

ORDINANCE NO. 2019-25

AN ORDINANCE INCREASING THE RECYCLING COMMODITIES SURCHARGE FOR THE CITY OF WALLA WALLA AND TAKING FURTHER ACTION RELATED THERETO

WHEREAS, the City of Walla Walla was established in 1862 by an act of the Legislative Assembly of the Territory of Washington and passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, RCW 35A.21.150 authorizes the City to provide sanitation services in accordance with ch. 35.67 RCW; and

WHEREAS, RCW 35A.80.010 authorizes the City to provide utility services in accordance with ch. 35.92 RCW; and

WHEREAS, RCW 35.67.020 authorizes the City to charge for provided sanitation (a/k/a refuse collection and disposal) services; and

WHEREAS, RCW 35.92.020 and RCW 35.21.130 authorize the City to charge for providing solid waste handling which includes recycling; and

WHEREAS, RCW 35.21.130 provides that the City may by ordinance require owners and occupants of premises to use its solid waste and recyclable materials collection and disposal systems; and

WHEREAS, Walla Walla Municipal Code section 8.20.030 requires citizens to use the City's recyclable materials and collection system; and

WHEREAS, the Walla Walla City Council has determined that a recycling commodities surcharge must be imposed to offset losses incurred for the transport, processing and sale of recyclable materials, and

WHEREAS, the Walla Walla City Council passed Walla Walla City Ordinance 2018-14 (June 13, 2018) establishing a recycling commodities surcharge; and

WHEREAS, the Walla Walla City Council passed Walla Walla City Ordinance 2018-50 (Dec. 19, 2018) adjusting the recycling commodities surcharge; and

WHEREAS, the Walla Walla City Council has determined that the amount of the surcharge needs to be raised due to market conditions; and

WHEREAS, the Walla Walla City Council has considered adoption of this ordinance during a regularly and duly called public meeting of said Council, has given careful review and consideration to said ordinance, and finds said ordinance to be in the best interests of the City of Walla Walla,

NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:

Section 1: The following monthly recycling commodities surcharge is imposed upon City utility account customers and all owners and occupants of residential premises in the City of Walla Walla. The surcharge herein shall take effect on January 1, 2020:

Description	Municipal Code Section	monthly surcharge in dollars
RECYCLING COMMODITIES SURCHARGE		
Recycling commodities surcharge per DU	8.20.196	1.29
Recycling commodities surcharge (each additional container) per DU	8.20.196	1.29

Section 2: The surcharge imposed by this ordinance shall apply in addition to recycling rates imposed by Walla Walla City Ordinance 2017-54 (Dec. 20, 2017).

Section 3: This ordinance supersedes and replaces Walla Walla City Ordinance 2018-50 (Dec. 19, 2018).

Section 4: This ordinance is referenced in the Walla Walla Municipal Code as a recycling rate ordinance.

Section 5: The rates and charges herein established are not exclusive and shall apply in addition to any other rates and charges which may apply.

Section 6: It shall be the policy of the City of Walla Walla to dispose of recyclable materials at the City of Walla Walla landfill when the cost per ton for the City of Walla Walla to recycle collected materials (a/k/a recycling commodities costs) exceeds the landfill's regular tipping fee per ton. The City Manager is authorized to promulgate rules and regulations to implement this policy.

Section 7: The City Clerk is authorized and directed to publish a summary hereof in accordance with Revised Code of Washington §§ 35A.13.200 and 35A.12.160.

Section 8: If any part of this ordinance is for any reason declared or held to be invalid or unconstitutional by any court of competent jurisdiction, such part shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining parts hereof.

PASSED by the City Council of the City of Walla Walla, Washington, this 6th day of
November, 2019.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

SUMMARY OF ORDINANCE NO. 2019-25

AN ORDINANCE INCREASING THE RECYCLING COMMODITIES SURCHARGE FOR THE CITY OF WALLA WALLA AND TAKING FURTHER ACTION RELATED THERETO

The Walla Walla City Council passed an ordinance at its November 6, 2019 meeting which increases the recycling commodities surcharge upon City utility account customers and all owners and occupants of residential premises in the City of Walla Walla from \$1.21 per month per dwelling unit plus an additional \$1.21 per month for each additional recycling container used at a dwelling unit to \$1.29 per month per dwelling unit plus an additional \$1.29 per month for each additional recycling container used at a dwelling unit.

The surcharge(s) shall apply in addition to recycling rates imposed by Walla Walla City Ordinance 2017-54 (Dec. 20, 2017).

The surcharge shall take effect on January 1, 2020.

The ordinance also adopted a policy whereby the City of Walla Walla will dispose of recyclable materials at the City of Walla Walla landfill when the cost per ton for the City of Walla Walla to recycle collected materials (a/k/a recycling commodities costs) exceeds the landfill's regular tipping fee per ton, and it authorizes the Walla Walla City Manager to promulgate rules and regulations to implement this policy.

The full text of the ordinance will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.

Summary approved as to form

City Attorney