

# Chapter 173-310 WAC

## LITTER RECEPTACLES

### WAC

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**WAC 173-310-010 Purpose.** By the provisions of chapter 70.93 RCW, the department of ecology has been delegated authority to conduct a permanent and continuous program to control and remove litter from this state to the maximum practical extent possible. The purpose of this chapter is to provide minimum standards for litter receptacles and to prescribe the use, placement and distribution of litter receptacles throughout the state, under the authority set forth in RCW 70.93.040 and 70.93.090.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-010, filed 9/8/00, effective 10/9/00; Order 72-10, § 173-310-010, filed 5/15/72, effective 9/1/72.]

**WAC 173-310-020 Definitions.** The following words and phrases as used herein have the following meanings, unless context clearly dictates otherwise:

(1) "Anti-litter symbol" means the standard symbol adopted herein by the department.

(2) "Department" means the Washington state department of ecology.

(3) "Litter" means all waste materials including, but not limited to, disposable packages or containers susceptible to being dropped, deposited, discarded or otherwise disposed of upon any property in the state, and solid waste that is illegally dumped, but not including the wastes of primary processes of mining, logging, sawmilling, farming or manufacturing.

(4) "Litter receptacle" means containers for the disposal of litter of not more than 60-gallon capacity: Provided, That special containers of larger capacity such as those referred to as "dumpsters," and garbage containers, or other waste containers serving single or multifamily residences are not included within this definition and their use is in no way regulated or affected by this chapter.

(5) "Person" means any industry, public or private corporation, copartnership, association, firm, individual, or other entity whatsoever.

(6) "Public place" means any area that is used or held out for the use of the public whether owned and operated by public or private interests, but not including indoor areas. An indoor area means any enclosed area covered with a roof and protected from moisture and wind.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-020, filed 9/8/00, effective 10/9/00; Order 72-10, § 173-310-020, filed 5/15/72, effective 9/1/72.]

(9/8/00)

**WAC 173-310-030 Responsibility to obtain and place litter receptacle.** It is the responsibility of any person owning or operating any establishment or public place in which litter receptacles are required by this chapter to obtain, place and maintain litter receptacles at their own expense on the premises in accordance with the provisions of this chapter.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-030, filed 9/8/00, effective 10/9/00; Order 72-10, § 173-310-030, filed 5/15/72, effective 9/1/72.]

**WAC 173-310-040 Litter receptacles, where required.** Litter receptacles meeting the standards established by this chapter must be placed in the following public places in the state:

- (1) Along public highways lying outside the limits of incorporated cities and towns;
- (2) Parks;
- (3) Campgrounds;
- (4) Trailer park facilities for transient habitation;
- (5) Drive-in restaurants;
- (6) Gasoline service stations;
- (7) Tavern parking lots;
- (8) Shopping centers;
- (9) Grocery store parking lots;
- (10) Marinas;
- (11) Boat launching areas;
- (12) Boat moorage and fueling stations;
- (13) Public and private piers
- (14) Beaches and bathing areas;
- (15) Outdoor parking lots, other than those specifically designated above, that have a capacity of more than 50 automobiles;
- (16) Fairgrounds;
- (17) Schoolgrounds;
- (18) Racetracks;
- (19) Sporting event sites with seating capacity for more than 200 spectators;
- (20) Sites for carnivals, festivals, circuses, shows or events of any kind to which the public is invited;
- (21) Business district sidewalks.

Litter receptacles must be placed in the above public places only during times those places or the events held at them are open to the public.

Litter receptacles must be placed in conformance with laws, ordinances, resolutions and rules pertaining to fire, safety, public health or welfare.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-040, filed 9/8/00, effective 10/9/00; Order 73-7, § 173-310-040, filed 4/23/73; Order 72-10, § 173-310-040, filed 5/15/72, effective 9/1/72.]

