

**BOROUGH OF LODI
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE NO. 606-19

**AN ORDINANCE TO ESTABLISH REQUIREMENTS TO CONTROL
LITTERING IN THE BOROUGH OF LODI, SO AS TO PROTECT PUBLIC
HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES
FOR THE FAILURE TO COMPLY.**

BE IT ORDAINED by the Mayor and Council of the Borough of Lodi as follows:

SECTION I. 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 Ordinance clearly demonstrates a different meaning. When not inconsistent 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 - 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 saw milling, farming or manufacturing.
- b. Litter Receptacle - a container suitable for the depositing of litter and designed and placed to act as a receptacle for litter.
- c. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION II. 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.

SECTION III. Enforcement:

This ordinance shall be enforced by the Police Department of the Borough of Lodi and such other persons as the Mayor and Council shall charge with enforcement authority.

SECTION IV. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not less than \$250 and not to exceed one thousand two hundred and fifty dollars (\$1,250.00) and/or a period of community service not to exceed 120 days shall be determined by the Municipal Court Judge.

SECTION V. 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 VI. Effective date:

This Ordinance shall be in full force and effect 10 days from and after its adoption and any publication as may be required by law.

APR 17 2006

MAY 15 2006

	AYE	NAY	ABSTAINED	ABSENT
J.C. PIPARO				✓
B. McCASKEY	✓			
M.N. SCHRIEKS	✓			
K. VISCANA	✓			
MAYOR PAPAROZZI	✓			

	AYE	NAY	ABSTAINED	ABSENT
J.C. PIPARO	✓			
B. McCASKEY	✓			
M.N. SCHRIEKS	✓			
K. VISCANA	✓			
MAYOR PAPAROZZI	✓			