

**BOROUGH OF SADDLE RIVER
BERGEN COUNTY, NEW JERSEY**

ORDINANCE NO. 23-1070

**AN ORDINANCE OF THE BOROUGH OF SADDLE RIVER, IN THE
COUNTY OF BERGEN AND STATE OF NEW JERSEY, TO AMEND
CHAPTER 142 OF THE BOROUGH CODE ENTITLED "LITTERING"**

1. BE IT ORDAINED by the Mayor and Council of the Borough of Saddle River, that Chapter 142 of the Borough Code be amended as follows:

Chapter 142 Littering

§ 142-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

GARBAGE

Putrescible animal and vegetation waste resulting from the handling, preparation, cooking and consumption of food.

LITTER

Garbage, refuse and rubbish and all other waste material which, if thrown or deposited, tends to create a danger to public health, safety and welfare.

NEWSPAPER

Paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. Magazines and periodicals as well as other paper products in any nature are not considered "newspaper."

REFUSE

All putrescible and nonputrescible solid wastes (except body waste), including garbage, rubbish, ashes, street cleanings, dead animals, animal feces or excremental matter, abandoned automobiles or any parts thereof and solid market and industrial wastes.

RUBBISH

Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, but not limited to stones, glass, stickers, paper, rags, straw, wood, rocks, dirt, dust, sidewalk

sweepings, turf, sand, debris, junk, automobile bodies, frameworks, chassis, abandoned automobiles or any combination of the same, ashes, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, bedding, crockery and similar materials.

§ 142-2 **General restrictions.**

- A. No person shall throw, place, deposit or cause to be thrown, placed or deposited litter or any dangerous or offensive substances in or upon any public place except in a public receptacle or in an authorized private receptacle for private collection.
- B. A public receptacle shall not be used for the deposit of garbage.
- C. No person shall throw or cause to be thrown litter or any dangerous or offensive substance at a car, vehicle, house, building or fence.

§ 142-3 **Placement in receptacles.**

A person placing litter in public receptacles or in private receptacles shall do so in a manner so as to prevent it from being blown, carried or deposited by the elements upon public places or private property.

§ 142-4 **Litter from vehicles.**

- A. No person shall throw or deposit litter upon a public or private place from a vehicle.
- B. No person shall drive or move a truck or other vehicle unless the vehicle is so constructed, loaded or covered as to prevent any load or contents of litter from being blown or deposited upon any public or private place.
- C. No person shall 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 or private place mud, dirt, sticky substances or foreign matter of any kind.

§ 142-5 **Litter on vacant lots.**

No person shall throw, place, deposit or permit to be thrown, placed or deposited upon any public or private lot litter of any description.

§ 142-6 **Handbills.**

- A. Throwing or distributing commercial handbills in public places.
 - (1) No person shall throw or deposit a commercial or noncommercial handbill in or upon a sidewalk, street or other public place.
 - (2) No person shall hand out or distribute or sell a commercial handbill in a public place.
 - (3) This Subsection A shall not apply to the distribution in any public place, without charge to the receiver thereof, of a noncommercial handbill to any person willing to accept it.
- B. Placing commercial and noncommercial handbills on vehicles.

(1) No person shall throw or deposit commercial and noncommercial handbills in or upon a vehicle.

(2) This Subsection **B** shall not apply to the distribution of, without charge to the receiver thereof, a noncommercial handbill to any occupant of a vehicle who is willing to accept it.

C. Depositing commercial and noncommercial handbills on uninhabited or vacant premises.

(1) No person shall throw or deposit a commercial or noncommercial handbill in or upon a private premises which are temporarily or continuously uninhabited or vacant, except by handing or transmitting such handbill directly to the owner, occupant or other person then present in or upon such private premises.

(2) In case of inhabited private premises which are not posted, the distributor, unless requested by anyone upon the premises not to do so, shall have the authority to place or deposit a handbill in or upon such inhabited private premises, if the handbill is so placed or deposited as to secure or prevent the handbill from being blown or drifted about such premises or sidewalks, streets or other public places.

(3) Mailboxes may not be used when prohibited by federal postal law or regulations.

§ 142-7 Mail and newspapers.

The provisions of § **142-6C** shall not apply to the distribution of mail by the United States nor to newspapers, except as provided in this Chapter.

A. No person shall cause or permit any newspaper or other publication to be thrown or placed upon the grounds, including the driveway, of any private property where the owner of said property has notified such publication via certified mail, return receipt requested, at the primary address for such publication, that such publication shall not be delivered to such property.

B. In the event that a Newspaper, after receiving a Notice from the property owner as provided for in this Section, continues to be caused to be thrown, placed or delivered to any such property, a Summons may be issued as provided for in §142-11.

§ 142-8 Posting notices.

No person shall post or affix a notice, poster or other paper or device, calculated to attract the attention of the public, to a lamppost, public utility pole or shade tree or upon any public structure or building, except as may be authorized by the owners thereof or required by law.

§ 142-9 Litter on occupied private property.

A. No person shall throw, deposit or store litter on any occupied private property, whether owned by such person or not.

B. The owner or person in control of private property may maintain private receptacles for collection and removal of litter in a manner so that the receptacles shall not be unsightly and detrimental to the surrounding neighbors.

§ 142-10 **Responsibilities of owners.**

- A. The owner or person in control of private property shall maintain the premises free of litter at all times.
- B. This section shall not prohibit the storage of liter in private receptacles for collection.

§ 142-11 **Violations and penalties.**


Violation of the provisions of this chapter shall be punishable as provided in Chapter 1, General Provisions, Article III, General Penalty.

- 2. If any portion of this Ordinance is found to be unenforceable by any Court, the portion(s) of said Ordinance not so found shall remain valid and enforceable in all other respects.
- 3. This Ordinance shall be effective upon passage and publication by the Borough.

ATTEST:


 Cindy Kirkpatrick, RMC
 Municipal Clerk

APPROVED:


 Mayor Albert J. Kurpis
 Borough of Saddle River

	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Azzariti, John			X			
Carpenter, Duncan			X			
DiGirolamo, Chris		X	X			
Liva, Jeffrey			X			
Sachdev, Ravi			X			
Hekemian, David - Council President	X		X			
Kurpis, Albert J., - Mayor	----	----				


INTRODUCED: 11/13/23

ADOPTED: 12/11/23

I hereby certify the above to be a true copy of an Ordinance **adopted** by the Governing Body of the Borough of Saddle River on December 11, 2023.



Cindy Kirkpatrick, RMC
Municipal Clerk



Mayor Albert J. Kurpis
Borough of Saddle River, New Jersey

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