

Chapter 8.31

LITTER AND CLEAN-UP DISPOSAL CREDIT

Sections:

8.31.010 Purpose and Intent.

8.31.020 Definitions.

8.31.030 Implementation.

8.31.040 Eligibility and Uses.

8.31.050 Litter and Clean-Up Waste from County Departments, Cities, and Towns.

8.31.060 Litter Collected by Volunteer Organizations and Individuals.

8.31.070 Reporting.

8.31.080 Severability.

8.31.010 Purpose and Intent.

It is the purpose and intent of the Pierce County Council to establish a Pierce County Litter and Clean-Up Disposal Credit. This Credit will supplement existing litter control efforts of the Pierce County Department of Public Works and Utilities by enabling County Departments, Cities, Towns, and authorized individuals and groups to deliver Litter and Clean-Up Waste to Pierce County Disposal Sites free of charge. This partnership among the County, volunteer organizations, individuals, municipal agencies, and the County's solid waste handling vendor is intended to reduce litter and build civic pride in attaining the goal of a litter-free Pierce County. (Ord. 99-36S § 1 (part), 1999)

8.31.020 Definitions.

- A. "Authorization Form" means a document prepared by the Solid Waste Division and completed and signed by the Solid Waste Manager and an Authorized Volunteer Organization or Individual which governs participation in the Credit authorized by this Chapter.
- B. "Authorized Volunteer Organization or Individual" means an organization empowered by law to enter into contractual agreements, or an individual that has been deemed eligible by the Solid Waste Manager, pursuant to the requirements of this Chapter, to receive the Credit for Litter delivered to a Disposal Site.
- C. "Clean-Up Waste" means Litter collected and disposed of per this Chapter by City or Towns or Contracted Solid Waste Haulers on behalf of Cities and Towns, and Solid Waste collected in Cities and Towns through special collection events which may be designated in a contract between a City or Town and its Contracted Solid Waste Hauler, but excludes Special Materials.
- D. "Contracted Solid Waste Hauler" means a firm which collects and disposes of Solid Waste under contract with a City or Town.
- E. "Credit" means the Litter and Clean-Up Disposal Credit whereby a portion of solid waste tipping fees is dedicated to paying for the disposal of Litter and Clean-up Waste.
- F. "Disposal Site" means the Hidden Valley Transfer Station or the Purdy Transfer Station.

- G. "Litter" means Solid Waste collected and disposed per this Chapter which includes packaging, glass, plastic, bottles, cans, and paper, and other materials commonly discarded on the roadside, but excludes waste generated by a household, business, or industry, and excludes Special Materials (as defined by this Chapter).
- H. "Pierce County Solid Waste Disposal Services Area" means unincorporated Pierce County and any City or Town within Pierce County which has signed an Interlocal Agreement that allows Pierce County to designate waste disposal sites.
- I. "Right-of-Way" means a strip of land held in an easement or separate tract which is occupied or dedicated to be occupied by a publicly or privately dedicated street, walkway, sidewalk, bikeway, equestrian trail, and other similar uses, but for the purposes of this Chapter, excludes railroads and property reserved for utilities and transmission lines.
- J. "Solid Waste" means the same as in Chapter 70.95 RCW.
- K. "Solid Waste Division" means the Solid Waste Division of the Department of Public Works and Utilities, or successor organization, responsible for solid waste management planning pursuant to Chapter 70.95 RCW.
- L. "Solid Waste Manager" means the Manager of the Solid Waste Division, or designee.
- M. "Special Materials" means the following types of Solid Waste: hazardous wastes, chemicals, and paint; automobile hulks; large appliances, furniture, and other items that are too bulky or too heavy to fit into a 30-gallon garbage bag; yardwaste, brush, leaves, and limbs; asbestos; industrial wastes not covered by Pierce County's Waste Handling Agreement; similarly named or characterized waste; and other Solid Waste designated by the Solid Waste Manager.
- N. "Waste Handling Agreement" means a contract between Pierce County and another party that arranges for the disposal of Solid Waste generated within the Pierce County Solid Waste Disposal Services Area.

