

Borough of Kenilworth, NJ  
Wednesday, January 8, 2025

## Chapter 125. Littering

[HISTORY: Adopted by the Mayor and Council of the Borough of Kenilworth 8-10-1926 by Ord. No. 64 and 10-22-1974 by Ord. No. 74-12; amended in its entirety 5-24-2006 by Ord. No. 2006-09. Subsequent amendments noted where applicable.]

### **GENERAL REFERENCES**

Garbage, rubbish and refuse — See Ch. **106**.

### **§ 125-1. Purpose.**

The purpose of this chapter is to establish requirements to control littering in the Borough of Kenilworth so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

### **§ 125-2. Definitions and word usage.**

For the purpose of this chapter, 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 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.

#### **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 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**

A container suitable for the depositing of litter.

#### **PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

### **§ 125-3. Prohibited acts and 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, or having done so, to

allow such litter to remain.

- B. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this chapter, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this chapter.

## § 125-4. Enforcement.

This chapter shall be enforced by the Police Department, Board of Health and code enforcement officials of the Borough of Kenilworth.

## § 125-5. Violations and penalties.

[Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine of not less than \$100 nor more than \$500.