

LITTERING

Chapter 59A

LITTERING

- § 59A-1. Purpose.
- § 59A-2. Definitions.
- § 59A-3. Unlawful activities.
- § 59A-4. Required public locations for litter receptacles.
- § 59A-5. Littering from vehicles.
- § 59A-6. Duties of owner or tenant.
- § 59A-7. Violations and penalties.
- § 59A-8. Severability; repealer.
- § 59A-9. When effective.

[HISTORY: Adopted by the Mayor and Common Council of the City of Gloucester City 9-1-1988 as Ord. No. 25-1988. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, weeds and debris — See Ch. 25.
Garbage collection - See Ch. 50.
Garbage, littering and handbills — See Ch. 51.
Junk dealers — See Ch. 58.
Property maintenance — See Ch. 66.
Abandoned refrigerators — See Ch. 68.
Sidewalks, streets and shade trees — See Ch. 73.
Vehicles or other machinery abandoned or inoperable — See Ch. 88.

Be it ordained by the Mayor and Common Council of the City of Gloucester City, in the County of Camden and State of New Jersey, that:

§ 59A-1. Purpose.

This ordinance is passed for the purpose of regulating and preventing the accumulation of litter within the City of Gloucester City.

§ 59A-2. Definitions.

The following definitions shall be used for the purposes of this ordinance:

LITTER — 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, newspaper, 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.

LITTER RECEPTACLE — A container suitable for the depositing of litter.

§ 59A-3. Unlawful activities.

It shall be unlawful for any person to engage in any of the following activities within the corporate limits of the City of Gloucester City:

- A. Discarding of litter of any nature upon any public or private property other than in a litter receptacle.
- B. Discarding or dumping along any street or road or on or off any right-of-way any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture or on private property, except by written consent of the owner of said property, in any place not

specifically designated for the purpose of solid waste storage or disposal.

- C. Storage by any residential property owner or permission to store by said property owner of any bulky household waste, including household appliances, furniture and mattresses, in areas zoned residential, except in a fully enclosed structure or during days designated for the collection of bulky items.
- D. Storage by any residential property owner or permission to store by said owner of tires in areas zoned residential, except in a fully enclosed structure or on days designated for the collection of tires.
- E. Parking by a residential property owner or permission to park by said owner of any vehicle on that property owner's residential lawn.
- F. Permitting the accumulation of litter before, during or after completion of any construction or demolition project by any owner, agent or contractor in charge of the demolition or construction site. It shall be the duty of the owner, agent or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or nonflyable debris or trash at areas convenient to construction areas and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage of refuse.
- G. Permitting open or overflowing waste disposal bins on any commercial or residential property by the owner of that property.
- H. Sweeping into or depositing in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. Every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter.

§ 59A-4. Required public locations for litter receptacles.

Litter receptacles and their servicing are required at the following public places which exist in the municipality, including sidewalks used by pedestrians in active retail commercially zoned areas, such that at a minimum there shall be no single linear quarter-mile without a receptacle; buildings held out for use by the public, including schools, government buildings and railroad and bus stations; parks; drive-in restaurants; all street vendor locations; self-service refreshment areas; construction sites; gasoline service station islands; shopping centers; parking lots; campgrounds and trailer parks; marinas, boat moorage and fueling stations; boat launching areas; public and private piers operated for public use; beaches and bathing areas; and at special events to which the public is invited, including sporting events, parades, carnivals, circuses and festivals. The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing the receptacles such that adequate containerization is available.

§ 59-A5. Littering from vehicles.

It shall be unlawful for any vehicle to be driven, moved, stopped or parked on any highway unless such vehicle is constructed or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Any person operating a vehicle from which any glass or objects have fallen or escaped which could cause an obstruction, damage a vehicle or otherwise endanger travelers or public property shall immediately cause the public property to be cleaned of all glass or objects and shall pay the costs therefor.

§ 59A-6. Duties of owner or tenant.

It shall be the duty of the owner, lessee, tenant, occupant or person in charge of any structure to keep and cause to be kept the sidewalk and curb abutting the building or structure free from obstruction or nuisances of every kind and to keep sidewalks, areaways, backyards, courts and alleys free from litter and other offensive material.

§ 59A-7. Violations and penalties.

Any person, firm or corporation violating any provision of this ordinance shall, upon conviction therefor, be fined not more than two hundred dollars (\$200.). If the violation is of a continuing nature, each day the violation continues constitutes a separate and distinct offense.

§ 59A-8. Severability; repealer.

If any of the provisions and terms of this ordinance shall be found to be invalid, the balance of the ordinance shall not be affected thereby. All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

§ 59A-9. When effective.

This ordinance shall take effect immediately upon final passage and publication in accordance with law.