

SANDYSTON TOWNSHIP

2023-09

**AN ORDINANCE AMENDING CHAPTER 100 ENTITLED “LITTERING” OF THE
CODE OF SANDYSTON, OF THE TOWNSHIP OF SANDYSTON, COUNTY OF
SUSSEX, STATE OF NEW JERSEY**

Section I. Purpose.

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

100-1. Definitions.

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, newspapers, 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.

LITTER RECEPTACLE – a container suitable for the depositing of litter.

PERSON – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction

100-7. Prohibited acts and regulated activities.

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

100-8. Presumption of violation.

In the event that any litter deposited upon public or private property, other than in a litter receptacle, contains any correspondence, invoices, address or shipping labels, magazine labels or similar documents identifying any person, it shall be presumed that the person or persons so identified by such documents shall have violated 100-2.

100-9. Enforcing Official Designated.

The Sandyston Township Code Enforcement Official shall be and is hereby designated as the officer to enforce the provisions of this chapter.

100-10. Violations and penalties.

Any person violating the provisions of this Chapter shall, upon conviction, be subject to a fine of not less than \$100 not more than \$500. If the violation is of a continuing nature, each day during which it continues constitutes a separate and distinct offence.

SECTION II. All Ordinances of the Township of Sandyston, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION III. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION IV. This Ordinance may be renumbered for purposes of codification.

SECTION V. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Roll Call Vote: Ayes: Harper, Hull, Green (3); Nays (0); Absent (0); Abstain (0)

Introduced: August 15, 2023

Adopted: September 12, 2023

George B. Harper, Jr., Mayor

Attest:

Amanda F. Lobban, RMC

Municipal Clerk

NOTICE OF ADOPTION

NOTICE is hereby given that the aforementioned ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Township Committee of the Township of Sandyston, in the County of Sussex, State of New Jersey, held on Tuesday, August 15, 2023 at 7 pm. The same had benefit of second reading and public hearing at which time all interested and present were given the opportunity to be heard during a regular meeting on Tuesday, September 12, 2023 at 9 am at the Sandyston Township Municipal Building, 133 Route 645, Sandyston, NJ at such time the Ordinance became law.

Amanda F. Lobban, RMC

Municipal Clerk