(Ord. 99-36S § 1 (part), 1999)

8.31.030 Implementation.

- A. The Solid Waste Division will be the lead County Department to administer this Chapter.
- B. The Solid Waste Division, when negotiating a Waste Handling Agreement, shall provide for the dedication of a portion of tipping fees to pay for the Credit.
- C. The Solid Waste Manager shall monitor the amount of available Credit and authorize participation subject to the amount of available Credit and the requirements of this Chapter.
- D. In authorizing use of the Credit, the Solid Waste Manager may place limits on the tonnage eligible to receive the Credit. The Solid Waste Manager may authorize use of the Credit for all, or only part, of the disposal cost of Litter or Clean-Up Waste delivered to Disposal Sites.
- E. This Chapter does not authorize the Solid Waste Division to collect Litter or Clean-Up Waste, to enter into contracts for collection programs, or to fund the collection of Litter or Clean-Up Waste.

(Ord. 99-36S § 1 (part), 1999)

8.31.040 Eligibility and Uses.

- A. The primary use of the Credit shall be to fund the disposal of Litter and Clean-Up Waste collected as part of the following programs: the Pierce County Adopt-a-Road, Adopt-a-Trail, and Adopt-a-Park Programs; Adopt-a-Stream Programs located in unincorporated Pierce County; Litter removal programs conducted or coordinated by any Pierce County agency or by a City or Town; Clean-Up programs conducted for a City or Town by its Contracted Solid Waste Hauler; and other similar programs as designated by the Solid Waste Manager. Use of the Credit to fund the disposal of Litter and Clean-Up Waste from these programs is subject to the requirements of PCC 8.31.050.
- B. The secondary use of the Credit shall be to fund the disposal of Litter collected by an Authorized Volunteer Organization or Individual from unincorporated Pierce County, subject to the requirements of PCC 8.31.060.

(Ord. 99-36S § 1 (part), 1999)

8.31.050 Litter and Clean-Up Waste from County Departments, Cities, and Towns.

- A. The Solid Waste Division shall enter into a written agreement, which may be in the form of a letter from the Solid Waste Manager, with the County agencies that coordinate the Adopt-a-Road, Adopt-a-Trail, and Adopt-a-Parks programs and with those agencies which conduct roadside and right-of-way litter removal activities. This agreement shall ensure that wastes delivered to Disposal Sites meet the definition of Litter as provided in this Chapter and that the Credit is properly applied to those wastes. This agreement shall include procedures to handle requests forwarded by the Solid Waste Division pursuant to PCC 8.31.060 D.1. and may include tonnage limits pursuant to PCC 8.31.030 D.
- B. The Solid Waste Division shall enter into a written agreements, which may be in the form of a letter from the Solid Waste Manager, with each City or Town. These agreements shall ensure that wastes delivered to Disposal Sites meet the definition of Clean-Up Waste as provided in this Chapter and that the Credit is properly applied to those wastes. These agreements may include tonnage limits pursuant to PCC 8.31.030 D. Cities and Towns shall designate a City or Town agency or the Contracted Solid Waste Hauler to act as liaison with the Solid Waste Division to carry out the responsibilities outlined in this Chapter.

(Ord. 99-36S § 1 (part), 1999)

8.31.060 Litter Collected by Volunteer Organizations and Individuals.

- A. To implement this Chapter in unincorporated Pierce County, the Solid Waste Division shall provide standardized application forms which shall notify prospective participants of the risks and responsibilities of the County and of the volunteer groups, and shall include a copy of this Chapter.
- B. Upon receiving a request from an applicant seeking to be named as an Authorized Volunteer Organization or Individual, and before granting such authorization, the Solid Waste Manager will determine whether:
 - 1. the applicant has complied with the terms of any previous Authorization Forms (those that have not shall not be eligible for a period of three years);
 - 2. there is sufficient credit available to provide for disposal of the estimated volume of Litter to be collected; and

