept in good condition with close-fitting lids and watertight construction. The city, after proper notification to the person in possession, charge or control of said container, may require the replacement or repair of any container which deteriorates to an unsatisfactory condition. Disposal of refuse from these containers shall be as authorized by the city.

G. Prohibited materials. The rules and regulations authorized by this title shall identify the materials that can and cannot be placed in any city-owned container. The city may decline to pick up any container which has unauthorized materials placed in it.

H. Container Damage and Replacement. If any container owned by the city is damaged or lost through the abuse or neglect of any person in possession, charge or control of said container, the person in possession, charge or control of said container shall be held responsible for the cost of repair or replacement of the container.

**15.03.040 Sanitation service - Billings, delinquencies, penalties and liens.**

The sanitation service charges shall be billed on the basis of the rates established herein, and delinquencies and penalties charged, and liens placed as provided for in RMC 3.30.040 - Delinquency and utility collection charges.

A. A residence shall be considered occupied until the owner or owner's authorized agent notifies the city's utility billing department that the unit is vacant. Vacancy status starts the date the owner or authorized agent gives proper notice, or at a future date specified by the owner or authorized agent. A residence is considered occupied until it no longer contains personal property. Upon notification to the city, the account can be placed in abeyance for a fee of \$40.00, which will suspend the monthly refuse charge until the utility billing departments receives notice of occupancy.

B. All multifamily housing units will have commercial containers appropriately sized for the refuse demand placed at the housing complexes. Refuse services will be billed to the landlord/owner account. If shared container service is not practical, the landlord/owner account will be charged the individual service rate per this code and individual residential containers will be provided.

C. Any customer who believes that an assessed sanitation charge, billing or notice of delinquency is out of compliance with this chapter may appeal such charges, billing or notice of delinquency pursuant to the appeal process defined in Chapter 5.55 RMC related to appeal procedures.

**15.03.050 Service description - Residential.**

A. All residential account holders will receive basic service consisting of one (1) gray container for household waste and one (1) green container for yard waste. Additional containers may be provided upon request. All containers shall be placed at the curb by 6:00 a.m. on the customer's assigned collection day and will be picked up weekly, except that recycling containers will be collected every other week. Collection service may be suspended when street conditions make it impracticable to safely access containers. Yard waste container service may be suspended during extended freezing periods.

B. A residence may be considered exempt from having a yard waste container and fee if all landscape space is commonly owned, such as is found at condominiums with a homeowners' association. Residences meeting this criterion will only be billed the Refuse - No Yard Waste fee once they have contacted the director and the exemption has been verified.

C. Extra curbside garbage service is available. Extra waste shall be placed at the curb by 6:00 a.m. on the customer's normal collection day. Extra curbside garbage bags placed

out for collection shall not exceed 32-gallon capacity, and shall be of sufficient strength to hold refuse not exceeding 40 pounds and withstand ripping or tearing when lifted by the top of the bag. Boxes placed out for collection shall not weigh more than 40 pounds, and shall be of a size that can be safely and reasonably handled by one person so that they can be placed by the refuse collector in the container for dumping at an additional charge.

D. Recycling collection service will be available to all Richland residential customers upon request. If requested, a blue recycling container will be delivered to the customer, and recycling will be collected on an every-other-week basis on a designated collection day.

E. A request for container replacement or an additional gray, green or blue container is subject to a container delivery fee per the City’s fee schedule and a monthly service charge as specified in this chapter.

**15.03.060 Service charges - Residential.**

A. The sanitation service charge for residential collection and removal of normal accumulations of refuse placed in city-provided residential container(s) for disposal shall be as according to table below. This does not include the removal of refuse resulting from major renovations or new construction, nor does it include earth, rocks, sod, dead animals, animal wastes, or household hazardous wastes.

