

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 220**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, ENACTING A
COVERED-LOAD LAW PURSUANT TO THE CITY OF LIBERTY LAKE'S SOLID
WASTE MANAGEMENT PLAN AND RCW 46.61.655**

WHEREAS, The City of Liberty Lake adopted a Solid Waste Management Plan on December 16, 2014, which required the enactment of a covered-load ordinance in 2015; and

WHEREAS, unsecured loads can create litter and cause accidents and injuries to motorists; and

WHEREAS, RCW 46.61.655 provides that vehicles shall not be driven or moved on any public highway unless such vehicles are constructed or loaded in a manner to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom; and

WHEREAS, RCW 46.61.655 imposes certain violations for failing to secure loads as required by State law; and

WHEREAS, it is in the best interests of the citizens of the City of Liberty Lake to enact an ordinance that is consistent with its Solid Waste Management Plan, prevents littering and potentially decreases accidents and injuries to motorists on public roadways within the City of Liberty Lake.

NOW THEREFORE, the City Council of the City of Liberty Lake, Washington does ordain as follows:

Section 1. Covered-Load Creation – Purpose.

A covered-load law is hereby created for the purpose of preserving the community free of unnecessary littering and to protect the citizens of the City of Liberty Lake from accidents and injuries that can be caused by uncovered or unsecured vehicle loads.

Section 2. Uncovered and Unsecured Loads Prohibited.

- A. Any vehicle(s) that shall use the public roadways or streets within the City of Liberty Lake to transport uncovered or unsecured loads are hereby prohibited from driving or moving on said roadways or streets without first securing the uncovered or unsecured loads, and which will prevent spillage, dropping, sifting, leaking, or otherwise escaping therefrom as required by RCW 46.61.655, or as hereafter amended.
- B. No person shall transport solid waste to a staffed transfer station or disposal sites without covering or securing his/her vehicle(s) uncovered or unsecured load in such a manner that will prevent spillage, dropping, sifting, leaking, or otherwise escaping

therefrom.

- C. A surcharge or fee for pickup loads, plus any other applicable charges will be assessed for any load not so secured or covered, payable by any person individually, and/or as agent or employee of any other person or entity for which such unsecured or uncovered load is transported.
- D. A vehicle transporting sand, dirt or gravel in compliance with the provisions of RCW 46.61.655 is exempt from this Ordinance.

Section 3. Enforcement and Penalties.

- A. This Ordinance shall be enforced by the Liberty Lake Police Department or its designee(s).
- B. Violation of this Ordinance by any party shall be subject to 1) a surcharge or fee as designated herein, 2) a civil infraction or gross misdemeanor as set forth in RCW 46.61.655, or hereafter amended, or 3) any other infraction permitted under State law.

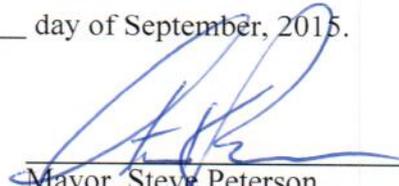
Section 4. Severability.

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 5. Effective Date.

This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this 1st day of September, 2015.



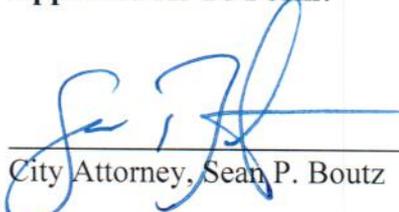
Mayor, Steve Peterson

Attest:

Approved As To Form:



City Clerk, Ann Swenson



City Attorney, Sean P. Boutz

Date of Publication: 9-10-15

Effective Date: 9-15-15

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CERTIFICATION

I, Ann Swenson, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true, and correct copy of Ordinance No. 220 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at a the regular meeting place thereof on September 1, 2015 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote: unanimous, 7-0.

AYES, and in favor thereof: Mayor Pro Tem Kaminskas, Council Members Severs, Dunne, Moore, Langford, Brickner, and Kopelson.

NAYS: None.

ABSENT: None.

ABSTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK