
Chapter 13.12 GARBAGE

13.12.000 Chapter Contents

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13.12.010 Purpose and intent

The maintenance of health and sanitation requires, and it is the intention of this chapter, to make the collection, removal and disposal of garbage and refuse within the city, universal and compulsory, and to provide that such collection, removal and disposal of garbage and refuse be performed by the solid waste section of public works of the city, or such other agency as the city council may designate.

(Ord. 4870 §1(part), 1988; Ord. 4175 §1, 1980; Ord. 2795 §1, 1953).

13.12.020 Definitions

A. For the purposes of this chapter:

1. "Garbage and refuse" means all waste and discarded materials, including rubbish and debris, waste, discarded food, animal and vegetable matter, wastepaper, cans, glass, ashes, offal and boxes.
2. "Person" means every natural person, firm, copartnership, association or a corporation.
3. "Premises" means dwellings, flats, apartments, rooming houses, hotels, clubs, restaurants, boardinghouses, eating places, shops and places of business, or any other building or structure.
4. "Recyclable" is any discarded material that can be incorporated into a manufacturing process as a raw material.
5. "Swill" means and includes every refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables, except coffee grounds.
6. "Waste" does not include materials subject to manufacture into byproducts.

B. Words used in this chapter in the present tense include the future tense, and in the singular include the plural, and in the plural include the singular, and words referring to a specific gender may be extended to any other gender.

(Ord. 7187 §3, 2019; Ord. 4870 §1(part), 1988; Ord. 2795 §2, 1953).

13.12.030 Solid waste section empowered to operate system –Private contracting –Administration

The solid waste section of the city is designated as the agency empowered to acquire, establish and operate a system for the collection, removal and disposal of garbage and refuse in the city. The solid waste section shall collect and dispose of all garbage and refuse as provided in this chapter and in other ordinances of the city not in conflict with this chapter; provided, the city council may, if it deems it advisable, contract with private agencies for the performance of any of the foregoing functions of the solid waste section. Such contracts may be let by the city council only after calling for bids and publication of notice of such calling for bids in the manner provided for contracts for public works.

The public works director shall be the administrative head of the solid waste section and shall have charge of the disposal and the collection of garbage and refuse and the public works director and the public works director's assistants shall have all the powers of sanitary officers of the city.

(Ord. 7187 §3, 2019; Ord. 4870 §1(part), 1988; Ord. 4175 §2, 1980; Ord. 2795 §3, 1953).

13.12.040 Solid waste fund –Source of moneys –Use

All receipts for the collection and the disposal of the garbage and refuse, and all receipts for the burning of garbage and all moneys received by the solid waste section, shall be deposited with the city clerk-treasurer and become a part of the solid waste fund. The expenses of establishing, conducting and operating the solid waste section shall be paid therefrom, and the city council may also provide for additional moneys to be paid into such fund from time to time from any available funds of the city, and warrants may be drawn on the fund, such additional moneys to be repaid out of the solid waste fund as soon as there be sufficient moneys available. All receipts from the sale of recyclables shall become a part of the solid waste fund but shall be accounted separately.

(Ord. 4870 §1(part), 1988; Ord. 4175 §3, 1980; Ord. 2795 §4, 1953).

13.12.050 Disposal through solid waste section required –Exceptions

It shall be the duty of every person in possession, charge or control of any premises to cause all garbage and refuse thereon to be removed and disposed of by the solid waste section of the city, unless exempted by written agreement with the city by completion of written claim of exemption substantially in the language of exemption attached to this chapter, but in no event shall such exemption be deemed to permit hauling of garbage by such claimant on the streets of Olympia; provided, all rubbish and debris occasioned by the construction, remodeling, or destruction of any building or other improvement, shall be collected and removed by the contractor, owner or other person performing such; provided, further, that any vacant dwelling place shall be exempt from the provisions of this chapter. Any dwelling place to which water service has been discontinued by act of the owner or occupant thereof shall be deemed vacant upon such termination of water service, and upon resumption of water service, shall immediately become subject to the provisions of this chapter.

(Ord. 4870 §1(part), 1988; Ord. 2795 §6, 1953).

