

**TOWNSHIP OF DOWNE  
COUNTY OF CUMBERLAND, STATE OF NEW JERSEY**

**ORDINANCE NO. 2023-9**

**AN ORDINANCE TO ESTABLISH REQUIREMENTS TO CONTROL  
LITTERING IN THE TOWNSHIP OF DOWNE**

**SECTION I. Purpose:**

An ordinance to establish requirements to control littering in the Township of Downe, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**SECTION II. Definitions:**

For the purpose of this ordinance, 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.

- a. 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.
- b. Litter Receptacle - a container suitable for the depositing of litter.
- c. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**SECTION III. Prohibited acts and regulated activities:**

1. 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.
2. 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.

**SECTION IV. Enforcement:**

This ordinance shall be enforced by the New Jersey State Police Port Norris Barricks and other Municipal Officials of the Township of Downe.

**SECTION V. Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,000.00.


**SECTION VI. 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.

**SECTION VII. Effective date:**

This Ordinance shall take effect immediately after final adoption and publication as required by law.

ATTEST:

  
Nadine E. Lockley, Municipal Clerk

  
Michael L. Rothman, Mayor

STATE OF NEW JERSEY :  
: ss  
COUNTY OF CUMBERLAND :

Please take notice that the above Ordinance was adopted after a Public Hearing at a meeting of the Downe Township Committee on the 11th day of December, 2023 at the Downe Township Municipal Building in Newport, New Jersey.

ATTEST

  
Nadine E. Lockley, Municipal Clerk



**TOWNSHIP OF DOWNE  
CUMBERLAND COUNTY, NEW JERSEY  
RECORD FOR ORDINANCE # 2023-9**

**Introduce Ordinance on First Reading**

**Motion: CAMPBELL**

**Second: BYRNE**

Introduce Ordinance / First Reading Date: November 13, 2023  
 Ordinance Published: November 17, 2023  
 Ordinance Posted: November 13, 2023  
 Public Hearing / Second Reading Date: December 11, 2023

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Jordan, L.	X			
Byrne, S.	X			
Rothman, M.	X			
Bart, E.				X
Campbell, R.	X			

**Adoption of Ordinance**


**Motion: CAMPBELL**

**Second: BYRNE**

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Jordan, L.	X			
Byrne, S.	X			
Rothman, M.	X			
Bart, E.	X			
Campbell, R.	X			

Final Adoption Date: December 11, 2023  
 Notice of Final Passage Published: December 19, 2023  
 Notice of Final Passage Posted: December 11, 2023

December 11, 2023  
Date

  
Nadine E. Lockley, Municipal Clerk