

ORIGINAL

ORDINANCE NO. 970

AN ORDINANCE OF THE CITY OF REDMOND WASHINGTON, ENACTING A NEW CHAPTER OF THE REDMOND CITY CODE 6.04, REGULATING THE DISPOSAL OF LITTER IN PUBLIC PLACES, SIDEWALKS AND STREETS, PRIVATE RESIDENCES AND PROPERTY; PROHIBITING THE THROWING OF LITTER FROM VEHICLES AND WATERCRAFT; REGULATING PLACEMENT AND MAINTENANCE OF PUBLIC LITTER RECEPTACLES; AND PROHIBITING THE DAMAGING OF SUCH; PROVIDING AUTHORITY FOR ENFORCEMENT AND PROVIDING PENALTIES FOR VIOLATIONS; AND REPEALING THE EXISTING CHAPTERS 6.04 OF THE REDMOND CITY CODE.

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
DO ORDAIN AS FOLLOWS:

Section 1. Chapter 6.04, "Garbage and Refuse", is hereby repealed.

Section 2. A new Chapter of the Redmond City Code Chapter 6.04, "Litter Control Code", is hereby enacted as follows:

"6.04.010 SHORT TITLE. This Ordinance shall be known and may be commonly referred to as the 'Litter Control Code'."

"6.04.020 PURPOSE. The purpose of this Chapter is to accomplish litter control in the City. This Chapter is intended to place upon all persons within the City, the duty of contributing to the public cleanliness of the City and appearance in order to promote the public health, safety and welfare and to protect the economic interests of the people of the City against unsanitary and unsightly conditions. It is further the intent of this Chapter to protect the people against the health and safety menace and the expense incident to littering."

"6.04.030 DEFINITIONS. As used in this Litter Control Code, unless the context clearly indicates otherwise, the following terms have the following meanings:

- A. 'Compost receptacle' means a container specifically designed to facilitate the decay of a mixture of largely organic matter, which mixture is intended for fertilization and conditioning of land used for the growing of plants.
- B. 'Garbage can', where used in this Chapter, shall mean a water tight container, not exceeding four cubic feet or thirty gallons in capacity, weighing not over twenty-two (22) pounds when empty, and fitted with two sturdy handles, one on each side, and a tight cover.
- C. 'Handbill' is any printed or written matter excluding newspapers; which advertises for sale any commodity, or thing, or which directs attention to any business or other activity, or event of any kind, and which is not distributed by means of the U.S. mail.

- D. 'Highway' for the purpose of this Chapter is synonymous with and includes street, road and alley.
- E. 'Litter', for the purpose of this Chapter shall mean all waste, whether biodegradable or non-biodegradable, including but not limited to, garbage, trash, ashes, industrial waste, demolition and construction waste, abandoned vehicles and parts thereof, and all vegetable waste including yard and garden trimmings not stored in a compost receptacle.
- F. 'Newspaper' is any newspaper of general circulation as defined by general law.
- G. 'Park' is a park, reservation, playground, beach, recreation center or any other area in the City, devoted to active or passive outdoor recreation.
- H. 'Public litter receptacle' means those containers meeting minimum requirements of State regulations of the State Department of Ecology (WAC 173-310).
- I. 'Public place' means any area that is used or held out for use by the public whether owned or operated by public or private interests.
- J. 'Solid waste receptacle' as used in this Chapter means a metal container constructed for and intended for depositing solid waste materials and which are furnished and sited by the City's solid waste contractors for use by the immediate residents or businesses.
- K. 'Vehicle' includes every device capable of being moved upon a public street, and in, up or by which any person or property is or may be transported or drawn upon a public street, excepting devices used exclusively upon stationary rail or tracks.
- L. 'Watercraft' means any boat, ship, vessel, barge or other floating craft."

"6.04.040 PROHIBITIONS.