13.12.070 Exclusive right of solid waste section –Exceptions

The solid waste section of the city, by and through its authorized agents and employees, shall have the exclusive right to gather and collect garbage and refuse within the city, and it is unlawful for any person to collect or gather garbage or refuse, except the contents of any septic tank, cesspool or other sewage collection device, within the city or to deposit or dump the same, or cause the same to be dumped or deposited, upon any lot of land or any water or waterways within the corporate limits of the city except as provided in this chapter; provided, this chapter shall not apply to the maintenance of compost piles or to the collection and hauling of grass clippings, hedge or tree clippings or to the hauling to the landfill of ashes, tin cans or other noncombustible refuse, or rubbish, from any premises where the hauling is to be done by the owner or occupant of the premises; provided, further, the city council may engage private agencies to perform the collection and disposal functions of the solid waste section as provided in Section [13.12.030](#).

(Ord. 4870 §1(part), 1988; Ord. 2795 §7, 1953).

13.12.080 Burning –Permitted within premises –Permit required outdoors

It is unlawful for any person to burn any garbage or refuse within the city; provided, however, that wastepaper, boxes, rubbish and debris, brush, grass, weeds and cuttings from trees, lawns or gardens may be burned within the premises or, upon obtaining a permit from the fire chief as provided by law, the same may be burned upon the lot upon which the premises is located.

(Ord. 2795 §9, 1953).

13.12.090 Swill permits

The public works director may in the public works director's discretion issue a permit or permits for the hauling of swill from public restaurants and/or eating places, processing plants or warehouses on such terms and under such conditions as may be determined by the public works director.

(Ord. 7187 §3, 2019; Ord. 4870 §1(part), 1988; Ord. 2795 §11, 1953).

13.12.100 Disposal schedule

The solid waste section of the city shall collect, remove and dispose of all garbage and refuse in the residential districts of the city at least once a week; and from hotels, restaurants, boardinghouses, eating places, apartment houses, schools, hospitals and in the business districts of the city as designated from time to time by the solid waste section at such more frequent intervals as, in the opinion of the section, conditions warrant. Residential districts of the city shall include all portions thereof not otherwise designated.

(Ord. 4870 §1(part), 1988; Ord. 2795 §10, 1953).

13.12.110 Garbage containers –Specifications and uses

- A. It shall be the duty of every person in possession of or control of any premises at all times to keep or cause to be kept suitable cans for the deposit therein of garbage and refuse, and to deposit or cause to be deposited such garbage and refuse therein.
- B. Such cans shall be watertight, constructed of material suitable to the solid waste section, of not more than seventy pounds in weight including the contents thereof, nor more than twenty-two pounds empty, and of not more than thirty-two gallon capacity, shall have two secure handles at the sides thereof, shall have no sharp metal edges or any other condition of the container that would make handling thereof dangerous. When garbage and refuse is placed therein, such lids shall be replaced by the person placing the same therein. Such cans shall be kept in a sanitary condition with the outside thereof clean and free from accumulating grease and decomposing materials. Each can shall be located accessible to the collector of garbage and refuse within five feet of the stopping point of the collection vehicle. G.I. type cans are not approved cans.
- C. Large suitable containers for bulk collection of garbage and refuse may, with the approval of the director of public works, be used by hotels, restaurants, boardinghouses, eating places, apartment houses, schools, hospitals and in the business district, and no garbage or refuse will be permitted to be left in any street or alley of the city except in a suitable container that is provided therefore. Said containers shall be supplied by the city and stored in a suitable location as determined by the director of public works.
- D. The director of public works may from time to time adopt regulations for the deposit of garbage and refuse, for the drainage of such garbage and refuse, and the wrapping of the same in paper or other material, to the end that no garbage can shall become a health menace.

(Ord. 4870 §1(part), 1988; Ord. 4119 §3, 1978; Ord. 2795 §5, 1953).

