

**HAMPTON TOWNSHIP  
ORDINANCE NO. 2023-22**

**AN ORDINANCE TO AMEND CHAPTER 70, ENTITLED “LITTERING” OF THE CODE  
OF THE TOWNSHIP OF HAMPTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY.**

**BE IT ORDAINED** by the Township Committee of the Township of Hampton in the County of Sussex, as follows:

**SECTION 1.** Section 70-1, entitled “Word usage; definitions”, of Chapter 70, entitled “Littering”, of the Code of the Township of Hampton, County of Sussex, State of New Jersey, is amended to add the following definitions:

**CONTAINERIZED**

The placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

**YARD WASTE**

Leaves and grass clippings.

**SECTION 2.** Section 70-1, entitled “Word usage; definitions”, of Chapter 70, entitled “Littering”, of the Code of the Township of Hampton, County of Sussex, State of New Jersey, is amended to replace the definition of “Person” with the following:

**PERSON**

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

**SECTION 3.** Section 70-2, entitled “Littering prohibited”, of Chapter 70, entitled “Littering”, of the Code of the Township of Hampton, County of Sussex, State of New Jersey, is hereby amended to read as follows:

§70-2 Littering prohibited.

- A. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter 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, deposited, 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.
- C. Containerized yard waste is not subject to this Section.
- D. If two or more items containing identified information revealing the identity of a person or entity, including but not limited to envelopes and address labels, are obtained from the litter, there shall be a rebuttable presumption that the person or entity so identified by said items is the person or entity in violation of this section.

**SECTION 4.** Section 70-3, entitled “Illegal dumping”, of Chapter 70, entitled “Littering”, of the Code of the Township of Hampton, County of Sussex, State of New Jersey, shall be deleted in its entirety and replaced with the following:

§ 70-3 Yard Waste

- A. Containerized yard waste shall be placed only at the curb or along the street, shall only be allowed during the seven days prior to a scheduled and announced yard waste collection and shall not be placed closer than 10 feet from any storm drain inlet.
- B. If non-containerized yard waste is placed in a street, or if containerized yard waste is placed in a street more than seven days before a scheduled and announced yard waste collection, or if containerized yard waste is placed closer than 10 feet from any storm drain inlet, the person who generates or is responsible for placement of yard waste must immediately remove the yard waste from the street.
- C. The owner or occupant of any property, and any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste in the street, unless the yard waste is containerized, subject to the prohibitions set forth in Paragraphs A and B of this Section.

**SECTION 5.** Section 70-5, entitled “Litter thrown from vehicles prohibited”, of Chapter 70, entitled “Littering”, of the Code of the Township of Hampton, County of Sussex, State of New Jersey, shall be deleted in its entirety and replaced with the following:

§ 70-5 Pet waste.

A. Definitions as used in this section:

1. Immediate – shall mean that the pet solid waste is removed at once, without delay.
2. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
3. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
4. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
5. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

B. Requirement for Disposal: All pet owners and keepers are required to immediately and properly dispose of their pet’s solid waste deposited on any property, public or private, not owned or possessed by that person.

C. Exemptions: Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

**SECTION 6.** Section 70-14, entitled “Administration and enforcement”, of Chapter 70, entitled “Littering”, of the Code of the Township of Hampton, County of Sussex, State of New Jersey, is amended to read as follows:

**70-14 Administration and enforcement.**

This chapter shall be administered and enforced by the Health Officer, Township Recycling Coordinator and/or the Code Enforcement Officer.

**SECTION 7.** Section 70-15, entitled “Violations and penalties”, of Chapter 70, entitled “Littering”, of the Code of the Township of Hampton, County of Sussex, State of New Jersey, is amended to read as follows:

**70-15 Violations and penalties.**

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 more than \$2,000 or may be imprisoned in the county jail for a term not to exceed 90 days, or both. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

**SECTION 8.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 9.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 10.** This Ordinance shall take effect upon its passage and publication as provided by law.

**CERTIFICATION**

I hereby certify that the above Ordinance was adopted by the Hampton Township Committee at their regular meeting held on November 28, 2023 at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date: \_\_\_\_\_

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Kathleen Armstrong, RMC  
Township Clerk

## **NOTICE**

**NOTICE IS HEREBY GIVEN** that the attached Ordinance #2023-22 was introduced at a regular meeting of the Township Committee of the Township of Hampton, Sussex County, New Jersey, held on the 31<sup>st</sup> day of October 2023 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Township Committee to be held on the 28<sup>th</sup> day of November 2023 at the Municipal Building, One Rumsey Way, in the Township of Hampton, at 7:00 p.m., and remotely via Zoom if available, or remote only at the discretion of the Administrator or Mayor, at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance. To attend the meeting remotely use the following link: <https://us02web.zoom.us/j/4919500389>, or to attend the meeting by phone, dial 929-205-6099 (Meeting ID: 491 950 0389).

Kathleen Armstrong, RMC  
Township Clerk

## **NOTICE ORDINANCE 2023-22**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance #2023-22 was adopted at Final Reading at the regular meeting of the Township Committee of the Township of Hampton, County of Sussex held on Tuesday, November 28, 2023, at the Hampton Township Municipal Building, Baleville, N.J.

Kathleen Armstrong, RMC  
Township Clerk