

TOWNSHIP OF WANTAGE
Sussex County, New Jersey

ORDINANCE No. 06-2025

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 3, POLICE REGULATIONS
IN THE CODE OF THE TOWNSHIP OF WANTAGE TO
UPDATE LITTER AND JUNK REQUIREMENTS**

WHEREAS, the New Jersey Department of Environmental Protection requires that all Tier A municipalities take measures to control littering to protect the environment, and public health and safety. In order to comply with the requirements of the Township of Wantage's Municipal Stormwater General Permit, the Township Committee wishes to amend the revised general ordinances to incorporate recommended New Jersey Department of Environmental Protection model ordinance language.

NOW, THEREFORE, BE IT ORDAINED by the Wantage Township Committee that Chapter 3, Police Regulations of the Code of the Township of Wantage be amended as follows:

SECTION 1. Chapter 3, Section 2, *Litter and Junk* is deleted in its entirety and replaced by the following:

§3-2 LITTER AND JUNK

§3-2.1 Purpose

The purpose of this section is to establish requirements to control littering in order to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§3-2.2 Definitions:

For the purpose of this section, 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 consistent 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 - Shall mean 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 - Shall mean a container suitable for the depositing of litter.

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

Abandoned Automobile - Shall mean any unlicensed or unregistered automobile which is in such condition that it cannot operate under its own power. Any automobile in such condition which is permitted to remain on any property for more than 48 hours, the owner of which has taken no steps to effect the repair or removal thereof shall, prima facie be deemed to be abandoned.

Private Premises - Shall mean any dwelling house, building or other structure designed or used whether wholly or in part for private residential purposes whether inhabited or temporarily or continuously uninhabited or vacant and shall include any yard, ground, walk, driveway, porch, steps or vestibule belonging to appurtenant to such dwelling, house, building or other structure.

Public Place - Shall mean any street, sidewalks, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

Public Structure or Building - Shall mean any structure or building owned or operated by the Federal, county, or State government or any governmental agency.

§3-2.3 **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. The litter must also be placed in the receptacle in a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place.
- 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.
- c. No person shall sweep into or deposit in any gutter, street 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. Person owning or occupying property shall keep the sidewalk or in front of premises free of litter.
- d. No person shall throw, deposit or store litter on any private property within the township whether owned by the person or not, except that the owner or person in control of private property may maintain authorized private

receptacles for collection and removal of same in such manner that same shall not be unsightly and detrimental to the surrounding neighborhood.

- e. The owner or person in control of any private property shall at all times maintain the premises free of litter, provided, that this section shall not prohibit the storage of litter in authorized private receptacles for collection.

§3-2.4 Enforcement:

The Township Administrator, through the Road Department Superintendent and/or Zoning Officer, shall enforce the provisions of this section. It shall be unlawful for any reason to violate any part of this section adopted by the Township of Wantage Committee.

SECTION 2. 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 3. 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.

Ron Bassani, Mayor
Township of Wantage

ATTEST:

Melissa Morales, Municipal Clerk
Township of Wantage

NOTICE is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on the 23rd day of January, 2025. It will be further considered for final passage after public hearing at a meeting of the Mayor and Committee to be held in the Municipal Building, 888 Route 23 South, in the Township of Wantage, on February 13th, 2025 at 7:00 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

Melissa Morales, Municipal Clerk