

**CITY OF GOLD BAR, WASHINGTON
ORDINANCE #785**

**AN ORDINANCE FOR THE CITY OF GOLD BAR, WASHINGTON AMENDING GOLD BAR
MUNICIPAL CODE TITLES 8 AND 12, RELATING TO LITTER AND SIDEWALK
MAINTENANCE AND REPAIR**

WHEREAS, the Revised Code of Washington (RCW) 35A.11.020 and 35.23.440(33) give municipalities broad authority to manage and regulate rights-of ways; and

WHEREAS, the City of Gold Bar does not have a Street Commissioner; and

WHEREAS, current regulations relating to litter do not comprehensively define debris; and

WHEREAS, failure to comply wording does not include options relating to violations and/or collection of costs incurred outside of a lien process; and

WHEREAS, assessing, serving, and enforcement of violations falls under the purview of the Mayor, Chief of Police, and/or staff as the administration of policy;

NOW THEREFORE, THE COUNCIL FOR THE CITY OF GOLD BAR ORDAINS that Gold Bar Municipal Codes shall be amended as follows.

Section I, Title 8.12.040 – Litter Prohibited

Section II, Title 8.12.100 – Sweeping Litter Into Gutter Prohibited

Section III, Title 12.04.020 – Sidewalks in Need of Repair

Section IV, Title 12.04.040 – Failure to Comply

Section V, Title 12.04.050 – Recovery of Cost

Section VI, Severability

Section VII, Effective Date

Section I, Title 8.12.040 – Litter Prohibited

No person shall throw, drip, deposit, discard or otherwise dispose of litter, as that term is defined in RCW ~~70.93.030~~ 70A.200.030 or debris as defined herein, upon any public place in the city or upon any private property not owned by him, or in any waters within the jurisdiction of the city whether from a vehicle or otherwise, including, but not limited to, any sidewalk, street, alley, highway or park, except:

1. When such property is designated by the state or by any of its agencies or the city for disposal of garbage and refuse, and such person is authorized by the proper public authority to so use such property; or
2. Into a litter receptacle or other container in such manner that the litter will be prevented from being carried away or deposited by the elements upon any part of the public place or any private property; or

3. When such person is the owner or does have control or custody of the property or unless the act is done under the personal direction of the owner or tenant, and provided the litter will not cause a public nuisance or be in violation of any other state or local laws, rules or regulations.

The definition of litter is expanded to include natural debris, defined for the purpose of this Title, as any deposits of dirt, mud, vegetation, and/or gravel or rock material.

Section II, Title 8.12.100 – Sweeping Litter Into Gutter Prohibited

No person shall sweep into or deposit in any gutter, street, alley, stormwater catch-basins, rights-of-way, or other public place the accumulation of litter or debris from any building, or lot, or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalks in front of their premises free of litter.

1. Any person, firm or corporation making any deposits of litter or debris of any nature on the public rights-of-way and any other municipally owned improvements shall clean up said deposits during the course of each day's operation. Adequate equipment shall be available during each day of operation to ensure quick and timely removal of any such deposits. The right-of-way surfaces and all catch basins, culverts, or other municipally owned improvements affected by the deposits shall be cleaned.

2. Any person, firm or corporation causing loose litter or debris to be distributed beyond their property lines by wind or other natural weather event shall retrieve and clean up their litter or debris.

Section III, Title 12.04.020 – Sidewalks in Need of Repair

A. Whenever, in the judgment of the ~~street commissioner~~ Public Works Director, ~~of the city~~ any sidewalk is in need of repair, cleaning, or renewal, ~~as a result of any action caused by the abutting property owner (or tenant), the street commissioner~~ Public Works Director shall serve notice on the owner of the property immediately abutting upon that portion of the sidewalk of the condition thereof, directing the owner to clean, repair, or renew the portion of the sidewalk.

1. Any person, firm or corporation making any deposits of litter or debris of any nature on the public rights-of-way and any other municipally owned improvements shall clean up said deposits during the course of each day's operation. Adequate equipment shall be available during each day of operation to ensure quick and timely removal of any such deposits. The right-of-way surfaces and all catch basins, culverts, or other municipally owned improvements affected by the deposits shall be cleaned.

2. Any person, firm or corporation causing loose litter or debris to be distributed beyond their property lines by wind or other natural weather event shall retrieve and clean up their litter or debris.

B. If, in the opinion of the ~~street commissioner~~ Public Works Director, the sidewalk is in need of immediate repair, cleaning or renewal for the benefit of the public safety or welfare, the street commissioner may order the improvement made within any reasonable time.

Section IV, Title 12.04.040 – Failure to Comply

The notice shall order the owner of the abutting property to clean, repair or renew the sidewalk within ten (10) days after the date of service of such notice upon him, and shall state that ~~in case the owner shall fail to do as ordered within the time specified then the street commissioner will proceed to clean, repair or renew the sidewalk and will report to the city council at its next regular meeting an assessment roll showing the lot or parcel of land immediately abutting on that portion of the sidewalk so improved, the cost of cleaning, repairing or renewal and the name of the owner and the council will hear any or all protests against the proposed assessment. failure to comply will result in the issuance of a violation as detailed in GBMC 1.16.010, a bill for City staff hours, supplies, equipment, and administrative fees relating to work not completed by the owner, and/or a lien upon the property. The notice shall inform the owner of their right to protest the notice. Such protest must be in writing, submitted to the Public Works Director and/or Mayor, and delivered prior to the ten-day deadline to comply.~~

Section V, Title 12.04.050 – Recovery of Cost

~~The city council Public Works Director shall at the time in the notice designated or at an adjourned time assess the cost of the work against the property in accordance with the benefits derived therefrom, which charge shall become a lien upon the property and shall be collected by due process of law. have the option, as detailed in GBMC 12.04.040, to assess a violation, invoice the property owner, or lien the property. Invoices must cover full cost of staff time, supplies and equipment used, and an administrative fee.~~

Section VI, Severability

This ordinance is severable and if any portion of it shall be declared invalid or unconstitutional, the remaining portion shall remain valid and enforceable.

Section VII, Effective Date

This ordinance shall take effect from, and after, its passage, approval, and publication as provided by law.

Passed by the Council for the City of Gold Bar on this _____ day of _____, 2025.

Attest: _____, Steve Yarbrough, Mayor

Attest: _____, Lisa Stowe, Clerk/Treasurer

First Reading: _____

Posted: _____

Second Reading: _____

Passed: _____