

## ORDINANCE NO. 3531-20

### AN ORDINANCE AMENDING CHAPTER 53 ENTITLED "LITTERING" SECTION 2, ENTITLED "DEFINITIONS" AND ADDING SECTIONS 5 AND 15 RESPECTIVELY ENTITLED "PROHIBITED ACTS AND REGULATED ACTIVITIES" AND "SEVERABILITY" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RUTHERFORD, COUNTY OF BERGEN, AND STATE OF NEW JERSEY

**BE IT ORDAINED** by the Mayor and Council of the Borough of Rutherford, County of Bergen and State of New Jersey that Chapter 53, Section 2, of the Code of the Borough of Rutherford Entitled "Definitions" shall be amended as follows and that Sections 5 and 15 respectively entitled "Prohibited Acts and Regulated Activities" and "Severability" shall be added to Chapter 53 and that those portions of the Ordinances not set forth below shall remain unchanged:

#### **§53-2 Definitions.**

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning ~~given~~ **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 RECEPTACLE**

**A container suitable for the depositing of litter.**

#### **§53-5 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 ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.**

**§53-15 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.**

**This ordinance shall take effect in accordance with applicable law.**

**ATTEST:**

**BOROUGH OF RUTHERFORD**

*Margaret M. Scanlon*

Margaret M. Scanlon, Borough Clerk

*Frank Nunziato*

Frank Nunziato, Mayor

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Mayor and Council at a meeting held **August 18, 2020**.

Margaret M. Scanlon

Margaret M. Scanlon, Borough Clerk