

**Chapter 70B**

**LITTER CONTROL**

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**[HISTORY: Adopted by the Township Committee of the Township of Barnegat 4-18-05 as Ord. No. 2005-22. Amendments noted where applicable.]**

Be it ordained by the Township Committee of the Township of Barnegat, in the County of Ocean and State of New Jersey, as follows:

**§ 70B-1. Purpose.**

An ordinance to establish requirements to control littering in the Township of Barnegat, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**§ 70B-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 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.

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, sawmilling, farming or manufacturing.

LITTER RECEPTACLE — A container suitable for the depositing of litter.

PERSON — Any individual, corporation, firm, association or political subdivision of this State subject to municipal jurisdiction.

**§ 70B-3. Prohibited acts and 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, or having done so, to allow such litter to remain.
- 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.

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**§ 70B-4. Enforcement.**

The provisions of this chapter shall be enforced by the Police Department and the Board of Health of the Township of Barnegat.

**§ 70B-5. Violations and penalty.**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed one hundred fifty dollars (\$150.).