

ORDINANCE 2005:05

AN ORDINANCE AMENDING CHAPTER 8.28 "LITTERING"

WHEREAS, the Governing Body desires for the betterment of the community and the general health and welfare of its citizens to amend to the Borough Code Chapter 8.28 entitled "Littering"; and

BE IT ORDAINED by Mayor and Council of the Borough of Stratford, County of Camden, State of New Jersey, as follows:

SECTION 01. Replace to Chapter 8.28 "Littering", Section 020 Definitions, the following:

"Litter" is any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar, or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

"Person" is any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION 02. Add the following definition:

"Litter receptacle" is a container suitable for the depositing of litter.

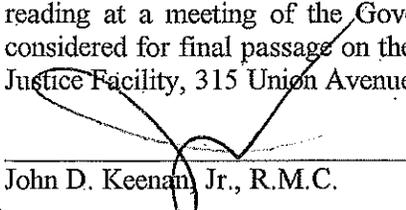
SECTION 03. All ordinances and provisions thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 04. If any article, section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision or invalidity shall not affect the remaining portions or provisions of this ordinance.

SECTION 05. This ordinance shall take effect immediately after final passage and publication in accordance with the laws of the State of New Jersey.

PUBLIC NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on the first reading at a meeting of the Governing Body held on the 8<sup>th</sup> day of March, 2005 and will be considered for final passage on the 12<sup>th</sup> day of April, 2005 at a meeting to be held at the Stratford Justice Facility, 315 Union Avenue, Stratford, NJ.

  
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John D. Keenan, Jr., R.M.C.

## Chapter 8.28 - LITTERING

## Sections:

## 8.28.010 - Title.

This chapter shall be entitled and referred to as the "anti-litter ordinance".

(Prior code § 75-1)

## 8.28.020 - Definitions.

For the purpose of this chapter, the following definitions shall apply:

*"Borough"* means the Borough of Stratford.

*"Garbage"* means putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

*"Litter"* is any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar, or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing. This will include the blowing, sweeping, or cutting of grass or other landscaping materials.

*"Litter receptacle"* is a container suitable for the depositing of litter.

*"Person"* is any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

*"Public place"* means any and all streets, sidewalks, boulevards, municipal parking lots, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

*"Refuse"* means all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

*"Rubbish"* means nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

(Prior code § 75-2; Ord. No. 2005:05, §§ 01, 02, 4-12-2005; Ord. No. 2010:08, § 01, 6-21-2010)

8.28.030 - Litter in public places.

No persons shall throw or deposit litter in or upon any street, sidewalk or other public place within the borough except in public receptacles or in authorized private receptacles for private collection; provided, however, that said public receptacles shall not be used by persons owning or occupying property in the vicinity of said public receptacles for the deposit of domestic, commercial and industrial litter arising from the conduct of activities upon said property.

(Prior code § 75-3)

8.28.040 - Placement in receptacles to prevent scattering.

Persons placing litter in public receptacles or in private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place.

(Prior code § 75-4)

8.28.050 - Sweeping litter into gutters prohibited.

No person shall sweep into or deposit in any gutter, street or other public place within the borough the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free from litter.

(Prior code § 75-5)

8.28.060 - Litter thrown by persons in vehicles.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or public place within the borough.

(Prior code § 75-6)

8.28.070 - Truck loads and tires not to deposit litter.

No person shall drive or move any truck or other vehicle within the borough unless such vehicle is so constructed or loaded as to prevent any load or contents of litter from being blown or deposited upon any street, alley or other public place. Nor shall any person drive or move any vehicle or truck within the borough, the wheels or tires of which carry onto or deposit in any street, alley or other public place mud, dirt, sticky substances or foreign matter of any kind.

(Prior code § 75-7)

8.28.080 - Deposits on private property prohibited.

No person shall throw, dump or deposit litter, e.g., any abandoned automobile, automobile parts, junk, paper, bottles, trash, garbage, refuse or debris of any nature, on or upon any open or vacant private property within the borough, whether owned by such person or not.

(Prior code § 75-7.1)

8.28.090 - Violations and penalties.

Any person who violates this chapter or any part thereof shall, upon conviction, forfeit and pay a fine not exceeding five hundred dollars (\$500.00) or be imprisoned for a term not exceeding ninety (90) days, or both, for each and every offense.

(Prior code § 75-8)