



**City of Tacoma
Environmental Services
Solid Waste Management**

References:	TMC 8.44.065, RCW 9A.52, RCW 70.160, SWM 106-1, Standards Responding to Trespassers
Contact Info:	LGriffith
Procedure History:	
Approval:	LGriffith
Date:	11/2/2023

Failure to follow these instructions may result in: (Mark when applicable)

X	Adverse impacts on the Environment
X	Increased risk to health and safety
X	Noncompliance with federal, state, city and regulatory obligations

Standard # SWM 108-1 Public Rules of Conduct

Applicability: This standard applies to access, operating hours, and rules of conduct for the public at Solid Waste Management’s (SWM) Tacoma Recovery and Transfer Center (RTC) located at 3510 S Mullen St, Tacoma, WA 98409.

Purpose: To establish: 1) the hours that authorized areas of the SWM RTC are open to the public; 2) that portions of the RTC campus property are not open to the public and are accessible to authorized personnel only; 3) the rules of conduct that apply to the public while visiting the RTC; 4) that permission to enter and remain at the RTC is conditioned upon compliance with rules of conduct and with all applicable laws; and 5) the SWM’s administrative process for establishing, modifying, and enforcing public operating hours, access, and rules of conduct for the RTC.

General Requirements:	
1.	General RTC Operating Hours. Unless provided otherwise by rule or by posting, authorized areas of the RTC are open to the public to conduct business from 8:00 a.m. to 5:30 p.m. The lobby is open Monday through Friday 8:00 a.m. to 4:00 p.m. and the Household Hazardous Waste Facility is open Friday through Monday 8:00 a.m. to 5:30 p.m. The RTC is closed to the public New Year’s Day, Fourth of July, Thanksgiving Day, and Christmas Day.
2.	Authorized Areas. The EnviroHouse, Recycle Center, Household Hazardous Waste Facility, main lobby, customer parking areas located on the north side of the lobby, the EV charging areas located to the east side of the lobby, the Public Yard Waste Receiving Area, Main Receiving Building, and designated roadways to and from these locations are authorized areas of the RTC and open to the public during operating hours for the purpose of conducting official government business Exceptions may be authorized by the Solid Waste Management Division Manager or designees. Unauthorized Areas. All other areas not listed above are designated as unauthorized areas and are not open to the public except as may be authorized by Solid Waste Management.
3.	Rules of Conduct. All persons entering the RTC campus are responsible for knowing and complying with the Rules of Conduct set forth herein. Compliance with the Rules of Conduct is a condition of entering and remaining upon the RTC campus. 1. In addition to these written rules, the Solid Waste Division Manager or designee, may post rules of conduct on the RTC campus. Failure to comply with a posted rule of conduct may result in the same consequences as failure to comply with a written rule of conduct. 2. General Rules of Conduct. The following are prohibited at the RTC unless permitted or otherwise authorized by the Solid Waste Division Manager or designee:

	<ul style="list-style-type: none"> a. Any conduct prohibited by federal, state, or local law; b. Animals, except disabled persons' service animals or law enforcement animals; c. Allowing an animal to be unleashed, to unreasonably disturb others, to interfere with City business, or to leave waste; d. Loitering; entering or remaining for purposes other than conducting official government business on the property; e. Smoking or carrying a lighted or smoldering pipe, cigar, or cigarette due to the presence of combustible materials and wastes, and the presence of landfill gas, propane, diesel fuel, reference RCW Chapter 70.160 and SWM 106.1). f. Unreasonably disturbing others by engaging in loud or raucous behavior; g. Behavior that unreasonably interferes with others' use of the buildings, facilities, or premise as intended; h. Abusive or harassing behavior, including obscene language and gestures, that interferes with or disrupts use or operation of the RTC by the public or the City; i. Blocking entrances, exits, fire exits, handicap access areas, public walkways or roadways, or obstructing pedestrian traffic or otherwise interfering with the provision of services, use or operation of RTC property; j. Accessing the RTC by any means except motorized vehicles unless authorized by SWM; k. Sitting or walking anywhere except those areas clearly intended to be used for this purpose; l. Spitting, expectorating, urinating, or defecating except in restroom facilities; m. Improperly using restrooms (i.e. no bathing, shampooing, washing clothes, sleeping, or eating); n. Entering or remaining barefooted, without a shirt, or being attired so as to be disruptive to official business; o. Entering or remaining in unauthorized areas without authorization (such as attending a City-authorized function, event, or activity to which the person is an invitee). Unless posted otherwise, the lobby is generally open to the public for official business. Other areas inside the main building including offices, hallways, stairways, and elevators are open only to those attending to City business, or attending a City-authorized function, event, or activity to which the person is an invitee; p. Any act which could result in substantial risk of harm to persons or property; q. Possession of flammable liquids, explosives, acid, or any and other article or material capable of causing serious harm to others with the exception of acceptable material dropped off at the Household Hazardous Waste Facility or otherwise approved by Solid Waste Management; r. Possession or use of fireworks, firecrackers or any other explosive or incendiary device; s. Throwing objects at people or City property; t. Discharging a laser-emitting device; u. Hanging, swinging, or climbing on City property; v. Moving equipment, furniture, or other items from where they are placed by City employees; w. Camping x. Littering, dumping, or creating unsanitary conditions except in designated disposal areas;
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	<ul style="list-style-type: none"> y. Defacing, destroying, or otherwise vandalizing City property including the building, fixtures, grounds, signs, or other City property; z. Tampering with, misuse, abuse, or destruction of emergency or security equipment or other City equipment; aa. Assisting in unauthorized access to buildings (i.e. propping open exterior doors); bb. Disturbing City business, events, or other City sponsored or authorized activities; cc. Operating, stopping, or parking a vehicle in any roadway or location restricted for use only by City vehicles; dd. Consuming alcohol or possessing an open container of an alcoholic beverage; ee. Assault or threatening behavior; ff. Unattended packages, backpacks, luggage, or any other personal items except in designated disposal areas; gg. Lying down or sleeping; hh. Skateboarding, bicycle-riding, rollerblading, roller skating, or using other similar wheeled devices on the RTC property unless authorized by SWM. ii. Conducting surveys; jj. Providing food or beverages of any kind to the public; kk. Product distribution; ll. Parking except in authorized parking areas and subject to all posted rules; mm. Performing any non-emergency vehicle repairs or cleaning of a vehicle parked on the property; nn. Storage of any wheeled devices; oo. Playing musical instruments, utilizing amplified sound, or noise that is loud enough that it reasonably could be expected to disturb others; pp. Entering or remaining upon the RTC campus in violation of a trespass notice issued by SWM or refusing to leave the RTC Campus when directed to do so by any officer or employee of SWM, by an authorized agent of SWM or by a law enforcement officer; and qq. Scavenging.
4.	<p>Enforcement:</p> <ul style="list-style-type: none"> 1. Engaging in any prohibited activity without authorization constitutes a violation of these rules; 2. Any violation of these rules or other applicable rules or law may result in: <ul style="list-style-type: none"> a. Revocation of a person’s permission to remain on the property; b. Issuance of a Notice of Exclusion; c. Arrest or citation; and/or d. Exercise of any other remedies the City may have available.
5.	<p>Criminal Trespass</p> <ul style="list-style-type: none"> 1. Any person who enters or remains on the RTC Campus when such areas are not open to the public is subject to arrest and prosecution for criminal trespass (TMC 8.44.065) 2. Any person who enters, or remains upon, the RTC Campus in violation these rules of conduct and refuses to leave upon demand by any officer or employee of SWM, an authorized agent of SWM or by a law enforcement officer is subject to arrest and prosecution for criminal trespass (TMC 8.44.065)
6.	<p>Criminal Trespass – Notices of Exclusion</p> <ul style="list-style-type: none"> 1. The Division Manager or their designee may issue a notice of exclusion revoking any person’s permission to remain on or in any portion of the RTC or imposing certain conditions under which such a person may return to the RTC, if that person violates any rule of conduct or any applicable law. Such an exclusion

