

ORDINANCE NO. 504

**“AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR CONTROL OF
LITTERING IN THE BOROUGH OF MANTOLOKING AND
PROVIDING PENALTIES FOR VIOLATIONS”**

BE IT ORDAINED, by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

SECTION 1. PURPOSE:

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

SECTION II. 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.

- a. 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 of 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.
- b. Litter Receptacle – a container suitable for the depositing of litter.

- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION III. PROHIBITED ACTS AND REGULATED ACTIVITIES:

1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property not owned or occupied by the person other than in a litter receptacle, or having done so, to allow such litter to remain.

2. 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.

SECTION IV. ENFORCEMENT:

This Ordinance shall be enforced by the Police Department of the Borough of Mantoloking,

SECTION V. PENALTIES:

Any person who is found to be in violation of the provisions of this Ordinance shall be subject to a fine of not less than \$25.00 or more than \$100.00.

SECTION VI. SEVERABILITY:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason, shall not affect any other portion of this Ordinance.

SECTION VII. EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

CERTIFICATION

I, Irene H. Ryan, Clerk of the Borough of Mantoloking, County of Ocean, New Jersey, hereby certify the following attachment to be a true copy of Ordinance No. 504 as adopted by the Borough Council of the Borough of Mantoloking, New Jersey, at a Regular Meeting held in the Borough Hall at 8:00 p.m. on the 21st day of February, 2006 at which time a quorum was present.

Irene H. Ryan, R.M.C.
Clerk, Borough of Mantoloking