

**BOROUGH OF OGDENSBURG
COUNTY OF SUSSEX
ORDINANCE 01-2026**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 3 OF THE CODE OF THE BOROUGH OF OGDENSBURG
ENTITLED "POLICE REGULATIONS" SECTION 3-6 LITTERING**

WHEREAS, the Borough of Ogdensburg ("Borough") desires to amend and supplement Chapter 3. Police Regulations Section 3-6 Littering.

NOW THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Ogdensburg, County of Sussex, and State of New Jersey, that Chapter 3 Section 3-6 Littering of the Borough Code is hereby amended, revised and supplemented as follows:

SECTION 1.

Chapter 3 Police Regulations

§3.6.1. Title. This chapter shall be known and may be cited as the "Ogdensburg Anti-Litter Ordinance." The purpose of this chapter is to establish requirements to control littering in the Borough of Ogdensburg so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

3.6.2. Definitions.

For the purposes of this chapter the following terms, phrases, words and their derivatives shall have the meaning given herein.

Garbage

Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Litter

Garbage, refuse and rubbish as defined herein, and any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, papers, 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 trash, debris, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction materials, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

Park

A park, reservation, playground, beach, recreation center or any public area in the Borough or Ogdensburg owned or used by the town and devoted to active or passive recreation.

Person

Any person, firm, partnership, association, corporation, or organization of any kind.

Private Property

Any dwelling, house, building or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

Public Place

Any area that is used or held out for use by the public, whether owned or operated by public or private interests. This includes, but is not limited to, any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

Receptacle

A container suitable for the depositing of litter.

Refuse

All putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleaning, dead animals, abandoned automobiles, furniture, refrigerators, appliances, building material and solid market and industrial wastes.

Rubbish

Nonputrescible solid wastes consisting of both combustible and noncombustible wastes such as paper, wrappings, cigarettes, cardboard, tin cans, wood, glass, bedding, crockery and similar materials.

Vehicle

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway.

§3.6.3. Burning of litter is prohibited.

No person shall burn any litter or garbage, refuse, or rubbish in any open place, whether public or private, or in any outside receptacle, incinerator or outdoor fireplace.

§3.6.4. Littering prohibited.

No person shall throw or place, or cause to be thrown or placed, upon any street, street crossing, or sidewalk, private property, public place, or park any litter or garbage, refuse, or rubbish, except in designated public receptacles or in approved private receptacles for collection, and except for the purposes of curbside collection of such materials and for a limited period of 24 hours prior to collection and 24 hours after collection has been made. All litter and garbage shall be securely wrapped or deposited in properly covered private receptacles in such a manner as to prevent it

from being carried or deposited by the elements upon any streets, street crossings, sidewalks, other public or private places or upon other private property.

§3.6.5. Littering from motor vehicles prohibited.

No person while a driver or passenger in a motor vehicle shall throw or deposit litter upon any street, street crossing, or sidewalk, private property, public place, or park within Borough or upon private property. Whenever any litter is thrown or discarded or allowed to fall from a motor vehicle in violation of this chapter, the operator, passenger, or both, of the motor vehicle shall be deemed to have violated this chapter.

§3.6.6. Merchants' duty to keep sidewalks free of litter.

Persons owning or occupying places of business within the Borough shall keep the sidewalk in front of their business premises free of litter.

§3.6.7. Loads on trucks causing litter.

No person shall drive, load or move any truck or other vehicle within the Borough unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, street crossing, or sidewalk, private property, public place, or park. Nor shall any person drive or move any vehicle or truck within the Borough, the wheels or tires of which carry onto or deposit in or upon any street, street crossing, or sidewalk, public place, or park an excessive amount of mud, dirt, sticky substances, litter or foreign matter of any kind.

§3.6.8. Littering in parks prohibited.

No person shall throw or deposit litter or garbage, refuse, or rubbish in any park within the Borough except in public receptacles and in such a manner that will prevent it from being carried or deposited by the elements upon any part of the park or upon any street, street crossing, sidewalk, or other public place. Where public receptacles are not provided, all such litter or garbage, refuse, or rubbish shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

§3.6.9. Littering on occupied private property prohibited.

No person shall throw, drop, discard, deposit, or otherwise place any litter or garbage, refuse, or rubbish on any occupied private property within the Borough, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that will prevented it from being carried or deposited by the elements upon any street, street crossing, sidewalk or other public place or upon any private property. The owner or person in control of any private property, whether occupied or vacant, shall at all times maintain the premises free of litter or garbage, refuse, or rubbish.

§3.6.11. Littering on vacant lots prohibited.

No person shall throw, drop, discard, deposit, or otherwise place any litter or garbage, refuse, or

rubbish on any open or vacant public or private property within the Borough, whether owned by such person or not.

§3.6.12 Violations and penalties.

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of \$1,000 or each violation. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuance of the violation may be punished as provided above for each separate offense.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a 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 hereof.

SECTION 4. This ordinance shall become effective after second reading and publication as required by law.

Attest:

Robin Hough, Borough Clerk

George P. Hutnick, Mayor

NOTICE

TAKE NOTICE that the above entitled Ordinance 01-2026 was introduced at a regular meeting of the Borough Council of the Borough of Ogdensburg on February 9, 2026, and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Ogdensburg to be held on February 23, 2026 at 7:00PM in the Municipal Building, 14 Highland Ave., Ogdensburg, New Jersey, and shall take effect according to law.

Robin Hough, RMC/CMR

Roll call vote for Introduction Ordinance 01-2026:

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
Councilman Ciasullo				
Councilwoman Cowdrick				
Councilman DeMeo				
Councilman Gandarinho				
Councilman Gordon				
Councilwoman Lane				
Mayor Hutnick (Tie Only)				

Roll call vote for Adoption Ordinance 01-2026:

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
Councilman Ciasullo				
Councilwoman Cowdrick				
Councilman DeMeo				
Councilman Gandarinho				
Councilman Gordon				
Councilwoman Lane				
Mayor Hutnick (Tie Only)				