**Monthly Sanitation Service Charge for Residential Service**

All residential customers shall be charged the following monthly service rates effective with the billings in the month indicated.

|   | <b><u>Monthly Rate</u></b> | <b><u>Residential Call Back</u></b> |
|---|----------------------------|-------------------------------------|
| <u>Basic Refuse Service</u>                         | <u>\$17.50</u>             | <u>\$12.00</u>                      |
| <u>Refuse – No Yard Waste</u>                       | <u>\$16.65</u>             | <u>\$12.00</u>                      |
| <u>Recycling – Optional Additional Fee</u>          | <u>\$7.70</u>              | <u>\$12.00</u>                      |
| <u>Additional Refuse Container Fee</u>              | <u>\$8.15</u>              | <u>N/A</u>                          |
| <u>Additional Yard Waste or Recycling Container</u> | <u>\$2.00</u>              | <u>N/A</u>                          |

B. Extra curbside garbage placed out for collection shall generate a charge of \$3.00 for each additional garbage can load.

C. When residential collection services by private corporations are authorized by contract, the service provider shall collect from each residential account a Richland landfill self-haul surcharge in the amount of \$0.80 per month. The surcharge is equivalent to the component of the residential collection rate listed in RMC 15.03.060 that subsidizes reduced disposal fees at the Richland landfill for Richland residents. The Richland landfill self-haul surcharge shall be collected by the contract service provider and be paid to the city on or before the twenty-fifth day of each month.

D. There shall be a 60 percent (60%) discount applied to rates specified in RMC 15.03.060 for solid waste collection services provided to residential customers qualifying as low-income senior citizens or low-income disabled citizens. Additional rate information regarding low-income senior citizens and low-income disabled citizens can be found in Chapter 3.29 RMC.

E. Residential requests for call back or returns by solid waste personnel to empty containers which were obstructed; were not at curbside and in street by 6:00 a.m.; were packed in such a way that refuse would not exit the container when tipped; or to pick up additional refuse will be charged a call back fee.

F. Commingled residential recycling is an optional service at the rates described in the table found in RMC 15.03.060. The recycling container is serviced every other week and allows for a mix of recyclable materials which include cardboard, plastic, newspaper, aluminum and tin. No glass is allowed in the recycling containers. Failure to use this container as described will result in an additional refuse container fee added to the utility bill.

**15.03.070 Service description – Commercial.**

Commercial customers are provided containers and are serviced based on commercial classification. The director may make special arrangements with owners or operators of public food establishments, multifamily residences, and commercial establishments permitting the use of containers of greater capacity than 100 gallons. Container size and/or location may be changed to accommodate space limitations as determined by the director. In these situations, customers will be charged based on the container size and frequency of pickup. Shared refuse services will be billed to the property owner or similar shared user billing account. Businesses in the Uptown and Parkway shopping centers are classified into one of the options listed in the table below.

**Business Classifications – Uptown & Parkway Shopping Centers**

| <u>Classification</u>    | <u>Service Type</u>          |
|--------------------------|------------------------------|
| <u>Office/Service</u>    | <u>100 gallon</u>            |
| <u>Small Retail</u>      | <u>1 yard</u>                |
| <u>Medium Retail</u>     | <u>2 yard – twice a week</u> |
| <u>Large Retail</u>      | <u>6 yard</u>                |
| <u>Small Restaurant</u>  | <u>2 yard</u>                |
| <u>Medium Restaurant</u> | <u>2 yard – twice a week</u> |
| <u>Large Restaurant</u>  | <u>8 yard</u>                |

**15.03.080 Service charges - Commercial.**

A. The sanitation service charge for commercial service shall be according to the table below. In the Uptown and Parkway shopping centers, the commercial refuse charge will be billed according to the table below based on the classification of business occupying the parcel/rental space. The owner of record per the Benton County Auditor’s Office will be billed when multiple tenants occupy one parcel. On parcels with one tenant, refuse will be billed to the active utility account for that tenant. When these parcels are vacant, the utility charges will revert to the owner/landlord account. Suspension of service and fee abeyance is not allowed when a building is vacant. Review and adjustment of charges will be available annually to keep the customer accounts current with the classification of business.

