

**TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 19-23**

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO CONTROL AND REGULATE LITTERING SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND GENERAL WELFARE IN THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, STATE OF NEW JERSEY

WHEREAS, pursuant to N.J.A.C. 7:8-4.1, et seq., a municipality shall adopt a storm water management plan and storm water control ordinances consistent with the state regulations; and

WHEREAS, the state regulations address several areas of concern, including littering in the Township of Morris so as to protect public health, safety and general welfare; and

WHEREAS, the Township of Morris is subject to littering which adversely affects the health, general welfare and public safety of the Township of Morris; and

WHEREAS, the Township of Morris is determined to preserve the Township of Morris' reputation as a clean and safe community by preventing the Township of Morris from being inundated with litter; and

WHEREAS, the Township Committee of the Township of Morris desires to adopt an ordinance to address litter and prohibit littering;

NOW THEREFORE, be it ordained by the Township Committee of the Township of Morris, County of Morris as follows:

Section I. Purpose:

An ordinance to establish requirements to control littering in the Township of Morris so as to protect public health, safety and general 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 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.

- b. Litter Receptable – 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 other than in a Litter Receptable, or having done so, to allow such Litter to remain.
- 2. Whenever any Litter is thrown or discarded or allowed to fall from a motor vehicle in violation of this ordinance, the operator or owner, or both, of the motor vehicle shall also be deemed to have violated this ordinance.

Section IV. Enforcement:

This ordinance shall be enforced by the Township of Morris Police Department and/or the Township of Morris Health Officer, Code Enforcement Officer as well as the Construction Code Official.

Section V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to one or more of the following: a fine not less than \$25 and not more than \$1,000 or by up to 90 days in jail, or both. If permitted by general law, a convicted person may be ordered to perform community service.

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 clause, 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.

TOWNSHIP OF MORRIS

Mark J. Gyorfy, Mayor

ATTEST:

Suzanne Walsh, Township Clerk

INTRODUCTION: September 20, 2023

ADOPTION: October 18, 2023