

3-8 LITTERING AND DUMPING.

3-8.1 Definition.

The definition of "litter," as referred to in subsection 3-7.5 of the Revised General Ordinances of the Borough of West Long Branch, shall be:

Litter shall mean garbage, refuse and rubbish, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare. "Litter" shall further mean 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, included, but not limited to, 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 materials, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing. (Ord. #504, S 1)

3-8.2 Use of Litter Receptacles.

a. 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 bus stations, parks, drive-in restaurants, all street vendor locations, self-service refreshment areas, construction sites, gasoline service station islands, shopping centers, parking lots, 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.

b. "Litter receptacle" means a container suitable for the disposing of litter. (Ord. #504, S 2)

3-8.3 Illegal Dumping.

It shall be unlawful for any person to discard or dump along any street or road, 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 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. Curbside is designated as the area for disposal of solid waste, consistent with other ordinances of this Borough, for residential properties and certain designated commercial sites. (Ord. #504, S 3)

3-8.4 Storage of Household Solid Waste.

It shall be unlawful for any residential property owner to store or permit storage of any bulky household waste, including household appliances, furniture and mattresses, in any areas

zoned residential, except in a fully enclosed structure or during days designated for the collection of bulky items. (Ord. #504, S 4)

3-8.5 Storage of Tires.

It shall be unlawful for any residential property owner to store or permit the storage of tires in areas zoned residential except in a fully enclosed structure or on days designated for the collection of tires. (Ord. #504, S 5)

3-8.6 Uncovered Vehicles.

It shall be unlawful for any vehicle to be driven, moved, stopped or parked on any highway unless such a 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 cost therefor. (Ord. #504, S 6)

3-8.7 Construction Sites.

It shall be unlawful for any owner, agent or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during or after completion of any construction or demolition project. 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 non-flyable 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. (Ord. #504, S 7)

3-8.8 Open or Overflowing Waste Disposal Bins.

It shall be unlawful for any residential, commercial, or industrial property owner to permit open or overflowing waste disposal bins on his or her property. (Ord. #504, S 8)

3-8.9 Commercial Establishments and Residences.

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. All sweepings shall be collected and properly containerized for disposal. (Ord. #504, S 9)

3-8.10 Gutters, Catch Basins and Sidewalks.

It shall be unlawful for any person to sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway.

Every person or entity who owns, leases, occupies or manages property within the borough shall keep the sidewalk in front of his/its premises free of litter. All sweepings shall be collected and properly containerized for disposal. (Ord. #504, S 10)

3-8.11 Violations and penalties.

a. Any person, firm or corporation who violates or neglects to comply with any provision of this section or any rule or regulation promulgated pursuant thereto shall be punishable upon conviction thereof by a fine not to exceed one hundred (\$100.00) dollars. As an alternate penalty, a convicted person may be ordered to perform community service in the Clean Communities Program for a period not to exceed ninety (90) days.

b. Each day such violation or neglect is committed or permitted to continue shall constitute a separate offense and be punishable as such. Enforcement shall be by summons heard in the Municipal Court. (Ord. #504, S 11)