

§ 3-6. LITTER.¹

§ 3-6.1. Purpose. [Ord. No. 2005-92 § 1]

The purpose of this section is to establish requirements to control littering in the Township of Lakewood, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 3-6.2. Definitions. [Ord. No. 2005-92 § 1]

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section 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 — Shall mean any used or unconsumed substance or waste material which has been discarded or is no longer usable, 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, periodicals or discarded reading material, glass, metal, plastic or paper containers or other packaging or construction material or any trash, wastepaper or garbage lying about, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

LITTER RECEPTACLE — Shall mean a container suitable for the depositing of litter.

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

§ 3-6.3. Prohibited Acts and Regulated Activities. [Ord. No. 2005-92 § 1]

- a. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public, commercial 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 section, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this section.
- c. It shall be unlawful for any person to discard, drop or place along any street or road, or off any right-of-way, any litter as defined in this section, or any household or commercial solid waste, rubbish, refuse, or junk, in any place not specifically designed for the purpose of solid waste storage or disposal.
- d. It shall be unlawful for any residential, private or commercial property owner to permit open

1. Editor's Note: Prior ordinance history includes portions of 1971 Code §§ 4-1.1 — 4-1.9.

or overflowing waste disposal receptacles on his/her property.

- e. No person shall sweep into or deposit in any gutter, street or other public place the accumulation of any litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalks and area in front of the property free of litter, garbage cans and receptacles; provided, however, that this provision shall not apply to those periods of time fixed by the Township Committee for the collection of leaves, garbage and litter.
- f. No person shall load, drive or move any truck or other vehicle unless such vehicle is constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street or other public or private place or property.