
SENATE BILL 5149

State of Washington

53rd Legislature

1993 Regular Session

By Senators Winsley and Roach

Read first time 01/15/93. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to a penalty 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 her or in the waters of this
9 state whether from a vehicle or otherwise including but not limited to
10 any 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
15 disposal of garbage and refuse, and ~~((such))~~ the person is authorized
16 to use ~~((such))~~ the property for ~~((such))~~ that purpose;

17 ~~((2))~~ (b) Into a litter receptacle in ~~((such))~~ a manner that
18 ~~((the litter))~~ will ~~((be prevented))~~ prevent litter from being carried

1 away or deposited by the elements upon any part of said private or
2 public property or waters.

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

15 (2)(a) It is a class 4 civil infraction as defined in RCW 7.80.120
16 for a person to litter in an amount less than or equal to one cubic
17 foot.

18 (b) It is a class 1 civil infraction as defined in RCW 7.80.120 for
19 a person to litter in an amount greater than one cubic foot. Unless
20 waived, reduced, or suspended by a court, the person shall also pay a
21 litter clean-up fee of fifty dollars per cubic foot of litter. If the
22 court determines that a person has insufficient funds to pay the
23 monetary penalty or clean-up fee, the court may order a person to pick
24 up and remove litter as provided in RCW 7.80.130.

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

27 The director shall prescribe the procedures for the collection of
28 ~~((fines and bail forfeitures including the imposition of additional
29 penalty charges for late payment of fines))~~ penalties, costs, and other
30 charges allowed by chapter 7.80 RCW for violations of this chapter.
31 Included in the procedures shall be provisions requiring ~~((the
32 distribution of))~~ that one-half of the monetary amount ((of fines))
33 actually collected ((under the enforcement)) by the state or local
34 government entity enforcing the provisions of this chapter ((by a local
35 governmental agency)) be distributed to that local governmental
36 ~~((agency))~~ entity.

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

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

--- END ---