

ORDINANCE NO. 05-35

**AN ORDINANCE SUPPLEMENTING SUBSECTION 4-1, LITTER; PROPERTY MAINTENANCE REGULATIONS, INOPERABLE MOTOR VEHICLES, OF CHAPTER IV, POLICE REGULATIONS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROCKAWAY**

**WHEREAS**, pursuant to *N.J.A.C. 7:8-4.1*, et seq., a municipality shall adopt a storm water management plan and storm water control ordinances consistent with the state regulations; and

**WHEREAS**, the State regulations address several areas of concern, including littering in the Township of Rockaway so as to protect public health, safety and welfare; and

**WHEREAS**, there currently exists an Ordinance section to address litter, the Council of the Township of Rockaway desires to adopt an ordinance to supplement that provision to add language from the regulations.

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Township of Rockaway, County of Morris, State of New Jersey, as follows:

**SECTION ONE.** Subsection 4-1.1, Littering Prohibited of Chapter IV, Police Regulations, of the Revised General Ordinances of the Township of Rockaway, shall be supplemented to read as follows:

**4-1.1 Littering Prohibited.** 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.

**SECTION TWO.** Subsection 4-1.2, Definitions of Chapter IV, Police Regulations, of the Revised General Ordinances of the Township of Rockaway, shall be supplemented to add the following definition alphabetically:

*Person* shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**SECTION THREE.** Subsection 4-1.4, Dumping Prohibited; Illegal Dumping of Chapter IV, Police Regulations, of the Revised General Ordinances of the Township of Rockaway, shall be supplemented to read as follows:

**Subsection 4-1.4 Dumping Prohibited; Illegal Dumping.**

- a. It shall be unlawful for any person to discard or dump along any street or road, on or off any right-of-way, any household or commercial solid waste, rubbish, refuse, junk, vehicle, or vehicle parts, rubber tires, appliances, furniture, private property, or in any place not specifically designated for the purpose of solid waste storage or disposal.
- 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 be deemed to have violated this ordinance.

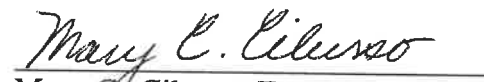
**SECTION FOUR.** All Ordinances of the Township of Rockaway that are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

**SECTION FIVE.** If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

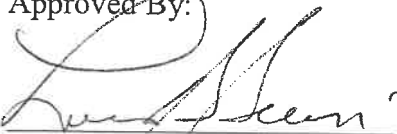
**SECTION SIX.** This Ordinance shall take effect as provided by law.

**CERTIFICATION**

I, Mary C. Cilurso, Township Clerk, Township of Rockaway County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title, and passed on first reading at a regular meeting of the Rockaway Township Council held on October 9, 2005 and adopted by the Governing Body at a regular meeting of the Township held on October 25, 2005.

  
\_\_\_\_\_  
Mary C. Cilurso, Township Clerk

Approved By:



Louis S. Sceusi  
Mayor

**LEGAL NOTICE**  
**TOWNSHIP OF ROCKAWAY, COUNTY OF MORRIS**

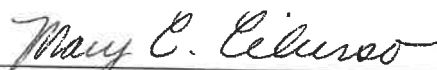
**ORDINANCE NO. 05-35**

NOTICE IS HEREBY GIVEN that an Ordinance entitled "An Ordinance Supplementing Subsection 4-1, Litter; Property Maintenance Regulations, Inoperable Motor Vehicles, of Chapter IV, Police Regulations, of the Revised General Ordinances of the Township of Rockaway" was submitted in writing at a regular meeting of the Mayor and Council of the Township of Rockaway, County of Morris, State of New Jersey, held on October 5, 2005 and was introduced, read by title and passed on first reading. A Statement of Purpose of the Ordinance is contained below. The Governing Body of the Township of Rockaway will further consider the Ordinance for second reading and final passage thereof at their regular meeting to be held on October 25, 2005 at 8 p.m. prevailing time, at the Municipal Building, 65 Mount Hope Road, Rockaway, New Jersey 07866, at which time and place a public hearing will be heard thereon by the Governing Body and all parties in interest and citizens shall have an opportunity to be heard concerning said Ordinance.

Statement of Purpose of Ordinance

The purpose of the above Ordinance is to amend subsection 4-1, Litter; Property Maintenance Regulations, Inoperable Motor Vehicles of the Revised General Ordinance of the Township of Rockaway to include additional language regarding the regulation of littering from the State of New Jersey Stormwater Management Regulations.

A copy of the full Ordinance is available to any member of the general public, without cost, at the Township of Rockaway, Municipal Building, 65 Mount Hope Road, Rockaway, New Jersey, at the Office of the Township Clerk, between the hours of 9:00 a.m. and 4:30 p.m.

  
\_\_\_\_\_  
Mary C. Cilurso, Township Clerk  
Township of Rockaway  
County of Morris, State of New Jersey