

§ 163-1. Littering unlawful.

It shall all be unlawful for any person to throw, drop, discard or otherwise place litter of any nature upon any public or private property, other than in a litter receptacle.

§ 163-2. Definitions.

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

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, any cigarette, cigar or match or any flaming or glowing material, any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, tree or tree parts, newspaper, 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 — A container suitable for the depositing of litter.

§ 163-5. Collection of sweepings.

No person shall sweep into or deposit litter in any gutter, street, catch basin or other public or private sidewalk or driveway. Every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter. All litter sweepings shall be collected and properly containerized for disposal.

§ 163-11. Violations and penalties. [Amended 11-9-1992 by Ord. No. 14-92]

- A. Any person who violates this chapter or any part thereof shall, upon conviction, be fined an amount not exceeding \$2,000, be imprisoned for a term not exceeding 90 days and/or serve a period of community service not exceeding 90 days for each and every offense.¹
- B. Lien program to provide for the cleanup of private property pursuant to violation of § 163-5, 163-6, 163-8 or 163-9. In the event that the owner possessor of private property or lands shall refuse or neglect to abate or remedy the condition which constitutes a violation of this chapter, the municipality may cause the condition to be abated and remedied. Upon the removal of any materials prohibited to be stored or abandoned on lands by this chapter by or under the direction of an appointed officer or officers of this jurisdiction, in cases where the owner or tenant shall have refused or neglected to remove the materials within five days of receiving a notice of violation, such officer shall certify the cost thereof to the municipality, which shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against said land and will be added to and become and form part of the taxes next to be assessed and levied upon said lands. The fines shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).