**Commercial Collection Rates**

| <b><u>Container Size</u></b>      | <b><u>Collection Frequency Per Week</u></b> |                        |                        |                        |                          | <b><u>Unscheduled/ Additional Pickup</u></b> |
|-----------------------------------|---|------------------------|------------------------|------------------------|--------------------------|--|
|                                   | <b><u>1X</u></b>                            | <b><u>2X</u></b>       | <b><u>3X</u></b>       | <b><u>4X</u></b>       | <b><u>5X</u></b>         |  |
| <b><u>100 gallon</u></b>          | <b><u>\$19.60</u></b>                       | <b><u>\$39.20</u></b>  | <b><u>\$58.85</u></b>  | <b><u>\$78.45</u></b>  | <b><u>\$98.05</u></b>    | <b><u>\$18.85</u></b>                        |
| <b><u>1 yard – 300 gallon</u></b> | <b><u>\$54.10</u></b>                       | <b><u>\$108.10</u></b> | <b><u>\$162.15</u></b> | <b><u>\$216.05</u></b> | <b><u>\$270.15</u></b>   | <b><u>\$50.90</u></b>                        |
| <b><u>2 yard</u></b>              | <b><u>\$82.80</u></b>                       | <b><u>\$165.65</u></b> | <b><u>\$248.45</u></b> | <b><u>\$331.25</u></b> | <b><u>\$414.05</u></b>   | <b><u>\$50.90</u></b>                        |
| <b><u>4 yard</u></b>              | <b><u>\$145.00</u></b>                      | <b><u>\$290.00</u></b> | <b><u>\$435.00</u></b> | <b><u>\$579.90</u></b> | <b><u>\$724.90</u></b>   | <b><u>\$48.10</u></b>                        |
| <b><u>5 yard</u></b>              | <b><u>\$168.80</u></b>                      | <b><u>\$337.70</u></b> | <b><u>\$506.60</u></b> | <b><u>\$675.40</u></b> | <b><u>\$844.25</u></b>   | <b><u>\$58.30</u></b>                        |
| <b><u>6 yard</u></b>              | <b><u>\$192.75</u></b>                      | <b><u>\$385.50</u></b> | <b><u>\$578.15</u></b> | <b><u>\$770.85</u></b> | <b><u>\$963.55</u></b>   | <b><u>\$68.35</u></b>                        |
| <b><u>8 yard</u></b>              | <b><u>\$221.75</u></b>                      | <b><u>\$443.50</u></b> | <b><u>\$665.25</u></b> | <b><u>\$887.00</u></b> | <b><u>\$1,108.75</u></b> | <b><u>\$88.40</u></b>                        |

B. Commercial customers who prohibit access for scheduled container pickup shall be charged a call-back fee of \$26.00 per occurrence. Examples of prohibited access include, but are not limited to, locked or blocked container enclosures.

C. Commercial customers who overload the provided refuse container will be charged a \$15.00 per yard charge for the extra refuse, as estimated by the collections staff. Repeated incidents will subject the customer’s account to a review of their service by the director. The fee to change the container size is \$50.

D. Commingled commercial recycling is an optional service at the rates described in the table below. The recycling container is serviced every other week and allows for a mix of recyclable materials in one 96- or 300-gallon container. The allowed recyclables include cardboard, plastic, newspaper, aluminum and tin. No glass is allowed in the recycling containers. Failure to use this container as described will result in an additional refuse container fee added to the utility bill. Requests for service to pick up material not available on the scheduled date are subject to a call-back fee.

