

LITTER CONTROL LAW

Chapter 13 Local Law #6 1989

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(HISTORY: Adopted, Hilton Village Board 11-6-89 as Local Law No. 6 1989)

Be it enacted by the Village Board of the Village of Hilton, New York, as follows:

13-1 Title

This chapter shall be known and may be cited as the "Litter Control Law".

13-2 Legislative Intent

Littering creates visual pollution, creates health and safety hazards and imposes a financial burden on the taxpayers of the Village. The purpose of this chapter is to exercise control over littering of the Village by residents and non-residents and to reduce and eliminate, if possible, the above problems.

13-3 Definition

The following terms used in this local law shall have the following meanings, unless the context requires or indicates a different meaning:

LITTER (noun) - Includes the following items of personal property left, posted, thrown, dropped, discarded, abandoned, cast aside, blown or dropped from vehicles or otherwise, without the intention of reclaiming the same, within the Village; paper products, plastics, tobacco products, food products, waste and residue there from, newspapers, magazines, handbills, and similar products, rags, cans, bottles, boxes, cartons, wrappers, and containers of any sort with or without contents, garbage, refuse, trash and any and all materials customarily collected and disposed of by trash collection companies and/or the Village.

LITTERING or LITTER (verb) - To intentionally or negligently leave, post, throw, drop, discard, abandon, cast aside, permit to be blown or dropped from a vehicle or otherwise any litter within the Village or to place any litter in any trash receptacle owned or maintained by the Village, for the use of the Village, without prior written approval of the Village. The depositing of litter in public or private receptacles intended for that purpose shall not constitute littering.

LITTERER - One who litters or permits littering on his property.

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13-3 Definition (continued)

PRIVATE PREMISES - Any real property not constituting public premises as hereinafter defined.

PUBLIC PREMISES - Any real property owned or leased by the State of New York or any of the subdivisions thereof, including the Village, the Town of Parma, and the Hilton Central School.

VILLAGE - The Village of Hilton, New York.

13-4 Prohibited Acts

- A. No person shall litter within the Village, whether on public or private premises and whether or not owned by such person, and no person shall knowingly permit the accumulation of litter on his premises, whether placed there by him or others.
- B. No person shall affix any handbills, posters, signs, etc, to any utility pole or tree, either on public or private property within the Village.

13-5 Notice to Remove

- A. No notice shall be required to a litterer who litters on public premises to make the sanctions imposed by this chapter effective.
- B. Owners of private property who litter or permit littering on their property shall be entitled to a three (3) day notice to remedy the condition before the sanctions imposed by this chapter shall be effective. Such notice shall be addressed to the owner as shown on the most recent tax rolls and shall be either personally served on him or served on him by certified mail at the address shown on the tax roll.

13-6 Penalties for Offenses

Each and every violation of this chapter shall constitute an offense as defined in the Penal Law of the State of New York and shall be punishable, for each offense, by a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment for not more than seven (7) days, or both.