

**Chapter 36.58A RCW**  
**SOLID WASTE COLLECTION DISTRICTS**

**Sections**

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*Dissolution of inactive special purpose districts: Chapter 36.96 RCW.*

**RCW 36.58A.010 Authorized—Conditions—Modification or dissolution of district.** Any county legislative authority may establish solid waste collection districts within the county boundaries for the mandatory collection of solid waste: PROVIDED, That no such district shall include any area within the corporate limits of any city or town without the consent of the legislative authority of the city or town. Such districts may be established only after approval of a coordinated, comprehensive solid waste management plan adopted pursuant to chapter 134, Laws of 1969 ex. sess. and chapter 70A.205 RCW or pursuant to another solid waste management plan adopted prior to May 21, 1971 or within one year thereafter. The legislative authority of the county may modify or dissolve such district after a hearing as provided for in RCW 36.58A.020. [2020 c 20 § 1025; 1971 ex.s. c 293 § 2.]

*Certain provisions not to detract from commission powers, duties, and functions: RCW 80.01.300.*

**RCW 36.58A.020 Hearings upon establishing, modification or dissolution of district—Notice—Scope.** The county legislative authority proposing to establish a solid waste collection district or to modify or dissolve an existing solid waste collection district shall conduct a hearing at the time and place specified in a notice published at least once not less than ten days prior to the hearing in a newspaper of general circulation within the county. Additional notice of such hearing may be given by mail, posting on the property, or in any manner local authorities deem necessary to notify adjacent landowners and the public. All hearings shall be public and the legislative authority shall hear objections from any person affected by the formation of the solid waste collection district and make such changes in the boundaries of the district or any other modifications of plans that the legislative authority deems necessary. [1971 ex.s. c 293 § 3.]

*Certain provisions not to detract from commission powers, duties, and functions: RCW 80.01.300.*

**RCW 36.58A.030 County legislative authority determination required to establish district—Commission findings as to present services.** No solid waste collection district shall be established in an area within the county boundaries unless the county legislative authority, after the hearing regarding formation of such district, determines from that hearing that mandatory solid waste collection is in the public interest and necessary for the preservation of public health. Such determination by the county legislative authority shall require the utilities and transportation commission to investigate and make a finding as to the ability and willingness of the existing garbage and refuse collection companies servicing the area to provide the required service.

If the utilities and transportation commission finds that the existing garbage and refuse collection company or companies are unable or unwilling to provide the required service it shall proceed to issue a certificate of public need and necessity to any qualified person or corporation in accordance with the provisions of RCW 81.77.040.

The utilities and transportation commission shall notify the county legislative authority within sixty days of its findings and actions and if no qualified garbage and refuse collection company or companies are available in the proposed solid waste collection district, the county legislative authority may provide county garbage and refuse collection services in the area and charge and collect reasonable fees therefor. The county shall not provide service in any portion of the area found by the utilities and transportation commission to be receiving adequate service from an existing certificated carrier unless the county shall acquire the rights of such existing certificated carrier by purchase or condemnation. [1971 ex.s. c 293 § 4.]

*Certain provisions not to detract from commission powers, duties, and functions: RCW 80.01.300.*

**RCW 36.58A.040 County may collect fees of garbage and refuse collection company—Disposition of fees—Subrogation—Lien.** If any garbage and refuse collection company certified by the utilities and transportation commission which operates in any solid waste collection district fails to collect any fees due and payable to it for garbage and refuse collection services, such company may request the county to collect such fees. Upon the collection of such fees, the county shall pay one-half of the fees actually collected to the garbage and refuse collection company entitled to receive such and shall deposit the remaining one-half in the county general fund.

When the county undertakes to collect such fees as requested by the garbage and refuse collection companies, the county shall be subrogated to all of the rights of such companies. Any such fees which the county fails to collect shall become liens on the real or personal property of the persons owing such fees and the county may take all appropriate legal action to enforce such liens. [1971 ex.s. c 293 § 6.]

*Certain provisions not to detract from commission powers, duties, and functions: RCW 80.01.300.*