

**CITY OF NORTH BONNEVILLE  
ORDINANCE NUMBER 1147**

**AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON,  
AMENDING NORTH BONNEVILLE MUNICIPAL CODE  
CHAPTER 8.08 UNIFORM LITTER CONTROL CODE.**

**WHEREAS**, the City of North Bonneville has determined that clarification of North Bonneville Municipal Code Chapter 8.08 Uniform Litter Control Code is needed to better address types of litter that are considered a public nuisance; and

**WHEREAS**, Updating of the code is needed to add yard waste to reflect the need to address the spread of noxious weeds; and

**NOW, THEREFORE**, The City Council of the City of North Bonneville do hereby ordain as follows:

Legend:    New language added = underlined  
              Old language deleted = ~~strikethrough~~

**Section 1.**

**Amending Chapter 8.20.020 Definitions as follows:**

**8.08.020       Definitions.**

As used in this uniform litter control code, unless the context clearly indicates otherwise, the following terms have the following meanings. All words used in the present tense include the future and past tense; all words in the plural number include the singular number, and all words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

"City" means the City of North Bonneville, Washington.

"Commercial handbill" is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature, excluding newspapers:

1. Which advertises for sale any merchandise, product, commodity, or thing; or
2. Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales; or
3. Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided, that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind, without a license, where such license is or may be required by any law of this state, or under any ordinance of this City; or
4. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

"Highway" for the purpose of this ordinance is synonymous with and includes street, road and alley.

"Litter" means all solid wastes including but not limited to containers, packages, wrapping, printed matter or other material thrown or deposited as herein prohibited, but not including the wastes of the primary processes of mining, logging, saw-milling, farming, or manufacturing.

"Litter bag" means a bag, sack, or other container made of any material which is large enough to serve as a receptacle for litter inside the vehicle or watercraft of any person.

"Litter receptacle" means those containers meeting minimum requirements of state regulations of the State Department of Ecology.

"Newspaper" is any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with Federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.

"Non-commercial handbill" is any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper.

"Park" is a park, reservation, playground, beach, recreation center or any other area in the city, devoted to active or passive outdoor recreation.

"Person" is any individual, political subdivision, government agency, municipality, industry, public or private corporation, co-partnership, association, firm, or other entity, whatsoever.

"Private residence" shall mean any privately owned yard, grounds, walk, driveway, dwelling, house, building or other structure, including appurtenant porches, steps or vestibules, used or designated either wholly or in part for private residential purposes, whether single family, duplex or multiple, and whether inhabited or temporarily or continuously uninhabited or vacant.

"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.

"Road" for the purpose of this ordinance is synonymous with and includes street, highway and alley.

"Solid waste" means all solid and semi-solid wastes including garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities.

"State regulations" means the regulations duly promulgated and adopted by the State Department of Ecology pursuant to Chapter 34.04 RCW and codified or prepared for codification as part of the Washington Administrative Code, copies of the applicable portions of which are attached as Exhibit "A" and by this reference are incorporated herein as if set forth in full.

"Street" for the purpose of this ordinance is synonymous and includes Road, Highway and alley.

"Vehicle" includes every device capable of being moved upon a public street and in, upon, or by which any person or property is or may be transported or drawn upon a public street, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

"Watercraft" means any boat, ship, vessel, barge, or other floating craft.

"Yard Waste" means all loose materials such as sod, grass, weeds, flowers, leaves, branches and prunings and soil contaminated with noxious weeds listed in the Washington State Department of Agriculture's Washington State Noxious Weed List.

Section 2.

Adding a New Chapter 8.08.115 as follows:

**8.08.020 Disposal of Yard Waste.**

No person shall deposit, discard, or otherwise dispose yard waste, as that term is defined in 8.08.020 (4), upon any public place or private property not owned by them, or any street, trail, greenspace, wetlands and their buffers, or streams and their buffers within the city.

Section 3.

**Severability.**

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

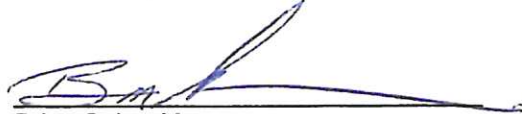
Section 4.

**Effective Date and Publication.**

This Ordinance shall be effective five days after publication of the Ordinance, or a summary thereof consisting of its title, in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON

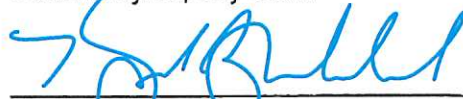
*April 26<sup>th</sup>, 2022*

  
Brian Sabo, Mayor

Attest:

  
Deanna Syron, City Clerk

Approved as to Form:

  
Kenneth B. Woodrich, City Attorney