	<p>notice is intended to be remedial and may be for a period of one day up to one year. The length of the period of exclusion will be guided by the nature and seriousness of the violation or conduct serving as the basis for the exclusion notice, the number of violations, the economic benefit to the violator derived from the violation, if any, the individual's prior record regarding conduct at the RTC, and such other factors related to the remedial purposes of the exclusion notice and the purposes of the rules of conduct.</p> <ol style="list-style-type: none"> 2. Any person who fails to comply with an exclusion notice is subject to arrest for criminal trespass (TMC 8.44.065) 3. Unless otherwise specified, the exclusion shall take effect immediately upon actual or constructive receipt of the notice by the person being excluded. A person may not defeat the effectiveness of an exclusion by refusing to accept the notice. Receipt of the notice is construed to have been accomplished if the person knew or reasonably should have known from the circumstances that their privileges to enter the RTC have been revoked. Receipt of the notice is also construed to have been accomplished two (2) days after an exclusion notice is placed in the U.S. mail to an individual's last known address. 4. Solid Waste Management hereby delegates to commissioned Tacoma Police Department personnel the authority to enforce on RTC property these and any other applicable written or posted rules of conduct, and to issue notices of exclusion for violations. 5. In addition, the Division Manager may delegate to others the authority to enforce on RTC property these and any other applicable written or posted rules, and to issues notices of exclusion for violations.
7.	<p>Administrative Review of Notices of Exclusion</p> <ol style="list-style-type: none"> 1. A person who receives a Notice of Exclusion for a period greater than 5 days may, within 14 business days of issuance of the notice, submit a written request for an administrative review to mailing address 3510 S Mullen St, Tacoma, WA 98409 or in-person Monday through Friday, except observed holidays, between 8:00 a.m. and 5:00 p.m. at the City's information desk located at 747 Market Street on the 2nd floor. The person seeking the review shall include in the request any written documentation they seek to have considered in the review process. The notice of exclusion shall remain in effect pending administrative review. 2. If a person timely requests an administrative review, the Division Manager shall designate a Review Officer to conduct a prompt administrative review. The administrative review is an informal process designed to give the individual the chance to explain their side of the events surrounding the alleged violation. Administrative reviews are typically confined to the written record and generally do not include witnesses or sworn testimony. The Review Officer may, at their discretion, allow the excluded individual the opportunity to meet with the Review Officer to orally present their side of the story. This may be scheduled remotely.
8.	<p>Decision</p> <ol style="list-style-type: none"> 1. The Review Officer shall provide a written recommendation to the Division Manager within 5 business days after the administrative review is completed. In making the recommendation, the Review Officer shall review the exclusion order, consider the written record, the individual's written administrative review request, and other information gathered by the Review Officer. The Review Officer may, at their discretion, conduct meetings or interviews with the individual excluded and other individuals who may have information relevant to the Notice of Exclusion. 2. The Division Manager shall consider the Review Officer's recommendation and may then affirm, modify, terminate, or reverse the exclusion order. The Division Manager's decision is final and may not be appealed.
9.	<p>Procedures</p>

	1. The Division Manager or their designee is authorized to issue procedures regarding the implementation of this rule.
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Revision History:

Change #	Date of Change	Summary of Changes
001		
002		