**WAC 173-310-050 Number of litter receptacles required.** The minimum number of receptacles meeting the standards established by this chapter required in public places listed in the preceding section is as follows:

(1) Along public highways lying outside the limits of incorporated cities and towns - one receptacle at each rest area, view point or similar turnout, officially designated as such by the primary jurisdictional authority;

(2) Parks, campgrounds and trailer park facilities for transient habitation - one receptacle at each public restroom facility, and one receptacle at each established trailhead that gives access by foot, motorcycle, bicycle or a similar trail for excursion or exploration out of or away from the central activity area;

(3) Gasoline service stations - one litter receptacle placed in plain view of each gasoline service island, with a minimum of one receptacle for each side of the station on which gasoline pumps are located;

(4) Drive-in restaurants, tavern parking lots, shopping centers, grocery store parking lots and outdoor parking lots that have a capacity of more than 50 automobiles - one receptacle, plus one additional receptacle for each 200 parking spaces in excess of 50 spaces;

(5) Marinas, boat launching areas, boat moorage and fueling stations and public and private piers - one receptacle at each area;

(6) Beaches and bathing areas - one receptacle at each public restroom facility, and one receptacle at each access point officially designated as such by the primary jurisdictional authority;

(7) Schoolgrounds - one receptacle at each schoolground bus loading zone officially designated as such by the primary jurisdictional authority;

(8) Racetracks and sporting event sites with seating capacity for more than 200 spectators - one receptacle, plus one additional receptacle for each 1000 seating capacity in excess of 200;

(9) Fairgrounds and sites for carnivals, festivals, circuses, shows or events of any kind to which the public is invited - one receptacle at the entrance to each ride, and one receptacle at each end of walk-through exhibit buildings;

(10) Along the sidewalks of business districts of incorporated cities and towns - one receptacle per 800 feet of sidewalk curbing.

No variance from the provisions of this section may be allowed except with the express permission of the department of ecology.

Notwithstanding the minimum requirements of this section, any public place in which litter receptacles meeting the standards of this chapter are required that is found to have an accumulation of uncontained litter under circumstances that the person responsible for placing receptacles could have reasonably anticipated the litter is deemed to have an insufficient number of receptacles to be in compliance with this rule.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-050, filed 9/8/00, effective 10/9/00; Order DE 76-34, § 173-310-050, filed 9/13/76; Order 73-7, § 173-310-050, filed 4/23/73; Order 72-10, § 173-310-050, filed 5/15/72, effective 9/1/72.]

**WAC 173-310-060 Minimum standards.** Litter receptacles obtained and placed in public places as required by this chapter shall meet the following minimum standards:

(1) General specifications.

(a) The body of each litter receptacle must be constructed of a minimum of 24-gauge galvanized metal or other material of equivalent strength, that will with normal wear and tear, reasonably resist corrosion and acts of vandalism.

(b) All outside edges of each litter receptacle must be rounded.

(c) Openings in covered litter receptacles must be readily identifiable and readily accessible for the deposit of litter.

(d) Construction and general configuration of litter receptacles must be in conformance with all pertinent laws, ordinances, resolutions or rules pertaining to fire, safety, public health or welfare.

(2) Color and marking.

(a) The entire outer surface of each litter receptacle must be colored medium green conforming with Federal Color Standard No. 595A, Color No. 24424, or Color No. 34424.

(b) Each litter receptacle shall bear the official anti-litter symbol, as adopted herein. The symbol must be colored deep blue conforming with Federal Color Standard No. 595A, Color No. 15180. The symbol may not be distorted as to proportion and may not be incorporated into a commercial advertisement on the receptacle. For litter receptacles along the right of way of public highways, the symbol must be of a size so as to be distinguishable from a minimum distance of 75 feet.

(c) The words "**Deposit Litter**" must be placed on the litter receptacle. Lettering used for these two words must be block-type capital letters to be readily legible at a distance of 30 feet.

(d) No commercial advertisement may be placed on any litter receptacle. However, the person owning any receptacle may place a single line on the receptacle identifying his ownership, and a single credit line designating any donor of the litter receptacle other than the owner may also be placed on the receptacle: Provided, That the lettering does not exceed the size specified for the words "**Deposit Litter**," and does not interfere with or distract from the prominence of the anti-litter symbol.

(3) Maintenance. Compliance with these minimum standards shall include proper upkeep, maintenance and repair of litter receptacles sufficient to permit the receptacles to serve the functions for which they were designed and to prevent the appearance of the receptacles from becoming unsightly. Inadequately maintained or unsightly litter receptacles are in violation of these minimum standards.