**Commercial Recycling Rates**

| <b><u>Container Size</u></b>         | <b><u>Monthly Charge for EOW* Service</u></b> |
|--------------------------------------|---|
| <u>96 Gallon</u>                     | <u>\$7.70</u>                                 |
| <u>300 Gallon</u>                    | <u>\$23.70</u>                                |
| <u>96 and 300 Gallon – Call Back</u> | <u>\$12.00</u>                                |

\*EOW = Every Other Week (frequency container is picked up).

E. Cardboard-only commercial recycling is also an optional service at the rates described in table below. These containers are serviced every week and allow cardboard only. Failure to use this container as described will result in an additional refuse container fee added to the utility bill. Unscheduled, additional pick-ups beyond the weekly service are subject to the fees described in the same table.

**Commercial Cardboard-Only Recycling**

|  | <b><u>Collection Frequency Per Week</u></b> |                  | <b><u>Call-Back</u></b> | <b><u>Unscheduled/<br/>Additional<br/>Pickup</u></b> |
|--|---|------------------|-------------------------|--|
|  | <b><u>1X</u></b>                            | <b><u>2X</u></b> |                         |  |
| <b><u>Commercial<br/>cardboard<br/>recycling</u></b> | <u>\$51.80</u>                              | <u>\$103.50</u>  | <u>\$26.00</u>          | <u>\$50.90</u>                                       |

**15.03.090 Service description - Roll-off container service.**

There is established a voluntary system for provision of larger “roll-off” container services as requested by customers of the city of Richland solid waste utility.

**15.03.100 Service charges - Roll-off container service.**

Roll-off container services 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. Disposal fees are subject to a one-ton minimum. Roll-off containers not picked up at least monthly will be charged a minimum monthly fee of \$348.00. Charges for city of Richland roll-off service are outlined in the table below:

**Roll-Off Service Rates**

| <b><u>Container<br/>Type/Descriptor</u></b> | <b><u>Hauling<br/>Fee</u></b> | <b><u>Disposal<br/>Charge per Ton</u></b> | <b><u>Per Day Rent<br/>Charge</u></b> | <b><u>Delivery<br/>Charge</u></b> |
|---|-------------------------------|---|---------------------------------------|-----------------------------------|
| <u>Drop Box – Temporary</u>                 | <u>\$150.00</u>               | <u>\$48.00</u>                            | <u>\$5.00</u>                         | <u>\$45.00</u>                    |
| <u>Drop Box – Permanent</u>                 | <u>\$150.00</u>               | <u>\$48.00</u>                            | <u>N/A</u>                            | <u>\$45.00</u>                    |

All roll-off containers that are overloaded, blocked or not ready to haul when the scheduled service arrives will be charged \$45.00 call-back fee for the additional service attempt.

**Chapter 15.04**  
**Landfill Self-Haul Services**

**15.04.010 Service description - Self-haul to Horn Rapids Landfill.**

**15.04.020 Service charges - Self-haul to Horn Rapids Landfill.**

**15.04.030 Sale of compost.**

**15.04.010 Service description - Self-haul to Horn Rapids Landfill.**

A. The city of Richland owns and operates the Horn Rapids Landfill. Due to the operation of Benton County's solid waste services at the Horn Rapids Landfill, customers may dispose of used motor oil, antifreeze, cooking oil, automotive batteries, rechargeable batteries, propane tanks and canisters at a designated location at the Landfill. Disposal of these materials is subject to the availability of Benton County solid waste services and may be suspended by the City due to the unavailability of Benton County services.

Vehicles entering the landfill must have their load tied, covered or otherwise secured within the vehicle. This does not apply to vehicles carrying a load of dirt, sand or gravel, provided that six inches of freeboard is maintained within the bed carrying the load.

**15.04.020 Service charges - Self-haul to Horn Rapids Landfill.**

A. Disposal of residential waste by Richland resident(s) at the Horn Rapids Landfill will be subject to the rates outlined in the table provided below.

