
Local Government Committee

HB 2481

Brief Description: Concerning food and yard waste collection space for qualifying new residential occupancies with more than two dwelling units.

Sponsors: Representatives Senn, Bergquist, Farrell, Riccelli, Fitzgibbon, Appleton, Walkinshaw, Sawyer, Fey, Gregerson and Pollet.

Brief Summary of Bill

- Requires the State Building Code Council (Council) to adopt rules by December 1, 2014, that require space to be provided at new apartment houses, assisted living facilities, dormitories, and fraternities and sororities, for the collection and periodic transfer off-site of food and yard waste.
- Requires the Council to exempt from the adopted rules new buildings located in areas that do not receive curbside collection service of food and yard wastes in accordance with a solid waste management plan.

Hearing Date: 1/27/14

Staff: Michaela Murdock (786-7289).

Background:

Solid Waste Management Plans.

By statute, local governments have primary responsibility for implementing and providing adequate solid waste handling (*i.e.*, management, storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes). Each county, in cooperation with the cities within the county, is required to prepare a coordinated, comprehensive solid waste management plan (comprehensive plan). Comprehensive plans must contain specified criteria, including source separation strategies.

"Source separation strategies" are strategies that separate different kinds of solid waste at the place where waste originates. Such strategies include: (1) programs to collect source-separated

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materials (*e.g.*, recyclable material) from residences in urban and rural areas; and (2) programs to collect yard waste, if the county or city finds that there are adequate markets or capacity to consume the composted material within or near the service area.

In urban areas, source-separated materials must be collected from single and multi-family residences, unless the Department of Ecology approves an alternative program. In rural areas, collection programs for source-separated material must include, but are not limited to, drop-off boxes, buy-back centers, or a combination of both. Urban and rural service levels are defined in the comprehensive plan.

Review of and, as necessary, revisions to comprehensive plans must occur every five years. Updates to a comprehensive plan after June 10, 2010, must consider and plan for certain handling methods or services, including:

- source separation of recyclable materials and products, organic materials, and wastes;
- collection of source-separated materials; and
- handling and proper preparation of organic materials for composting or anaerobic digestion.

The State Building Code Act.

The State Building Code Act (Act) provides, among other things, minimum performance standards and requirements for construction and construction materials, consistent with accepted standards of engineering, fire, and life safety. The State Building Code consists of certain model codes, including building and residential codes, which are adopted by reference in the Act. It is the responsibility of the State Building Code Council (Council) to adopt, maintain, regularly review updates of, and amend as appropriate the codes adopted by reference.

The governing body of each county or city is authorized to amend the State Building Code as it applies within its jurisdiction; however, the minimum performance standards of the codes may not be diminished. Additionally, to the degree that amendments apply to single-family or residential buildings, the Council must approve or deny all county or city amendments to the State Building Code.

Residential Occupancies.

The State Building Code, for purposes of determining whether specific rules or standards apply to a building, classifies certain residential occupancies as Residential Group R-2 (R-2 occupancies). The R-2 occupancies contain sleeping units or more than two dwelling units and the occupants are primarily permanent in nature. They include:

- apartment houses;
- assisted living facilities;
- boarding houses with more than 16 occupants;
- congregate living facilities with more than 16 occupants;
- convents or monasteries;
- dormitories;
- fraternities and sororities;
- motels or hotels (non-transient);
- live/work units;
- residential treatment facilities; and
- vacation timeshare properties.

Summary of Bill:

The Council is directed to adopt rules by December 1, 2014, requiring that space be provided at specified new R-2 occupancies for the collection and periodic transfer off-site of food and yard waste. The food and yard waste collection areas must meet the needs of the occupancy and must be, as appropriate, available to occupants.

The new R-2 occupancies that are required to provide food and yard waste collection areas are:

- apartment houses;
- assisted living facilities;
- dormitories; and
- fraternities and sororities.

The rules adopted by the Council must include an exemption for new buildings located in areas that do not receive curbside collection services of food and yard wastes in accordance with a solid waste management plan.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.