

§ 169-1. Definitions.

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

COMMERCIAL HANDBILL — Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature:

- A. Which advertises for sale any merchandise, product commodity or thing;
- B. Which directs attention to any business or mercantile or commercial establishment or other activity for the purpose of, either directly or indirectly, promoting the interest thereof by sales;
- C. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

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

LITTER — Garbage, refuse and rubbish, as defined herein and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

NEWSPAPER — Any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States in accordance with federal statute or regulation and any newspaper filed and recorded with any recording officer as provided by general law and, in addition thereto, shall mean and include any periodical or current magazine regularly published with no fewer than four issues per year and sold to the public.

NONCOMMERCIAL HANDBILL — Any printed or written matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper.

PARK — A park, reservation, playground, swimming pool, recreation center or any other public area in the Township owned or used by the Township and devoted to active or passive recreation.

PRIVATE PREMISES — Any dwelling house, building or other structure designated or used, either in whole or in part, for private

residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

PUBLIC PLACE — Any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds, malls and buildings.

RECEPTACLE — A litter storage and collection container constructed of durable material with a tightly fitting cover.

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 combustibles and noncombustibles 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, including devices used exclusively upon stationary rails or tracks.

§ 169-2. Littering prohibited.

No person shall throw or deposit litter in or upon any street, sidewalk, mall or other public place within the Township, except in public receptacles, authorized private receptacles for collection or in official Township dumps.

§ 169-3. Placement in receptacles.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

§ 169-4. Deposits in gutters, storm drains, streets, sidewalks and other public places.

- A. No person shall sweep into or deposit in any gutter, storm drain, street, mall or other public place within the Township the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their business premises free of litter.

- B. No person owning or occupying a place of business shall sweep into or deposit in any gutter, storm drain, street, mall or other public place within the Township the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the Township shall keep the sidewalk in front of their business premises free of litter.

§ 169-5. Littering from vehicles.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or public place within the Township or upon private property.

§ 169-6. Leaking or spilling loads; matter from tires.

No person shall drive or move any truck or other vehicle within the Township unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley, mall or other public place, nor shall any person drive or move any vehicle or truck within the Township, the wheels or tires of which carry onto or deposit in any street, alley, mall or other public place mud, dirt, sticky substances, litter or foreign matter of any kind.

§ 169-7. Parks and recreation areas.

No person shall throw or deposit litter in any park, playground or recreation area within the Township except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street, mall or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park, playground or recreation area by the person responsible for its presence and properly disposed of elsewhere as provided herein.

§ 169-8. Swimming pools and other bodies of water.

No person shall throw or deposit litter or any foreign substance in any fountain, pond, lake, stream, swimming pool or other body of water in a park, mall or elsewhere within the Township.

§ 169-9. Distribution of handbills in public places.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street, mall or other public place within the Township; provided, however, that it shall not be unlawful

in any public place for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it.

§ 169-10. Placement of handbills on vehicles.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle; provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge to the receiver thereof, a noncommercial handbill to any occupant of a vehicle who is willing to accept it.

§ 169-11. Distribution of handbills on uninhabited premises.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

§ 169-12. Posted property.

No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private premises if requested by anyone thereon not to do so or if there is placed on such premises in a conspicuous position near the entrance thereof a sign bearing the words: "No Trespassing," "No Peddlers or Agents," "No Advertisement" or any similar notice, indicating in any manner that the occupants of such premises do not desire to be molested or have their right of privacy disturbed or to have any such handbills left upon such premises.

§ 169-13. Distribution of handbills at inhabited premises; exemptions.

- A. No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises; provided, however, that in case of inhabited private premises which are not posted, as provided in this chapter, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill from being blown or drifted about such premises or sidewalks, streets or other public places, and except that mailboxes may not be so used when so prohibited by federal postal law or regulation.
- B. The provisions of this section shall not apply to the distribution of mail by the United States nor newspapers, as defined herein,

except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

§ 169-14. Litter on occupied private property.

- A. No person shall throw or deposit litter on any occupied private property within the Township, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.
- B. The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this section shall not prohibit the storage of litter in receptacles for collection and composting of leaves and grass clippings.

§ 169-15. Litter on vacant lots.

No person shall throw or deposit litter on any open or vacant private property within the Township, whether owned by such person or not.

§ 169-16. Removal procedures for litter on private property.

- A. Notice to remove. The executive officer of the Board of Health or his designated agent is hereby authorized and empowered to notify the owner of any property within the Township or the agent of such owner's property. Such notice shall be by certified mail addressed to such owner at his last known address or may be by personal service upon the owner or his agent.
- B. Action by Township upon noncompliance. Upon the failure, neglect or refusal of any owner or agent so notified to properly dispose of litter dangerous to the public health, safety or welfare within 10 working days after receipt of written notice provided for in Subsection A above or within 10 working days after the date of such notice in the event that the same is returned to the Township and that the same is due and collectible as provided by law.

§ 169-17. Violations and penalties.

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be liable to the penalty stated in Chapter 1, § 1-17.