13.12.130 Recycling incentive

In order to encourage customers to recycle, the following provisions are made:

- A. Customers are authorized to utilize a ten-gallon can. Customers who utilize the ten or less gallon can service will not be allowed to place out more than one ten-gallon can for collection or to place additional garbage or refuse outside of the can for collection. To qualify for this rate, customer must make application with the city clerk-treasurer's office. The ten-gallon rate shall then become effective the billing period immediately following the city's receipt of said application.
- B. Customers are encouraged to participate in a recycling program. As an incentive, those customers who recycle are given a reduced garbage rate. For the purpose of this program, recycling is defined as follows: A customer must recycle at least two categories of material during a calendar month. Categories of materials include: aluminum cans, tin cans, newspapers, glass and mixed waste paper. To qualify for the reduced rate, a customer must do one of the following:
 - 1. Contact the city for a recycling container and during a calendar month recycle at least two categories of material through the city's curbside recycling program;
 - 2. Mail a current receipt from a recycling center for two categories of a material with your Utility payment.

(Ord. 4870 §3(part), 1988).

13.12.135 Recycle containers

Recycle containers will be issued to customers upon request. Said container shall be the property of and maintained by the city. Customers will be charged for stolen or damaged containers due to customer neglect.

(Ord. 4870 §3(part), 1988).

13.12.140 Extra charge for inaccessible location

In addition to any charges set forth above, a charge over and above the regular charge may be made at the discretion of the director of public works when the can is kept elsewhere than immediately accessible to an open street or alley along which garbage collection trucks may travel. Such additional charge shall be based upon the additional time consumed.

This extra charge shall not be applied to low-income elderly or low-income handicapped persons. For purposes of this section, "low-income" means a household with income less than fifty percent of the state median household income.

The city manager shall promulgate rules and regulations to implement this section.

(Ord. 4870 §1(part), 1988; Ord. 4621 §1, 1985; Ord. 4175 §6, 1980; Ord. 2795 §14, 1953).

13.12.150 Change of rate schedule –Publication

The city council may promulgate changes in any or all of the foregoing rates and may promulgate rates for any other regular or intermittent or temporary services rendered by the garbage department. Such schedules of rates or other promulgations shall, after adoption, be published in at least one issue of the official newspaper of the city and shall thereafter have the force and effect of law until modified or repealed by the city council.

(Ord. 6886 §1, 2013; Ord. 2795 §13, 1953).

13.12.160 Billing dates

For purposes of customer billing under this chapter, the monthly or bimonthly billing dates for garbage collection shall coincide with the billing dates for city water service for those customers receiving water and garbage service. For those customers receiving only garbage service, the monthly billing date shall be on the date established by the director of administrative services as set forth in Chapter [4.24](#) of this code.

(Ord. 5398 §5, 1993; Ord. 4175 §5, 1980).

13.12.170 Delinquent charges become lien against premises

All charges for the services to be rendered under this chapter shall be payable to the city clerk-treasurer and, if not paid on or before twenty days of the date of the bill, such charges shall be delinquent. Upon failure to pay such charges and upon delinquency, the amount thereof shall become a lien against the premises from which the garbage and refuse collection services shall have been rendered. Such a 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 in the manner prescribed by law for the filing and foreclosing of liens for labor and material. Such lien shall be made prior to any and all other liens and encumbrances filed subsequent to the filing of such lien, but shall be subsequent to all general taxes and local improvement assessments whether levied prior or subsequent to as authorized by Chapter 270, Laws of 1943 (RCW [35.21.120](#) through [35.21.150](#)), the State of Washington.

(Ord. 2795 §16, 1953).

13.12.180 Suspension of service for nonpayment

Service to any premises may be suspended for nonpayment of accounts. Such suspension shall not relieve the person owing such account of the duty of complying with the provisions of this chapter. Such suspension shall render the premises where such service is suspended subject to condemnation for sanitary reasons.

(Ord. 2795 §17, 1953).

13.12.190 Acquisition of equipment

The solid waste section of the city shall, subject to the approval of the city council, from time to time acquire by purchase or rental such equipment and property as is deemed necessary or advisable. All such expenditures shall be from the garbage fund.

(Ord. 4870 §1(part), 1988; Ord. 2795 §18, 1953).