3. the location of the proposed Litter collection activity meets the priorities established in PCC 8.31.060 C.
- C. The Solid Waste Manager will authorize requests based upon the location of the Litter and the priorities set in this subsection. The Solid Waste Manager will authorize Priority 2 and 3 locations only if it can be determined that sufficient resources exist to meet all estimated annual volumes for Priority 1 locations.
1. Priority 1: The Right-of-Way, as defined in this Chapter, and other County-owned or maintained properties.
 2. Priority 2: Other public properties, such those owned by schools; except those properties excluded in PCC 8.31.060 C.4.
 3. Priority 3: Private properties that are open and available for public use if the Solid Waste Manager determines there is a definable public purpose to having the Credit fund disposal, such as addressing an immediate threat to human health or the environment, and there is no other legal means to fund disposal; except those properties excluded in PCC 8.31.060 C.4.
 4. Priority 2 and 3 locations exclude properties owned, managed, administered, controlled, or maintained by: public or private utilities; public and quasi-public corporations which charge rents, levy taxes, or charge fees for admission or service; any City, Town, State or Federal government agency; timber resource companies; or railroads.
- D. After considering the requirements of PCC 8.31.060 A. through C., the Solid Waste Manager may identify an applicant as an Authorized Volunteer Organization or Individual.
1. If the applicant seeks to remove Litter from a Priority 1 site, the request shall be forwarded to the County agency which controls or manages the property. That agency is responsible for approving or denying the request, for monitoring the activities of the Authorized Volunteer Organization or Individual, and for arranging for the delivery of the Litter to Disposal Sites.
 2. If the applicant seeks to remove Litter from a Priority 2 or 3 site, the Solid Waste Division and the Authorized Volunteer Organization or Individual shall comply with the requirements of PCC 8.31.060 E. and F.
- E. The Solid Waste Division shall:
1. Require one designated leader for each Authorized Volunteer Organization or Individual.
 2. Require all volunteers to be at least 12 years of age, require written parental consent for all participating minors, and require at least one adult supervisor for every four minors. The Solid Waste Manager may waive the minimum age requirement provided the safety of minors is assured by the level of supervision provided and the location of the proposed litter collection activity;
 3. Require proof of automobile liability insurance for any vehicle to be used to haul litter to a disposal site;
 4. Provide safety information and training aids to the designated leaders for their use in training of their participants;
 5. Annually publish a list of Authorized Volunteer Organizations or Individuals that perform a Litter removal activity and comply with the terms of the Authorization Form, but excluding organizations whose names endorse or oppose a candidate for public office, advocate a position on a specific political issue, initiative, referendum, or piece of legislation, or contain the name of, or reference to, a political party.

- F. Authorized Volunteer Organizations and Individuals shall:
1. Name a designated volunteer leader;
 2. Submit to the Solid Waste Division written parental consent for participating minors;
 3. Provide proof of automobile liability insurance for any vehicle to be used to haul litter to a disposal site;
 4. Ensure that all participants receive safety training and provide participants with tools and equipment needed for the task;
 5. Gain written permission to collect Litter from the property owner or manager and release the County from any liability associated with collecting Litter on that property;
 6. Deliver waste to a disposal site as directed on the Authorization Form; and
 7. Comply with all other terms and conditions of the Authorization Form.

(Ord. 99-36S § 1 (part), 1999)

8.31.070 Reporting.

The County Executive shall annually prepare a report to the County Council on activities relating to this Chapter. At a minimum, the report shall include: the number of tons of Litter and Clean-Up Waste removed and disposed under this Chapter by each relevant County department and city and town; the cost savings to participants; the locations of areas cleaned up; and recommendations for changes in the Credit, funding, or this Chapter. This report shall coincide with the annual review of solid waste tipping fees. (Ord. 99-36S § 1 (part), 1999)

8.31.080 Severability.

If any provision of this Chapter, or its application to any person or legal entity or circumstance is held invalid, the remainder of this Chapter or the application of its provisions to other persons or legal entities or circumstances shall not be affected. (Ord. 99-36S § 1 (part), 1999)