

*Township of Hopewell, NJ
Friday, November 13, 2020*

Chapter 3. Law Enforcement Regulations

§ 3-11. DUMPING AND LITTERING.

§ 3-11.1. Definitions.

[Ord. #493; Ord. #91-880]

- a. LITTER – Shall mean garbage, refuse and rubbish as defined herein, and all other waste material which, if thrown or deposited as herein prohibited tends to create a danger to public health, safety and welfare.
- b. GARBAGE – Shall mean putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- c. REFUSE – Shall mean all putrescible and nonputrescible solid waste (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and all waste materials resulting from any business, trade or industry.
- d. RUBBISH – Shall mean nonputrescible wastes, consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.
- e. PRIVATE PROPERTY – Shall mean any dwelling or structure whether or not occupied, as well as any yard, grounds, sidewalk, wall, fence, driveway, porch, steps, vestibule or mailbox belonging to or appurtenant to such dwelling or structure.
- f. PUBLIC WAYS ADJACENT TO PRIVATE PROPERTY – Shall mean the areas from the side edge of a highway, street or road, whether or not curbed, to and including the sidewalk, if any, and if no sidewalk, to the front property line of adjacent private property, and all areas used for any public park, playground, municipal building or other installation, including driveways, parking areas, walks, paths and other public ways thereupon.

§ 3-11.2. Acts of Litter Prohibited.

[Ord. #493; Ord. #91-880; Ord. #92-907, § 1]

It shall be unlawful for any person to place upon, deliver, deposit, throw upon, leave or abandon, within or upon any private property or public ways adjacent to private property in the Township of Hopewell any litter, garbage, refuse or rubbish as defined herein, or any handbills, advertisements, brochures, fliers, shoppers or other unsolicited commercial matter, printed or otherwise, of every kind or nature whatsoever. This section shall not apply to placement of leaves when duly authorized.

- a. Open or Overflowing Waste Disposal Bins. It is unlawful for any residential or commercial property owner to permit open or overflowing waste disposal bins on his or her property.
- b. Construction Sites. It is unlawful for any owner, agent or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during, or immediately following

completion of any construction or demolition project. It is the duty of the owner, agent or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or nonflyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage of refuse.

§ 3-11.3. Exceptions.

[Ord. #493]

The provisions of this section shall not be applicable to the delivery of:

- a. Mail, parcels or packages by and in accordance with the rules of the United States Postal Service.
- b. Parcels, packages and materials by and in accordance with the rules of the Railway Express Agency or other utility licensed or regulated for such purposes, and those delivered by vendors where ordered by the owner or occupant of the recipient premises.
- c. Newspapers and other publications and periodicals only if subscribed to by the owner or occupant or the recipient premises, provided either (1) placed firmly in a receptacle designed for such purpose or (2) if none, then tightly wrapped to prevent blowing or scattering upon the recipient premises or adjacent areas.
- d. Laundry, dry cleaning, dairy, bakery and similar food products, and commercial product sampling, by agreement with or invitation of the owner or occupant of the recipient premises.
- e. Solicitation cards, brochures and flyers by duly authorized bona fide nonprofit charitable organizations, including, but not limited to, United Fund, American Red Cross, religious, educational, medical and volunteer police, fire and ambulance organizations, provided packaged and placed in such manner as not to blow or scatter upon the recipient premises or adjacent areas.
- f. Noncommercial handbills of a political or other nature whose distribution is or may be protected by constitutional rights of free speech, provided packaged and placed in such manner as not to blow and scatter upon the recipient premises or adjacent areas.
- g. Unsolicited and unsubscribed newspapers, publications and other periodicals of a commercial nature, in whole or in part, provided distribution of same is in compliance with this ordinance, and further provided packaged and placed in such manner as not to blow or scatter upon the recipient premises or adjacent areas.