

**BOROUGH OF WRIGHTSTOWN
COUNTY OF BURLINGTON**

ORDINANCE NO. 2024-08

**AN ORDINANCE BY THE BOROUGH COUNCIL AMENDING THE
BOROUGH OF WRIGHTSTOWN CODE OF ORDINANCES TO
REPEAL CHAPTER 104, “LITTERING” AND TO ADOPT A NEW CHAPTER 104,
“LITTER CONTROL” IN THE CODE OF THE BOROUGH OF WRIGHTSTOWN**

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Borough’s 2023 Tier A MS4 NJPDES permit renewal requires permittees to, at a minimum, adopt and enforce a community-wide ordinance to establish requirements to control litter in the Borough of Wrightstown; and

WHEREAS, the Borough Council of the Borough of Wrightstown finds that it is in the best interests of the Borough to adopt the required ordinances to promote the public health, safety, and general welfare of its citizenry.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WRIGHTSTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY AS FOLLOWS:

Section 1. Chapter 104 entitled “Littering” is hereby deleted in its entirety and replaced with the revised Chapter 104 attached hereto as Schedule “A” “Litter Control” and made a part hereof.

Section 2. All other provisions of the Code currently in effect, are hereby saved from revision, and shall remain in full force and effect;

Section 3. If any provision of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

Section 4. This ordinance shall be effective as of the date hereof and shall remain in force until modified, amended or rescinded by Borough of Wrightstown, Burlington County, New Jersey.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Wrightstown held on March 27, 2024. It will be further considered for final passage after a public hearing at the regular meeting to be held on

April 24, 2024, at the Borough Hall, 21 Saylor's Pond Road, Wrightstown, New Jersey at 6:30 P.M. at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard.

FREDA H. GORMAN, RMC
Municipal Clerk

Introduction/First Reading March 27, 2024

Motion: Mrs. Carroll

Second: Mrs. Knapp

Roll Call Vote:

Ayes: Mr. Bird, Mr. Bushnell, Mrs. Carroll, Mr. Craig, Mrs. Knapp, Mr. Lownds

Nays: None

Absent: None

Abstain: None

Second Reading/Public Hearing April 24, 2024

Motion: Mrs. Carroll

Second: Mr. Bushnell

Roll Call Vote:

Ayes: Mr. Bird, Mr. Bushnell, Mrs. Carroll, Mr. Craig, Mrs. Knapp, Mr. Lownds

Nays: None

Absent: None

Abstain: None

DONALD COTTRELL
Mayor

CERTIFICATION

The aforementioned Ordinance Number 2024-08 was finally adopted by the Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey, after Second Reading and Public Hearing at their Regular Meeting held on April 24, 2024.

FREDA H. GORMAN, RMC
Municipal Clerk

Dated: April 24, 2024

Ord2024-08 LitterChapter104StormwaterMngmnt

SCHEDULE "A"
NEW CHAPTER 104
LITTER CONTROL

§104-1. Purpose:

An ordinance to establish requirements to control littering in the Borough of Wrightstown to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

§104-2. 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 text of this Chapter clearly demonstrates a different meaning. When consistent 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.

- A. "Litter" means 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.
- B. "Litter Receptacle" means a container suitable for the depositing of litter.
- C. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

§104-3. Regulated Activities:

- A. 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.
- B. 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.

§104-4. Exemptions:

None

§104-5. General Provisions:

In order to maintain the aesthetic appearance and cleanliness of the Borough of Wrightstown, the following shall be prohibited in the Borough of Wrightstown:

- A. The storage in areas zoned residential of any bulky household items such as appliances, furniture, or mattresses, except in a fully enclosed structure, or during days designated for the collection of bulky items.
- B. The storage of tires in areas zoned residential except in a fully enclosed structure.
- C. The parking of vehicles on residential lawns.
- D. The accumulation of debris on or around construction sites or its storage in such a manner that it is likely to be removed by natural forces onto adjacent property.
- E. Sweeping onto or depositing in any gutter, street, catch basin or other public place, any accumulation of litter from any public or private sidewalk or driveway and every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter and all sweepings shall be collected and properly containerized for disposal, except that this chapter will not prohibit the placing of leaves in the curb for municipal pickup as provided.

§104-6. Vehicles loads to be covered.

All vehicles shall be covered so as to prevent loads from dropping, shifting, leaking or otherwise escaping.

§104-7. Placement of Receptacles.

The placement of litter receptacles and their servicing shall be implemented at the following public places which exist in the municipality: sidewalks used by pedestrians in active commercially-zoned areas, such that at a minimum there shall be no single linear quarter-mile without a receptacle; buildings held out for use by the public, including schools, government buildings, bus stations; parks; drive-in restaurants; all street vendor locations; self-service or refreshment areas; construction sites; gasoline service station islands; shopping centers; parking lots; campgrounds and trailer parks and at special events to which the public is invited, including sporting events, parades, carnivals, circuses and festivals. The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing the receptacles such that adequate containerization is available.

§104-8. Illegal Dumping.

It shall be unlawful for any person to discard or dump along any street or road, on or off any right-of-way, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture or on private property except by written consent of the owner of said property or in any place not specifically designated for the purpose of solid waste storage or disposal.

§104-9. Enforcement:

This ordinance shall be enforced by the Police and/or the Borough of Wrightstown Zoning Officer or Code Enforcement Officer.

§104-10. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine no less than \$100 and no more than \$500.