

CHAPTER 16 LITTER CONTROL LAW

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Sec. 16-1. Short title.

This chapter shall be known and may be cited as the "Litter Control Law." (Ordinance 84 effective 7/8/1979)

Sec. 16-2. Declaration of intent.

It is the intention of the Council by this section to provide for uniform prohibition throughout the Town of Easton of any and all littering on public or private property, and to curb thereby the desecration of the beauty of the Town and harm to the health, welfare and safety of its citizens caused by individuals who litter. (Ordinance 84 effective 7/8/1979)

Sec. 16-3. Definitions.

As used in this chapter, unless the context clearly requires otherwise, the following words or phrases shall have the following meanings:

Litter. All rubbish, waste material, refuse, garbage, trash, debris, dead animals or other discarded materials of every kind and description.

Public or Private Property. All sidewalks, parking areas, the right-of-way of any road or highway; and body of water or watercourse or the shores or beaches thereof; any park, playground, buildings, refuge or conservation or recreation areas, any residential business or farm properties, timberlands or forests.
(Ordinance 84 effective 7/8/1979.)

Sec. 16-4. Unlawful activities.

(A) It shall be unlawful for any person or persons to dump, deposit, throw or leave, or to cause or permit the dumping, deposit, placing, throwing or leaving of litter on any public or private property in this Town, or any waters in this Town, unless:

(1) Such property is designated by the Town, State, or by any of its agencies or political subdivisions for the disposal of such litter, and such person is authorized by the proper public authority to use such property;

(2) Such litter is placed into a litter receptacle or container installed on such property:

(3) Such person is the owner or tenant in lawful possession of such property; or has obtained consent of the owner or tenant in lawful possession, or unless the act is done under the personal direction of the owner or tenant, all in a manner consistent with the public welfare.

(B) It shall be unlawful for any person or persons to throw, dump, or deposit any trash, junk, or other refuse on any highway, or to perform any act which constitutes a violation of the State of Maryland's Vehicle Laws or Town of Easton laws relative to putting trash, glass and other prohibited substances on highways.

(Ordinance 84 effective 7/8/1979)

Sec. 16-5. Penalties.

Any person violating the provisions of Sec. 16-4 is guilty of a municipal infraction and on conviction thereof shall be punished by:

(A) The levy of a municipal infraction assessment of not more than \$200 or by imprisonment, for not more than 30 days, or both such municipal infraction and imprisonment, or, in lieu thereof,

(B) In the sound discretion of any court in which conviction is obtained, any such person may be directed by the judge of such court to pick up and remove from any sidewalk, parking area, public street or highway or public or private right-of-way, or public beach or public park, or, with prior permission of the legal owner or tenant in lawful possession of such property, any private property upon which it has been established by competent evidence that he has deposited litter, any and all litter deposited thereon by anyone prior to the date of execution of sentence.

(Ordinance 84 effective 7/8/1979)

Sec. 16-6. Presumption of responsibility for violation; suspension of licenses.

Whenever litter is thrown, deposited, dropped, or dumped from any motor vehicle, boat, airplane, or other conveyance in violation of Sec. 16-4 and if the vehicle, boat, airplane or other conveyance has two or more occupants and it cannot be determined which occupant is the violator, the owner of the vehicle, boat, airplane or other conveyance, if present, shall be presumed to be responsible for the violation. In the absence of the owner of the vehicle, boat, airplane, or other conveyance, the operator shall be presumed to be responsible for the violation. Furthermore, licenses to operate such conveyances may be suspended for a period not to exceed seven (7) days together with, or in lieu of, penalties provided in Sec. 16-5. (Ordinance 84 effective 7/8/1979)

Sec. 16-7. Enforcement.

All law-enforcement agencies, offices and officials of this State or any political subdivision thereof, or any enforcement agency, officer or any official of any commission of this State or any political subdivision thereof, are hereby authorized, empowered, and directed to enforce compliance with this chapter. (Ordinance 84 effective 7/8/1979)

Sec. 16-8. Receptacles to be provided; notice of provisions of this chapter.

All public authorities and agencies having supervision of properties of this Town or State are authorized, empowered, and instructed to establish and maintain receptacles for the deposit of litter at appropriate locations where such property is frequented by the public, and to post signs directing persons to such receptacles and serving notice of the provisions of this chapter and to otherwise publicize the availability of litter receptacles and the requirements of this chapter. (Ordinance 84 effective 7/8/1979)

Sec. 16-9. Disposition of fines.

Fines collected for violations of this chapter shall be disbursed to the county or city where the violation occurred, to be used to defray the expense of establishment and maintenance of receptacles and posting of signs as provided in Sec. 16-8. (Ordinance 84 effective 7/8/1979)