

RESOLUTION ESTABLISHING REQUIREMENTS TO CONTROL LITTERING ON PROPERTY OWNED AND OPERATED BY CAMDEN COUNTY, NEW JERSEY

WHEREAS, in order to comply with the New Jersey Department of Environmental Protection Pollution Discharge Elimination System (NJPDES) Rules and the New Jersey Stormwater Permitting Program, and in response to the requirements mandated under the Federal Clean Water Act, the Camden County Board of Commissioners desires to institute certain rules and regulations establishing requirements to control littering on any property owned or operated by Camden County including but not limited to county roadways, county parks, and county facilities, in order to protect public health, safety and welfare and to prescribe penalties for the failure to comply; and

WHEREAS, for the purpose of this Resolution, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Section 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 other 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 Receptacle – a container suitable for the depositing of litter;
- C. Person – any individual (including but not limited to any visitor to County facilities, County employees, or other County officers, agents or employees), corporation, company, partnership, firm, association, or political subdivision of this State subject to Camden County jurisdiction;

RESOLUTION

Res-Pg: 16-2

WHEREAS, 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; and 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; and

WHEREAS, the provisions of this Resolution shall be enforceable by any Municipal, County, or State Police officer, and any person found to be in violation of this Resolution shall be ordered to immediately to properly dispose of their litter and shall be subject to a fine not to exceed One Thousand Dollars (\$1,000.00); and

WHEREAS, each section, subsection, clause and phrase of this Resolution is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Resolution to be unconstitutional, void, or ineffective for any cause, or reason shall not affect any other portion of this Resolution; now, therefore

BE IT RESOLVED by the Camden County Board of Commissioners that it does hereby authorize this Resolution in compliance with Camden County's Stormwater Permit NJPDES R12 – Highway Agency Stormwater General Permit.

MVW:hs
File No. 4076
ZFiles Gen\Highway\Littering\Res Estab Litter Regs on County Prop
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