

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 6 -2005**

*An Ordinance Of The Township Of Edgewater Park,
County Of Burlington, State Of New Jersey
Regulating Litter Control
Creating Chapter 8.76 Entitled "Regulating Litter Control"*

SECTION ONE. Purpose:

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

SECTION TWO: 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 test 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 are in the singular number include the singular number, and words 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, newspaper, 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.
- 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 THREE. Prohibited acts and regulated activities:

1. It shall be unlawful for any person to throw, drop, discard or otherwise place litter of any nature upon public or private property other than in a litter receptacle, or have done so, to allow such litter to remain.
2. Whenever any liter is thrown or discarded or allowed to fall from 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 FOUR. Enforcement:

This ordinance shall be enforced by the Police Department and the Property Maintenance Department of the Township of Edgewater Park.

SECTION FIVE. Violations and Penalties:

- A. Any person(s) who is found to be in violation of the provisions of this ordinance shall upon conviction thereof in a proceeding before a court of competent jurisdiction be subject to the following fines:
 - 1. A fine of not less than twenty-five dollars (\$25.00) and not more than one thousand dollars (\$1,000.00);
- B. Each continuing violation of this chapter shall constitute a separate offense.

SECTION SIX. 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 SEVEN. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

TOWNSHIP OF EDGEWATER PARK

Richard M. Tucker, Mayor

Linda M. Dougherty, R.M.C.,
Municipal Clerk/Administrator

NOTICE

The foregoing ordinance was introduced by the Edgewater Park Township Committee at its meeting held on May 10, 2005. This ordinance will be consider for adoption of final reading and public hearing to be held on May 24, 2005 at 7:00 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance. During the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

Record Vote of the Township Committee on First Reading					
Committee Member	Yes	No	Abstain	Absent	Motioned By:
Mr. Atzert					
Mrs. Hall					
Mr. Pullion					
Mr. Van Brunt					
Mayor Tucker					

NOTICE OF FINAL ADOPTION:

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Township Committee of the Township of Edgewater Park at a Regular Meeting held on _____ at the Municipal Building, 400 Delanco Road.

TOWNSHIP OF EDGEWATER PARK

Richard M. Tucker, Mayor

Linda M. Dougherty, R.M.C.,
Municipal Clerk/Administrator

1st Reading:
Publication:
Amendment:
2nd Reading:
Publication:
Adoption:

Record Vote of the Township Committee on Second Reading					
Committee Member	Yes	No	Abstain	Absent	Motioned By:
Mr. Atzert					
Mrs. Hall					
Mr. Pullion					
Mr. Van Brunt					
Mayor Tucker					