- A. Litter in General. No person, shall throw, drop, deposit, discard or otherwise dispose of litter upon any public place in the City or upon any private property within public view, or in any waters within the jurisdiction of the City whether from a vehicle or otherwise except:
 - 1. When such property is designated by the State or by any of its agencies or the City for disposal of litter and refuse, and such person is authorized by the proper public authority to so use such property; or
 - 2. When a public litter receptacle or other such container is used in such manner that the litter will be prevented from being carried away or deposited by the elements upon any part of said public place or any private property; or
 - 3. When the litter or refuse is placed in garbage cans, the covers of which shall not be removed except when necessary for the depositing or removal of garbage or refuse. No hot ashes or clinkers shall be placed in any garbage can or other container for collection and removal.

- B. Sweeping Litter into Gutter Prohibited. No person shall sweep into or deposit in any gutter, street, alley or other public place the accumulation of litter, other than leaves, from any building, lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalks in front of their premises free of litter.
- C. Throwing or Distributing Handbills. No person shall throw or deposit any handbill upon any public place within the City. Provided, however, that it shall not be unlawful for any person to hand out, without charge to the receiver thereof, any handbill to any occupant of a vehicle, or to any other person who is willing to accept it. No person shall throw or deposit any handbill in or upon any uninhabited or vacant private property.
- D. Vehicle Loading.
1. No vehicle shall be driven or moved on any public street unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping therefrom, except that sand or gravel may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway surface in the cleaning or maintaining of such roadway by public authority having jurisdiction for the same or by persons under contract or other authorization by such public authority.
 2. Any person owning or operating a vehicle from which any glass or other objects of its load have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public street shall immediately cause such public street to be cleaned of all such glass or other objects and shall pay any cost therefor."

"6.04.050 PUBLIC LITTER RECEPTACLES.

- A. Placement. Public litter receptacles shall be placed in all parks, trailer parks serving the traveling public, gasoline service stations, tavern parking lots, shopping centers, grocery store parking lots, marinas, boat launching areas, beaches, bathing areas and other such public places in numbers appropriate to need as specified by State regulation WAC 173-310.
- B. Owner's Responsibility. It shall be the responsibility of any person owning or operating any establishment or public place in which litter receptacles are required by this Section to procure, place and maintain such litter receptacles at their own expense on the premises in accord with such State regulations.
- C. Use of Receptacles. Public litter receptacles placed on sidewalks and other public places shall be used only for such litter material as persons may have for disposal while passing along the street or other public place and in no event shall be used for the disposal of other waste accumulated in residences or places of business.

- D. Damaging Receptacles. It shall be unlawful for any person to willfully damage or deface any litter receptacle.
- E. Removal of Litter. It shall be the responsibility of the local municipality, other agency or person owning or maintaining public litter receptacles for the removal of litter from such receptacles."

"6.04.060 PENALTY. Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor and in addition to or in lieu of any other penalty, such person, may in the sound discretion of the Court, be directed by the Court to pick up and remove from any public place or any private property, with permission of the owner, or the person in possession of the property, upon which it is established that such person has deposited litter, any and all litter deposited thereon by anyone prior to the date of the execution of sentence."

"6.04.070 ENFORCEMENT OFFICERS AND PROCEDURES. The Department of Public Works is authorized to respond to any complaints of violations of this Chapter and to conduct any necessary investigation.

"6.04.080 CITY DUMPING CONTRACTS. The City shall, from time to time, and whenever possible, have in effect an exclusive contract with some person, persons or corporation, for the collection of garbage within the City at a fee."

"6.04.090 SEVERABILITY. If any section, word or words of this Chapter is found to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect the remaining portions of this Chapter."

"6.04.100 INTERPRETATION. In the event any other City Ordinance, whether or not codified, is in conflict with any of the terms of this Chapter, the more stringent shall be construed as applicable."

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication by posting as provided by law.

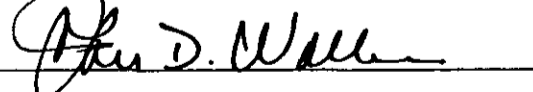
CITY OF REDMOND


MAYOR, CHRISTINE T. HIMES

ATTEST/AUTHENTICATED:


CITY CLERK, PAUL F. KUSAKABE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: April 1, 1981
PASSED BY THE CITY COUNCIL: April 7, 1981
SIGNED BY THE MAYOR: April 7, 1981
POSTED: April 9, 1981
EFFECTIVE DATE: April 14, 1981