
5-4 LITTER.

5-4.1 Definitions. Whenever used in this Section unless a different meaning clearly appears from the context:

Building means any premises occupied by commercial, industrial or residential tenants.

Borough means the Borough of Sayreville.

Garbage means putrescible animal or vegetable wastes from the handling, preparation, cooking and consumption of food.

Hazardous Materials mean those materials requiring special handling techniques due to the potential dangers caused by the inherent toxicity, breakage, consumption, and/or illegal use, i.e., paints, chemicals, hydrocarbons and/or their derivatives, refuse pharmaceuticals and discarded syringes, cathode ray tubes, fluorescent bulbs, etc.

Litter means garbage, refuse and rubbish as defined herein, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

Refuse means all putrescible and nonputrescible solid wastes (except body wastes) including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, solid market and industrial wastes, cans, glasses, bottles, concrete, household sweepings and other items of a similar facsimile, usually noncombustible.

Rubbish means nonputrescible solid wastes, including paper, cardboard, excelsior, straw, boxes, crates, garden and lawn clippings, wood, and materials of a similar facsimile, usually of a combustible nature.

(Ord. #1015, § 6-3.1; Ord. #781-02, § 1)

5-4.2 Litter in Public Places.

- A. No person shall dispose of, deposit, throw or sweep garbage, refuse or rubbish, hazardous materials or any other material upon or along any public or private highway, road, or street, or upon public or private property or in or upon any river, stream or body of water within the Borough.
- B. No person shall place, dump or deposit into public litter receptacles, bags of garbage or refuse or bulk deposits of garbage or refuse where said garbage or refuse is generated by off-site activities, use and/or consumption, it being intended that such public litter receptacles are to be used by members of the public for the deposit of those items of garbage or refuse generated by on-site activities, use and/or consumption which occur in the proximity of the litter receptacles that are provided for the sole purpose of receiving such waste in order to prevent littering in public places.
- C. Hazardous materials, as defined in this Section, shall not be placed in receptacles, but shall be removed by appointment through special collection. All hazardous materials shall be securely wrapped and tied to prevent breakage.

(Ord. #1015, 6-3.2; Ord. #427-95, § 1; Ord. #781-02, § 1)

5-4.3 Litter on Private Property. All owners and occupiers of property shall keep the premises free from garbage, refuse or rubbish. In any building occupied by more than one tenant, the owner thereof shall be responsible to keep property and premises free of garbage, refuse, or rubbish, and to take all necessary measures to insure that proper receptacles are used, that all garbage, refuse or rubbish generated thereon is removed and disposed of according to law, and that all other provisions of this Section are complied with.

(Ord. #1015, § 6-3.3; Ord. #781-02, § 1)

5-4.4 Litter Thrown by Persons in Vehicles. No person, while a driver or passenger in a vehicle, shall throw or deposit litter on any street or other public place within the Borough or on private property.

(Ord. #1015, § 6-3.4)

5-4.5 Truck Loads Causing Litter. No person shall drive or move any truck or other vehicle within the Borough unless the vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited on any street, alley or other public place; nor shall any person drive or move any vehicle or truck within the Borough, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.

(Ord. #1015, § 6-3.5)

5-4.6 Transportation from Outside Borough. No person shall bring, cart, remove, transport or collect any litter from outside the Borough or into the Borough for the purpose of dumping or disposing thereof. No truck or other vehicle containing litter which has been transported into the Borough shall be parked or allowed to remain standing on any street in the Borough or on any public place for a period in excess of two (2) hours.

(Ord. #1015, § 6-3.6)

5-4.7 Clean Up of Waste. It shall be unlawful for any person to cause or permit a dog to be on property, public or private, not owned or possessed by such person unless such person has in his immediate possession an appropriate device for scooping pet wastes and an appropriate sanitary depository for transmission of such pet waste to a receptacle located upon property owned or possessed by such person. This Section shall not apply to a person who is visually or physically handicapped.

(Ord. #1226, § 6-3.8; New)

5-4.8 Rewards. Any person offering information leading to the apprehension and conviction of a violator of this Section, may be eligible for a reward pursuant to Section 2-35 of this Code, Citizen's Award Committee.

(Ord. #1675-88, § (1); Ord. #905-05, S 2)

5-4.9 Violations. Any person, firm or corporation who shall violate any of the provisions of this Section shall, upon conviction, be punished by a fine not to exceed one thousand (\$1,000.00) dollars, by imprisonment for a period not to exceed ninety (90) days, or ordered to perform community service for a period not to exceed ninety (90) days, and each violation of any of the provisions of this Section and each day there is a violation thereof, shall be deemed and taken to be a separate and distinct offense.

(Ord. #1675-88, § (2); Ord. #16-89; Ord. #781-02 S 1)

5-4.10 Enforcement. The Construction Official, Health Official, Code Enforcement Officer and Superintendent of Roads and Sanitation are hereby designated as the enforcement officers of this Section. Such enforcement officers are hereby empowered to issue summons for any violations of this Section in accordance with the rules governing the Court of New Jersey. Nothing herein shall be construed as limiting the power of any other duly authorized law enforcement officer from exercising his authority in the enforcement of this Section.

(Ord. #781-02, § 1)

5-4.11 Abatement. The enforcement officers are also empowered to notify the owner of property within the Borough, on which a violation(s) of this Section exists, to abate such violations. Such notice shall be given to the owner by certified mail, return receipt requested, at the owner's last known address. A minimum of ten (10) days shall be given for abatement of violations.

(Ord. #781-02, § 1)

5-4.12 Removal by Borough. In the event the owner of property who has received notice in accordance with Section 5-4.11 hereof shall refuse or neglect to abate or remedy the condition(s) which is/are in violation of this Section within ten (10) days after receipt of such notice or such greater period as may be contained in the notice, the enforcement officers hereunder shall cause the same to be abated and remedied and certify the cost thereof to the Borough Council, who shall examine the certificate and, if found correct, cause the cost as shown thereon to be charged against the real property of such owner. The amount so charged shall forthwith become a lien upon such real property and shall be added to and become and form a part of the taxes next to be assessed and levied upon such real property, the same to bear interest at the same rate as taxes, which shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for a violation of this section.

(Ord. #781-02, § 1)