B. If a dispute over the waste classification occurs, the customer must pay the appropriate disposal fee before gaining access to the landfill. Thereafter, the customer can request a review by the director for a refund of the landfill disposal fee. The request must be in writing and be submitted within one month after the disposal of the waste. If the director concurs with the customer, the disposal charge will be adjusted to reflect the appropriate fee.

**Residential Self-Haul to Horn Rapids Landfill**

| <b><u>Customer</u></b>              | <b><u>Description/Qualifiers</u></b>  | <b><u>Load Size</u></b> | <b><u>Rate</u></b>         |
|-------------------------------------|---|-------------------------|----------------------------|
| <b><u>Richland Resident</u></b>     | <u>Residential waste including, but not limited to, construction and demolition waste and extra refuse.</u> | <u>Up to 1,200 lbs.</u> | <u>\$10.00</u>             |
|                                     |   | <u>Over 1,200 lbs.</u>  | <u>See Commercial Rate</u> |
| <b><u>Richland Resident</u></b>     | <u>Clean yard waste.</u>  | <u>All</u>              | <u>\$0.00</u>              |
| <b><u>Non-Richland Resident</u></b> | <u>Ordinary residential waste including, but not limited to, construction and</u>                           | <u>Up to 1,200 lbs.</u> | <u>\$40.00</u>             |

| <u>Customer</u>                   | <u>Description/Qualifiers</u>   | <u>Load Size</u>                             | <u>Rate</u>   |
|-----------------------------------|---|--|---|
|                                   | <u>demolition waste and extra refuse.</u>   | <u>Over 1,200 lbs.</u>                       | <u>See Commercial Rate</u>                          |
| <u>Non-Richland Resident</u>      | <u>Clean yard waste.</u>  | <u>Up to 1,200 lbs.</u>                      | <u>\$30.00</u>                                      |
| <u>Appliances Containing CFCs</u> | <u>Appliances containing chlorofluorocarbons, including, but not limited to, refrigerators and air conditioning units.</u>                            | <u>Per appliance</u>                         | <u>\$46.00 each</u>                                 |
| <u>White Goods</u>                | <u>Appliances including, but not limited to, stoves, washers, dryers, microwaves, and hot water tanks.</u>  | <u>Per appliance</u>                         | <u>\$7.00 each</u>                                  |
| <u>Dead Animals</u>               | <u>Small animals – dogs, cats, etc., generally less than 100 lbs.</u><br><u>Large animals – horses, cattle, etc., approximately 100 lbs. or more.</u> | <u>Small animals</u><br><u>Large animals</u> | <u>\$75.00</u><br><u>or</u><br><u>\$150.00 each</u> |

C. Depositors of commercial loads at the Horn Rapids Landfill will be charged at rates in accordance with the following table.

**Commercial Self-Haul at Horn Rapids Landfill**

| <u>Customer</u>                | <u>Description/Qualifiers</u>  | <u>Load Size</u>        | <u>Rate</u>             |
|--------------------------------|--|-------------------------|-------------------------|
| <u>Richland Commercial</u>     | <u>Garbage, refuse, rubbish and construction remodel demolition waste.</u> | <u>Up to 1,200 lbs.</u> | <u>\$30.00 per load</u> |
| <u>Non-Richland Commercial</u> |  | <u>Up to 1,200 lbs.</u> | <u>\$54.25 per load</u> |
| <u>Richland Commercial</u>     |  | <u>Over 1,200 lbs.</u>  | <u>\$51.10 per ton</u>  |
| <u>Non-Richland Commercial</u> |  | <u>Over 1,200 lbs.</u>  | <u>\$76.15 per ton</u>  |
| <u>Richland Commercial</u>     | <u>Commercial disposal of concrete or asphalt.</u>                         | <u>Per ton</u>          | <u>\$18.00</u>          |