13.12.200 Promulgation and publication of additional rules and regulations

The city manager shall make such rules and regulations concerning the matters covered by this chapter as may be required for the proper operation of the solid waste section or necessary to carry into effect the provisions of this chapter, which rules and regulations shall be published in at least one issue of the official newspaper of the city, and when so published, shall have the force and effect of law until repealed by the city council.

(Ord. 4870 §1 (part), 1988; Ord. 4175 §8, 1980; Ord. 2795 §19, 1953).

13.12.210 Waste management general facility charges

A. Waste. There shall hereafter be assessed a waste management general facility charge ("Waste Management GFC") for providing waste management services to any premises as shown in Title [4](#) of this code.

B. Except as provided in subsection C below, the Waste Management GFC shall be assessed at the time of building permit application. This charge shall be assessed in addition to any other charges or assessments levied under this chapter. The amount of the Waste Management GFC shall be administratively increased each month at a rate equal to the ENR construction cost index, or at the rate of one-half of one percent, whichever is more. Said funds shall be deposited in a separate account called the waste management trust fund and used only for capital expenditures related to the purchase of containers, equipment or start-up of new programs.

C. The Waste Management GFC may be deferred for residential developments in the Downtown Deferred General Facility Charge Payment Option Area. An unpaid Waste Management GFC deferred under this section shall constitute a lien against the property for which it is payable. Payment of Waste Management GFC need not be made prior to the time of connection if the payer provides the Community Planning and Development Department with proof that a Voluntary General Facility Charge Lien Agreement, in a form approved by the City Attorney, has been executed by all legal owners of the property upon which the development activity allowed by the building permit is to occur, and the agreement has been recorded in the office of the Thurston County Auditor. When such deferral is sought for a portion of the development activity, the City, at its sole discretion, shall determine the portions of the Waste Management GFC to be applied to the portions of the development activity. If a Voluntary General Facility Charge Lien Agreement has been recorded, payment of the general facility charge shall be deferred under the following conditions:

1. The Waste Management GFC will be assessed at the rate in effect at the time of issuance of the building permit for the project, and
2. Payment of the Waste Management GFC will be made at the earlier of the closing of sale of the property or any portion of the property, or three (3) years from the date of the City's issuance of a Certificate of Occupancy for the property against which the Waste Management GFC is assessed, and
3. A GFC payment made within one (1) year of issuance of the Certificate of Occupancy for the development shall pay the fees assessed at the time of issuance of the building permit, or
4. A GFC payment made within the second year from issuance of the Certificate of Occupancy for the development shall pay the Waste Management GFC plus interest, for a total of 105% of the fees assessed at the time of issuance of the building permit, or
5. A GFC payment made within the third year from issuance of the Certificate of Occupancy for the development shall pay the Waste Management GFC plus interest, for a total of 110% of the fees assessed at the time of issuance of the building permit.

In the event that the Waste Management GFC and/or interest (if any) is not paid within the time provided in this subsection, all such unpaid charges, fees and interest shall constitute a lien against the property for which they were assessed. The lien may be enforced either by foreclosure pursuant to RCW [61.12](#) or by termination of water service pursuant to Section [13.04.430](#) of this Code. The City may use other collection methods at its option. In the event of foreclosure, the owner at the time of foreclosure shall also pay the City's reasonable attorney fees and costs incurred in the foreclosure process. Notwithstanding the foregoing, the City shall not commence foreclosure proceedings less than thirty (30) calendar days prior to providing written notification to the then-present owner of the property via certified mail with return receipt requested advising of its intent to commence foreclosure proceedings. If the then-present owner cures the default within the thirty-day cure period, no attorney fees and/or costs will be owed.

The deferred payment option set forth in this subsection shall terminate on August 1, 2009, unless otherwise re-authorized by the City Council.

(Ord. 6886 §15, 2013; Ord. 6420 §4, 2006; 5159 §2, 1991; Ord. 5151 §2, 1990).

The Olympia Municipal Code is current through Ordinance 7358, passed February 13, 2023.

Disclaimer: The City Clerk's Office has the official version of the Olympia Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

Olympia's Codification Process (<http://olympiawa.gov/city-government/codes-plans-and-standards/municipal-code.aspx>)

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