(4) Wherever litter receptacles are placed in any public place other than where required by this chapter, the receptacles shall conform to the provisions of this chapter.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-060, filed 9/8/00, effective 10/9/00; Order 72-10, § 173-310-060, filed 5/15/72, effective 9/1/72.]

**WAC 173-310-070 Anti-litter symbol.** The official state anti-litter symbol is the symbol depicted in Appendix A to this chapter and shall conform to the Federal Color Standard No. 595A, Color No. 15180, which appendix is hereby incorporated into this chapter and made part hereof. Permission to use this symbol in the manner required by this chapter has been obtained from the copyright holder and any other use without the express permission of the copyright holder is prohibited.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-070, filed 9/8/00, effective 10/9/00; Order 72-10, § 173-310-070, filed 5/15/72, effective 9/1/72.]

**WAC 173-310-080 Prohibited acts.** (1) No person may damage, deface, abuse or misuse any litter receptacle not owned by him or her so as to interfere with its proper function or to detract from its proper appearance.

(2) No person may deposit leaves, clippings, prunings or gardening refuse in any litter receptacle.

(3) No person may deposit household garbage in any litter receptacle: Provided, That this subsection may not be construed to mean that wastes of food consumed on the premises at any public place may not be deposited in litter receptacles.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-080, filed 9/8/00, effective 10/9/00; Order 72-10, § 173-310-080, filed 5/15/72, effective 9/1/72.]

**WAC 173-310-090 Penalties.** Penalties for violation of this chapter must be imposed in accordance with chapter 70.93 RCW.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-090, filed 9/8/00, effective 10/9/00; Order 72-10, § 173-310-090, filed 5/15/72, effective 9/1/72.]

**WAC 173-310-100 Effective date and compliance.** (1) This chapter shall become effective on September 1, 1972.

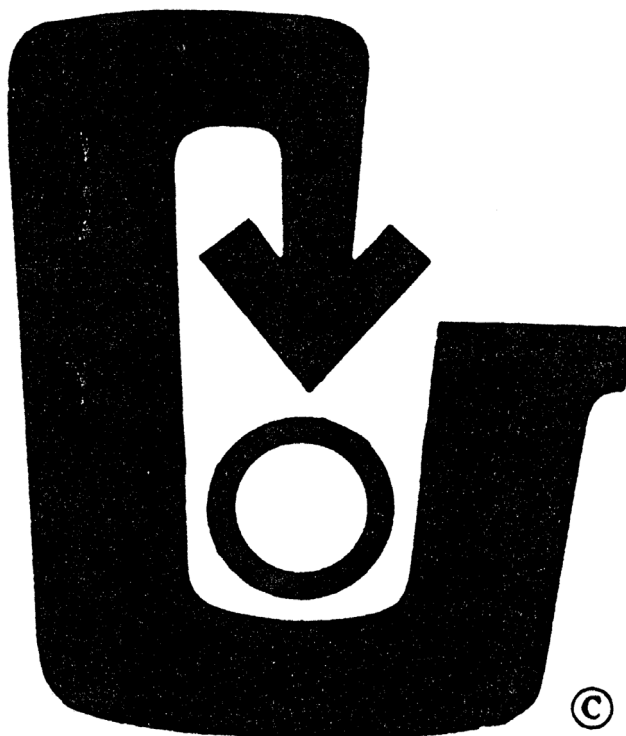
(2) All litter receptacles in any public place designated in this chapter that are placed after the effective date hereof shall conform to the provisions of this chapter.

(3) Litter receptacles in any public place designated in this chapter that were in place before the effective date hereof must be modified to conform with marking requirements of this chapter no later than January 1, 1973.

(4) All litter receptacles in any public place designated in this chapter must be modified or replaced so as to fully conform with all requirements of this chapter no later than July 1, 1975.

[Statutory Authority: Chapter 70.93 RCW. 00-19-015 (Order 00-18), § 173-310-100, filed 9/8/00, effective 10/9/00; Order 72-10, § 173-310-100, filed 5/15/72, effective 9/1/72.]

## WAC 173-310-990 Appendix A—Anti-litter symbol.



[Order 72-10, Appendix A (codified as WAC 173-310-990), filed 5/15/72, effective 9/1/72.]