| <u>Customer</u>                    | <u>Description/Qualifiers</u>  | <u>Load Size</u>       | <u>Rate</u>                              |
|------------------------------------|--|------------------------|--|
| <u>Non-Richland Commercial</u>     |  | <u>Per ton</u>         | <u>\$35.00</u>                           |
| <u>Richland Commercial</u>         | <u>Commercial disposal of rock or dirt.</u>  | <u>Per ton</u>         | <u>\$12.00</u>                           |
| <u>Non-Richland Commercial</u>     |  | <u>Per ton</u>         | <u>\$20.00</u>                           |
| <u>Richland Commercial</u>         | <u>Clean yard waste.</u>   | <u>Per ton</u>         | <u>\$36.00</u>                           |
| <u>Non-Richland Commercial</u>     |  | <u>Per ton</u>         | <u>\$57.00</u>                           |
| <u>Richland Commercial</u>         | <u>Chipped yard waste. This is limited to organic material chipped to a maximum dimension of three inches using a chipper machine in a commercial operation.</u> | <u>Per ton</u>         | <u>\$0.00</u>                            |
| <u>Non-Richland Commercial</u>     |  | <u>Per ton</u>         | <u>\$0.00</u>                            |
| <u>Tires Only</u>                  | <u>Disposal of tires. The same charge applies to all customers.</u>  | <u>Car tires</u>       | <u>\$4.00 each</u>                       |
|                                    |  | <u>Truck tires</u>     | <u>\$9.00 each</u>                       |
|                                    |  | <u>Heavy equipment</u> | <u>\$125.00 per ton; \$30.00 minimum</u> |
| <u>Tires with Rims</u>             | <u>Disposal of tires. The same charge applies to all customers.</u>  | <u>Car tires</u>       | <u>7.00 each</u>                         |
|                                    |  | <u>Truck tires</u>     | <u>12.00 each</u>                        |
|                                    |  | <u>Heavy equipment</u> | <u>125.00 per ton; \$30.00 minimum</u>   |
| <u>Petroleum Contaminated Soil</u> | <u>Disposal of soil that has been contaminated by gas, diesel or other petroleum products.</u>   | <u>Per ton</u>         | <u>\$103.00</u>                          |
| <u>Asbestos</u>                    | <u>Asbestos with required certification.</u>   | <u>Per ton</u>         | <u>\$103.00</u>                          |

D. Users of the Horn Rapids Landfill will receive a receipt for their charges upon request.

#### 15.04.030 Sale of compost.

A. Richland compost is available for purchase in bulk by residential and commercial customers. Costs for compost are as follows:

#### Bulk Purchase of Compost

|   |                         |
|---|-------------------------|
| <u>Residential (manual-self load; not to exceed four (4) yds)</u> | <u>\$25.00 per load</u> |
| <u>Commercial (loaded; four (4) yard minimum)</u>                 | <u>\$15.00 per ton</u>  |

B. The City may sell compost in bulk through a public purchase option to maintain appropriate inventory levels.

## Chapter 15.05 Penalties

### Sections:

15.05.010 Administrative enforcement.

15.05.020 Appeal of administrative enforcement.

15.05.030 Prohibited acts.

### 15.05.010 Administrative enforcement.

A. Misuse of container. Violations of RMC 15.03.020(B), (D)-(M) and RMC 15.03.030 (B)-(F) are subject to administrative enforcement by the director or designee as follows:

1. Container tag. The director or designee may direct compliance through placement of a tag on the container of the violator. The tag will include specific information describing the violation and the corrective action required.

2. Administrative notice of violation. The director may require compliance by issuing an administrative notice of violation. Such notice will include specific information identifying the violation and the required corrective action. In addition, the administrative notice of violation may include one or more of the following remedies:

- i. Imposition of an administrative fine between \$10.00 and \$100.00 per occurrence; and/or
- ii. Revocation of container and service.

