

Catahoula Legals

Litter Ordinance

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CHAPTER 23

(Enacted by Ordinance No. 278-69, September 9, 1969)

Litter

Short title.

Definitions.

Litter in public places.

Placement of litter in receptacles so as to prevent scattering.

Sweeping litter into gutters prohibited. Merchant's duty to keep sidewalks free of litter. Litter thrown by persons in vehicles.

Truckloads causing litter. Litter in parks.

Litter in streams, lakes and fountains. Litter on occupied private property. Owner to maintain premises free of litter. Litter on vacant lots.

Section 23.14 Penalties.

Section 23.15 Separability. Section 23.1 Short title.

Sections 23.1 through 23.15 shall be known as the "Town of Jonesville Anti-Litter Ordinance."

Section 23.2 Definitions.

(1) Authorized private receptacle is a litter storage and collection receptacle.

(2) Garbage is putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

(3) Litter is garbage, refuse and rubbish as defined herein and all other waste material, if thrown or deposited as here prohibited, tends to create a danger to public health, safety and welfare.

(4) Park is a park, reservation, playground, beach, recreation center or any pub.

(5) Private premises is any dwelling, house, building or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

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(6) Public place is any street, sidewalk, boulevard, alley or other public way and any public park, square, space, grounds or building.

(7) Refuse is all putrescible and nonputrescible solid waste (except body waste), including garbage, rubbish, ashes, street cleansing, dead animals, abandoned motor vehicles and solid market and industrial wastes.

(8) Rubbish is nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery, plastic and similar materials.

(9) Vehicle is every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

Section 23.2 Litter in public places.

No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the Town except in public receptacles for collection, or in official town dumps. Section 23.4 Placement of litter in receptacles so as to prevent scattering.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

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Section 22.3 Notice to remove.

In order to more effectively carry out the intent of section 22.2, the clerk shall send to the property owner as determined from the latest assessment rolls, or the occupant, of the property, failing to comply with the requirements of this chapter, a written notice requiring the property owner to comply therewith within fifteen (15) days from the date of receipt thereof. The notice shall be posted by registered or certified mail, with return receipt requested.

Section 22.4 Judicial determination.

If the owner or occupant of the premises so desires, he may, within the ten (10) day period after service of notice to abate the nuisance, request of the clerk, either in person or in writing and without the requirement of bond, that a date and time be set when he may appear before the municipal court for a trial to determine whether he is in violation of this chapter, and whether or not the location and continued existence of the abandoned, stripped, wrecked or junked vehicle on his property constitutes a public nuisance.

Section 22.5 Failure to remove.

If there has been no compliance by the property owner or occupant with the requirements of this chapter within fifteen (15) days of the judgment of the court determining that he is in violation, the owner or occupant shall be guilty of a misdemeanor and on conviction thereof shall be punished as provided in section 27.7.

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Section 23.8 Truckloads causing litter.

No person shall drive or move any truck or other vehicle within the Town unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place.

Section 23.9 Litter in parks.

No person shall throw or deposit litter in any park within the Town except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

Section 23.10 Litter in streams, lakes and fountains.

No person shall throw or deposit litter in any fountain, pond, lake, stream, ditch, canal, or any other body of water in a park or elsewhere within the Town.

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Section 23.11 Litter on occupied private property.

No person shall throw or deposit litter on any occupied private property within the Town, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

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Section 23.12 Owner to maintain premises free of litter.

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

Section 23.13 Litter on vacant lots.

No person shall throw or deposit litter on any open or vacant property within the Town whether owned by such person or not.

Section 23.14 Penalties.

Any person violating any provision of this Ordinance shall be punished by a fine of not less than ten dollars (\$10) and not more than a fine of one hundred dollars (\$100), or by imprisonment for a term of not less than three (3) days and not more than thirty (30) days.

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If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and that such holding shall not affect the validity of the remaining portions hereof.

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