

**AN ORDINANCE OF THE BOROUGH OF
SOUTH RIVER ESTABLISHING THE
REQUIREMENTS FOR LITTER CONTROL**

SECTION 1: Purpose

An ordinance to establish requirements to control littering in the Borough of South River so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION 2: Definitions

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. 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, 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, saw milling, farming or manufacturing.
- b. Litter Receptacle – a container suitable for the depositing of litter.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION 3: Prohibited acts and regulated activities

- 1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
- 2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

SECTION 4: Enforcement

This ordinance shall be enforced by the Borough Of South River Police Department.

SECTION 5: Penalties

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed one thousand dollars (\$1,000.00).

SECTION 6: Severability

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 7: Partial Invalidity

All ordinances or part of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8:

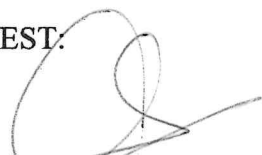
This ordinance shall take effect upon passage, approval and publication as required by law.

APPROVED AS TO FORM

/s/ _____
Frederick D. Roselli
Borough Attorney

APPROVED:

/s/  _____
Robert P. Szegeti, Mayor

ATTEST:

/s/ _____
Albert M. Seaman
Borough Clerk

CC: N.S. DEP
Middl Cty
Boro Eng
Police
DPW
CFO