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HOUSE BILL 2331

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State of Washington

52nd Legislature

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By Representatives Valle, Horn, Rust, D. Sommers, Sprenkle, Franklin, Nealey and J. Kohl

Read first time 01/15/92. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to penalties for littering; amending RCW 70.93.060,  
2 70.93.070, and 70.95.240; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.93.060 and 1983 c 277 s 1 are each amended to read  
5 as follows:

6 (1) No person shall throw, drop, deposit, discard, or otherwise  
7 dispose of litter upon any public property in the state or upon private  
8 property in this state not owned by him or in the waters of this state  
9 whether from a vehicle or otherwise including but not limited to any  
10 public highway, public park, beach, campground, forest land,  
11 recreational area, trailer park, highway, road, street, or alley  
12 except:

13 ~~((1))~~ (a) When ~~((such))~~ the property is designated by the state  
14 or ~~((by any of))~~ its agencies or political subdivisions for the

1 disposal of garbage and refuse, and ~~((such))~~ the person is authorized  
2 to use such property for ~~((such))~~ that purpose;

3 ~~((+2))~~ (b) Into a litter receptacle in ~~((such))~~ a manner that  
4 ~~((the litter))~~ will ~~((be prevented))~~ prevent litter from being carried  
5 away or deposited by the elements upon any part of said private or  
6 public property or waters.

7 ~~((Any))~~ (2) A person violating the provisions of this section shall  
8 be guilty of a ~~((misdemeanor and the fine for such violation shall not~~  
9 ~~be less than fifty dollars for each offense. In addition thereto,~~  
10 ~~except where infirmity or age or other circumstance would create a~~  
11 ~~hardship, such person shall be directed by the court in which~~  
12 ~~conviction is obtained to pick up and remove litter from public~~  
13 ~~property and/or private property, with prior permission of the legal~~  
14 ~~owner, for not less than eight hours nor more than sixteen hours for~~  
15 ~~each separate offense. The court shall schedule the time to be spent~~  
16 ~~on such activities in such a manner that it does not interfere with the~~  
17 ~~person's employment and does not interfere substantially with the~~  
18 ~~person's family responsibilities))~~:

19 (a) Class 4 civil infraction as defined in RCW 7.80.120, if the  
20 person littered in an amount less than or equal to one cubic foot; or

21 (b) Class 1 civil infraction as defined in RCW 7.80.120 plus the  
22 cost of removal and disposing of the litter, if the person littered in  
23 an amount greater than one cubic foot.

24 **Sec. 2.** RCW 70.93.070 and 1983 c 277 s 2 are each amended to read  
25 as follows:

26 The director shall prescribe the procedures for the collection of  
27 ~~((fines and bail forfeitures including the imposition of additional~~  
28 ~~penalty charges for late payment of fines))~~ penalties, costs, and other  
29 charges allowed by chapter 7.80 RCW for violations of this chapter.

1 Included in the procedures shall be provisions requiring ~~((the~~  
2 ~~distribution of))~~ that one-half of the monetary amount ~~((of fines))~~  
3 ~~actually collected~~ ~~((under the enforcement))~~ by the state or local  
4 government entity enforcing the provisions of this chapter ~~((by a local~~  
5 ~~governmental agency to))~~ be distributed to that local governmental  
6 ~~((agency))~~ entity.

7 **Sec. 3.** RCW 70.95.240 and 1969 ex.s. c 134 s 24 are each amended  
8 to read as follows:

9 After the adoption of regulations or ordinances by any county,  
10 city, or jurisdictional board of health providing for the issuance of  
11 permits as provided in RCW 70.95.160, it shall be unlawful for any  
12 person to dump or deposit or permit the dumping or depositing of any  
13 solid waste onto or under the surface of the ground or into the waters  
14 of this state except at a solid waste disposal site for which there is  
15 a valid permit ~~((: PROVIDED, That nothing herein))~~. This section shall  
16 not prohibit a person from dumping or depositing solid waste resulting  
17 from his own activities onto or under the surface of ground owned or  
18 leased by him when such action does not violate statutes or ordinances,  
19 or create a nuisance. ~~((Any))~~ A person violating this section shall be  
20 guilty of a ~~((misdemeanor))~~:

21 (a) Class 4 civil infraction as defined in RCW 7.80.120, if the  
22 amount of solid waste is less than or equal to one cubic foot; or

23 (b) Class 1 civil infraction as defined in RCW 7.80.120 plus the  
24 cost of removal and disposal of the solid waste, if the amount of solid  
25 waste is greater than one cubic foot.