

Chapter 41¹

LITTER

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HISTORY: Adopted by the Mayor and Borough Council of the Borough of Seaside Park 9-28-2005 as Ordinance No. 1374.

Be it ordained by the Mayor and Borough Council of the Borough of Seaside Park, in the County of Ocean and State of New Jersey, as follows:

§41-1. Purpose.

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

§42-2. 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 ordinance 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.

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, sawmilling, farming or manufacturing.

LITTER RECEPTACLE – a container suitable for the depositing of litter.

PERSON – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

§42-3. Prohibited acts and regulated activities.

- A. It shall be unlawful for any person to throw, drop, 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.
- B. 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.

¹ Former Chapter 41 (Junk and Waste Material), adopted 6-4-1948 as Ord. No. 480 and supplemented 8-3-1956 by Ord. No. 568, was repealed 12-20-2001 by Ord. No. 1290.

§42-4. Enforcement.

The code Enforcement Officer and the Seaside Park Police Department are hereby designated as the enforcement officers of the provisions of this ordinance.

§42-5. Violations and penalties.

Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not more than one thousand dollars (\$1,000.) for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days.