

# LITTER CONTROL ORDINANCE

## 70-CLEAN COMMUNITY PROGRAM

[HISTORY: Adopted by the Board of Commissioners of the Borough of Cape May Point 4-14-1988 as Ord. No. 263-88. Section 70-7 amended at time of adoption of Code; see Ch. I, General Provisions, Art. 1. Other amendments noted where applicable.]

### GENERAL REFERENCES

Nuisances by dogs — See Ch. 54, Art. III.  
Litter on beaches — See Ch. 58.  
Unfit buildings — See Ch. 04.  
Garbage, rubbish and refuse — See Ch. 94.  
Housing standards — See Ch. 99.  
Public health nuisances — See Ch. 113.

#### *§ 70-1. Participation authorized.*

The Borough of Cape May Point and its officers shall take all action necessary and appropriate to participate in the New Jersey Clean Communities Model Program for Municipalities.<sup>1</sup>

#### *§ 70-2. Responsibility for implementation.*

The implementation of the New Jersey Clean Communities Model Program for Municipalities in the Borough of Cape May Point shall be the responsibility of the Borough Department of Public Works.

#### *§ 70-3. Program coordinator.*

The Mayor of the borough, after consulting with the Commissioner of the Department of Public Works, shall designate a resident of the borough as coordinator for this program.

#### *§ 70-4. Prohibited activities.*

No person, firm, corporation or other entity shall, within the limits of the Borough of Cape May Point:

- A. Litter or throw or discard any tin cans, bottles, garbage, refuse, trash or waste material of any kind whatsoever in or on any public place or in or on any private property not his or her own.
- B. Discard or dump any household or commercial solid waste in any place not specifically designated for the purpose of solid waste storage or disposal.
- C. Store in areas zoned residential 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.
- D. Store any tire or tires in areas zoned residential, except in a fully enclosed structure or on days designated for the collection of tires.

<sup>1</sup> Editor's Note! See N.J.S.A. 13:1B-99.2e.

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- E. Keep any inoperable or unregistered vehicle on any street, vacant lot or residential yards or lawns.
- F. Operate or permit the operation of any vehicle without a cover to prevent loads from dropping, sifting, leaking or otherwise escaping.
- G. Accumulate any debris on or around any construction site or permit it to be stored in such a manner that it is likely to be removed by natural forces onto adjacent property.
- H. Keep or permit any open or overflowing commercial, industrial or residential waste disposal bins.
- I. Sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway.
- J. Place or cause to be placed any trash, garbage, brush, fill or other landscape debris or construction waste or debris in any channel, ditch, storm sewer or storm drain which carries storm drainage water, or in any pond, lake or basin which stores storm water.  
[Added 1-14-1992 by Ord. No. 317-92]

§ 70-5. *Required acts.*

- A. Litter receptacles.
  - (1) All persons, firms, corporations and other entities within the limits of the Borough of Cape May Point shall provide litter receptacles and their servicing at the following public places which exist in the municipality:
    - (a) Buildings held out for use by the public, including government buildings and bus stations.
    - (b) Parks.
    - (c) Restaurants.
    - (d) Self-service refreshment areas.
    - (e) Construction sites.
    - (f) Parking lots.
    - (g) Public and private piers operated for public use.
    - (h) Beaches and bathing areas.
    - (i) Special events to which the public is invited, including sporting events, parades, carnivals, circuses and festivals.
  - (2) 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.
- B. Every owner, lessee, tenant, occupant or person in charge of any building or structure shall keep and cause to be kept the sidewalk and curb abutting said building or structure free from obstruction and nuisances of every kind and to keep said sidewalks, areaways, back yards, courts and alleys free from litter and other offensive material.
- C. 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.
- D. Any person observing a violation of § 70-4 shall immediately report the same to the Superintendent of Public Works. [Added 1-14-1992 by Ord. No. 317-92]

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### *§ 70-6. Annual municipal cleanup.*

The Commissioner of the Department of Public Works shall designate at least one (1) day in each calendar year for the cleanup of public places and shall provide a vehicle or vehicles to pick up trash bagged by volunteers, and the borough shall arrange for its recycling and/or land filling.

### *§ 70-7. Violations and penalties.*

[Amended 1-26-1989 by Ord. No. 272-88]

Any person, firm or corporation who shall violate any provision of this chapter shall, upon conviction, be subject to one (1) or more of the following: a fine not exceeding one thousand dollars (\$1,000.), imprisonment in the county jail for a term not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days, all of the aforesaid, however, being in the discretion of the Judge or other officer having jurisdiction. Each day upon which a violation is continued shall be deemed a separate offense.

