

ORDINANCE 58

AN ORDINANCE PROHIBITING THE THROWING OR DEPOSITING OF LITTER IN PUBLIC PLACES IN THE VILLAGE OF LOCH ARBOUR; CONTROLLING THE DEPOSITING OF LITTER ON PRIVATE PREMISES; CONTROLLING THE THROWING OF LITTER BY PERSONS IN VEHICLES; AND PRESCRIBING PENALTIES FOR THE VIOLATION HEREOF.

BE IT ORDAINED, by the Board of Trustees of the Village of Loch Arbour, County of Monmouth and State of New Jersey:

Section 1. This Ordinance shall be known and may be cited as the “Anti-Litter Ordinance” of the Village of Loch Arbour.

Section 2. For the purposes of this Ordinance the following terms, phrases, words, and their derivations shall have the meaning given herein, to wit:

- a. “Garbage” is putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- b. “Litter” is “garbage”, “refuse” and “rubbish” as defined herein and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.
- c. “Park” is a park, reservation, playground, beach, recreation center or any other public area in the Village, owned or used by the Village and devoted to active or passive recreation.
- d. “Person” is any person, firm partnership, association, corporation, company or organization of any kind.
- e. “Private Premise” is any dwelling, house, building, or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house building or other structure.
- f. “Public Place” is any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.
- g. “Refuse” is all putrescible and non putrescible solid waste (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.
- h. “Rubbish” is nonputrescible solid wastes consisting of both combustible and non-combustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.
- i. “Vehicle” is every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

Section 3. No person shall throw or deposit litter in or upon any street, sidewalk, or other public place within the Village except in public receptacles, in authorized private receptacles for collection, or in official municipal dumps.

Section 4. Persons placing litter in public receptacles or in authorized 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 or upon private property.

Section 5. No person shall sweep into or deposit in any gutter, street or other public place within the Village 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 of litter.

Section 6. No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the Village or upon private property.

Section 7. No person shall throw or deposit litter in any park or beach within the Village except in public receptacle and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or beach or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park or beach by the person responsible for its presence and properly disposed of elsewhere as provided herein.

Section 8. No person shall throw or deposit litter in any fountain, pond, lake, stream, bay or any other body of water in a park or beach or elsewhere in the Village.

Section 9. No person shall throw or deposit litter on any occupied private property within the Village, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or on any private property.

Section 10. The owner or person in control of any private property shall at all times maintain the premises free of litter, provided, however, that this Section shall not prohibit the storage of litter in authorized private receptacles for collection.

Section 11. No person shall throw or deposit litter on any open or vacant private property within the Village whether owned by such person or not.

Section 12. Any person or persons violating any provisions of this Ordinance shall be subject to a fine not exceeding TWO HUNDRED (\$200.00) dollars, or imprisonment in the County Jail for a term not exceeding ninety days in the discretion of the Magistrate before whom such conviction shall be had.

Section 13. This ordinance shall take effect immediately after passage and publication as required by law.