

*Borough of Hillsdale, NJ
Tuesday, October 27, 2020*

Chapter 196. Littering

§ 196-1. Title.

This chapter shall be known and may be cited as the "Hillsdale Anti-Litter Ordinance."

§ 196-2. Definitions.

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

GARBAGE

Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

LITTER

Garbage, refuse and rubbish as such are defined herein and 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.

[Amended 10-10-2006 by Ord. No. 06-10]

LITTER RECEPTACLE

A container suitable for the depositing of litter.

[Added 10-10-2006 by Ord. No. 06-10]

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

[Added 10-10-2006 by Ord. No. 06-10]

PUBLIC PLACE

Includes all streets, sidewalks, boulevards, alleys or other public ways and all public parks, squares, spaces, grounds and buildings.

REFUSE

All putrescible and nonputrescible solid wastes, except body wastes, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

RUBBISH

Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding,

crockery and similar materials.

VEHICLE

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway.

§ 196-3. Litter in public and private property prohibited.

[Amended 4-11-1989 by Ord. No. 89-6; 10-10-2006 by Ord. No. 06-10]

- 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, or having done so, to allow such litter to remain.
- B. Litter receptacles shall be placed in the following public places within the Borough of Hillsdale:
- (1) In all commercially zoned areas, such that there shall be a litter receptacle in each linear quarter mile;
 - (2) At all buildings held out for use by the public, including schools, government buildings and railroad stations and bus shelters;
 - (3) In all parks;
 - (4) At all construction sites;
 - (5) At all service station islands;
 - (6) At any special events to which the public is invited.
- C. The proprietors of those places listed in Subsection **B** or the sponsors of events listed therein shall be responsible for providing and servicing such receptacles to ensure that adequate containerization is provided.

§ 196-4. Sweeping litter into gutters prohibited.

[Amended 4-11-1989 by Ord. No. 89-6]

No person shall sweep or otherwise deposit in any gutter, street, catch basin or other public place any accumulation of litter from a public or private sidewalk, driveway or lawn. Any such sweepings shall be properly containerized for disposal.

§ 196-5. Sidewalks to be kept free of litter.

The owner of any vacant lot or building abutting a sidewalk, and the occupant of any such premises abutting a sidewalk, shall keep such sidewalk free of litter.

§ 196-6. Litter thrown from vehicles and boats.

[Amended 10-10-2006 by Ord. No. 06-10]

Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this chapter, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this chapter.

§ 196-7. Truck loads not to cause litter.

[Amended 4-11-1989 by Ord. No. 89-6]

- A. No person shall drive or move any truck or other vehicle within the Borough unless such vehicle is so constructed or loaded as to prevent any load, contents or litter thereon from being blown or deposited upon any street, sidewalk or other public place or upon private property in the Borough.
- B. All vehicles transporting materials shall be covered to prevent the transported material from dropping, leaking or otherwise escaping.

[1] *Editor's Note: For state statute prohibiting load spillage, see N.J.S.A. 39:4-77.*

§ 196-8. Collection of garbage, refuse, rubbish and recyclables.

[Amended 10-10-1972 by Ord. No. 72-14; 4-11-1989 by Ord. No. 89-6; 12-8-1998 by Ord. No. 98-21]

- A. Bulky materials, such as furniture, appliances and mattresses, and tires shall be stored in enclosures, except on days designated for collection.
- B. Debris shall not be stored or allowed to accumulate on or around construction sites in such a manner that it is likely to be moved from the site by natural forces.
- C. No person shall maintain any private receptacle for litter unless such receptacle is so constructed or covered as to prevent the contents thereof from being blown, scattered or deposited upon any street, sidewalk or other public place or upon private property.
- D. No person shall cause or permit any garbage, refuse or rubbish to be placed on any street, sidewalk, at the curb or in any other public place for collection by the Department of Public Works or by others sooner than 7:00 p.m. of the day preceding the day on which said collection is scheduled.
- E. No person shall cause or permit any receptacle for garbage, refuse, rubbish or recyclables to remain at the curb or in any other public place after collection by the Department of Public Works or by others any later than 7:00 p.m. of the day said collection is scheduled.

§ 196-9. Enforcement.

[Added 10-10-2006 by Ord. No. 06-10]

This chapter shall be enforced by the Borough of Hillsdale Police Department.

§ 196-10. Violations and penalties.

[Amended 10-10-2006 by Ord. No. 06-10]

Any person(s) who is found to be in violation of the provisions of this chapter shall be subject to a fine not to exceed \$2,000 or the maximum permitted by law.

§ 196-11. Severability.

[Added 10-10-2006 by Ord. No. 06-10]

Each section, subsection, sentence, clause and phrase of this chapter is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such

portion of this chapter to be unconstitutional, void or ineffective for any cause or reason shall not affect any other portion of this chapter.