B. Recurring violations will result in enforcement with escalating penalties. If corrective action through administrative enforcement by the director is unsuccessful, the violation will be forwarded by the director to Richland's Code Enforcement division for enforcement as a civil infraction subject to a civil penalty as set forth in RMC 10.02.050(E). Administrative enforcement is unsuccessful when the violator received two (2) separate administrative notices of violation for failing to comply with RMC 15.03.020(B), (D)-(M) and/or RMC 15.03.030 (B)-(F) and a subsequent violation occurs.

### 15.05.020 Appeal of administrative enforcement action.

A. Any person receiving an administrative notice of violation may appeal to the director. Persons desiring to appeal an administrative notice of violation and/or fine must file a written request for the director to reconsider along with full payment of the fine amount. The director shall issue a decision regarding the appeal within fifteen (15) business days. On appeal, the director may affirm, modify, or rescind the administrative

notice of violation. If the violation is modified or rescinded, the director may order one or both of the following:

- i. Resumption of service with or without a service reinstatement fee; or
- ii. Return of all or part of the administrative fine paid with the appeal notice.

A customer seeking to reinstate suspended service shall pay a container delivery fee provided in the City's fee schedule.

#### **15.05.030 Prohibited Acts.**

A. Illegal dumping. Illegal dumping is a misdemeanor offense subject to prosecution under RMC 9.12.055. Unlawful accumulation and disposal of refuse is prohibited pursuant to RMC 10.04.

B. Private incineration. The residential burning of wastepaper, boxes, rubbish and debris is prohibited. Brush, grass, leaves, weeds and cuttings from trees, lawns, shrubs and gardens may be burned only as allowed by the Benton Clean Air Agency.

C. It is unlawful for any person to transport refuse over the city streets except in closed containers. Further, it is unlawful for any person transporting refuse over the city streets to permit such refuse to be scattered over private or public property. Violators of this provision shall have committed a civil infraction subject to a civil penalty as set forth in RMC 10.02.050(E).

D. It is unlawful for any person to scavenge or salvage at any city-owned or operated disposal site or solid waste container to remove any refuse therefrom without permission of the director. Violation of this provision is criminal trespass subject to prosecution under RMC 9.06.075. The city manager is authorized to enter into contracts in the name of the city granting an exclusive right to scavenge or salvage at any or all city-owned disposal sites for any class of refuse.

E. It is unlawful for any vehicle to enter the Horn Rapids Landfill with a load not tied, covered or otherwise secured within the vehicle. Failure to comply prior to disposing of an unsecured load is subject to a \$50.00 fee pursuant to RCW 70A.200.120 and the City's fee schedule. This section does not apply to vehicles carrying a load of dirt, sand or gravel, provided that six (6) inches of freeboard is maintained within the bed carrying the load.

F. It is unlawful for any person, contractor, or business to fraudulently represent themselves as a Richland resident or Richland business, or to assist another in such misrepresentation, or to knowingly and/or willfully misrepresent the origin or class of solid waste in order to obtain a lower disposal charge at the Horn Rapids Landfill. Failure to pay landfill charges at the time of service constitutes fraudulent activity. Customers violating this provision may be denied future use of the landfill, and/or may be prosecuted for theft of service as provided in RMC 9.06.100.

violating this provision may be denied future use of the landfill, and/or may be prosecuted for theft of service as provided in RMC 9.06.100.

E. Except as otherwise provided for herein, any person, partnership, association, firm or corporation who willfully violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of this chapter or its provisions shall have committed a civil infraction subject to a civil penalty as set forth in RMC 10.02.050(E).

F. For any violation of a continuing nature, each day's violation shall be considered a separate offense, and shall subject the offender to penalties for each offense.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland, except that the increase in the curbside recycling rates shall be effective with customer utility bills issued in January, 2022.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.


Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 7<sup>th</sup> day of December, 2021.




Ryan Lukson, Mayor

Attest:

  
Jennifer Rogers, City Clerk

Approved as to Form:

  
Heather Kintzley, City Attorney

Date Published: December 12, 2021