

Original

LITTERING

CHAPTER 82
LITTERING

- 82-1. Definitions.
- 82-2. Littering public or private property.
- 82-3. Use of collection receptacles.
- 82-4. Litter from vehicles.
- 82-5. Litter on or from private property.
- 82-6. Violations and penalties.

GENERAL REFERENCES

Brush, Grass and Weeds - See Ch. 29
 Garbage, Rubbish and Refuse - See Ch. 66

- 82-1. Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meaning ascribed to them as follows:

LITTERING - Any item of unworded or carelessly discarded material, including but not limited to refuse, garbage, rubbish, trash, yard waste, loose handbills, advertisements or other substance.

PERSON - Any person or persons, partnership, association, company, firm or corporation

- 82-2. Littering public or private property.

No person shall throw or in any manner deposit or suffer to be deposited any litter in or upon any street, sidewalk, park, body of water or other public or private property with the Borough.

- 82-3. Use of collection receptacles.

Persons depositing litter in public or private collection receptacles shall do so in a manner so as to prevent such litter from being carried by the elements onto any street, sidewalk or other public or private property.

82-4. Litter from vehicles.

- A. No person while in a vehicle shall throw or deposit or suffer to be deposited any litter upon any public or private property within the Borough.
- B. All vehicles used to transport loose materials shall be so constructed as to prevent the escape of such materials onto any public or private property.
- C. No vehicle shall be driven onto a public street while the tires thereof are likely to deposit mud or other foreign substances upon the street surface.

82.5. Litter on or from private property.

- A. No person while in a vehicle shall throw or deposit or suffer to be deposited any litter from private premises onto any public property.
- B. No person shall deposit any materials on any private property in such a manner as to allow or cause litter therefrom to be carried onto any other private or public property.
- C. All owners of private property are reminded to keep their property free of litter.

82.6. Violations and penalties.

- A. Any person who shall violate any provision of this Chapter shall, upon conviction thereof, be punishable by a fine of not more than three hundred (\$300.00) dollars and costs of prosecution, and upon default in payment of the fine and costs, by imprisonment in the County jail for a term of not more than ninety (90) days.
- B. Each day that such violation exists shall be considered to be a separate violation.

BE IT ENACTED by the Supervisors of Exeter Township, Luzerne County, as follows:

1. DEFINITIONS.

For the purposes of this ordinance, the following words and phrases shall have the meaning ascribed to them as follows:

PERSON - Any person or persons, partnership, association, company, firm or corporation.

LITTER - Any item of unwanted or carelessly discarded material, including, but not limited to, refuse, garbage, rubbish, trash, yard waste, loose handbills, advertisements or other substances.

2. LITTERING PUBLIC AND PRIVATE PROPERTY.

No person shall throw or in any manner deposit or suffer to be deposited any litter in or upon any street, sidewalk, park, body of water or other public or private property within the Township.

3. USE OF AUTHORIZED RECEPTACLES.

Persons depositing litter in authorized public or private collection receptacles shall do so in a manner so as to prevent such from being carried by the elements onto any street, sidewalk or other public or private property.

4. LITTERING FROM VEHICLES.

A. No person, while in a vehicle shall throw or deposit or suffer to be deposited any litter upon any public or private property within the Township.

B. All vehicles used to transport loose materials shall be so constructed so as to prevent the escape of such materials onto any public or private property.

C. No vehicle shall be driven onto a public street while the tires thereof are likely to

deposit mud-or other foreign substances upon the street surface.

5. LITTER ON OR FROM PRIVATE PROPERTY.

A. No person, while in a vehicle, shall throw or deposit or suffer to be deposited any litter from private premises onto any public property.

B. No person shall deposit any materials on any private property in such a manner as to allow or cause litter therefrom to be carried onto any other private or public property.

C. All owners of private property are required to keep their property free of litter.

6. VIOLATIONS AND PENALTIES; SEPARATE VIOLATIONS.

A. Any person who shall violate any provision of this ordinance shall upon conviction thereof, for each violation, be subject to a fine of not less than one hundred (\$100.00) dollars nor more than three hundred (\$300.00) dollars plus costs of prosecution. In default of the payment of such fine plus costs, such person shall be sentenced to the county jail for a period not exceeding ten (10) days.

B. Each day that such violation exists shall be considered to be a separate violation.

7. SEVERABILITY.

Should any portion whatsoever of this ordinance be held invalid or unenforceable for any reason by any court of competent jurisdiction, such portion shall be deemed severable, but only to the extent of such holding, and such holding shall not affect the remaining portions hereof.

8. INCONSISTENT ORDINANCES REPEALED.

All ordinances or parts of ordinances inconsistent herewith and the same are hereby

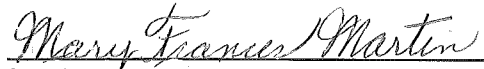
repealed.


9. WHEN EFFECTIVE.

This ordinance shall take effect upon final passage and publication as provided by law.

ORDAINED AND ENACTED this 3RD day of NOVEMBER, 2003.

Attest:


Secretary


ELAINE COOK, Esquire, Chairman,
Exeter Township Board of Supervisors


John Ruane
Exeter Township Board of Supervisors


James Douse
Exeter Township Board of Supervisors

Robert Soska
Exeter Township Board of Supervisors


Donald Hoffman
Exeter Township Board of Supervisors