

**TOWN of TIVERTON
LITTER ORDINANCE**

Section 1. POLICY AND PURPOSE

Litter on and alongside public places and shoreside areas of the Town, as well as private property, defiles the appearance of the community, denying to the public the full enjoyment of a clean and beautiful natural environment. The effects are adverse to public health and economic progress, as well as to community pride and the Town's reputation. While existing town ordinances (e.g., Town Code, Chapter 66) deal with solid waste management and disposal in furtherance of state law and policy (RI G.L. 37-15-1, et seq.), there is need for a specific provision in town law directed at litter as defined in this ordinance to effectively address this problem.

Section 2. DEFINITIONS

As used in this ordinance, the following words shall have the meanings given below:

Litter means trash, waste, rubbish, ashes, cigarette butts, bottles, glass, cans, boxes, wrappings, paper, plastic, wire, garbage, debris, or anything else thrown dropped, placed, or discarded, or otherwise disposed of in a manner not in accordance with state and town law, on public space, or on private property without permission of the owner or legal occupant, or in the water of the Town.

Person means any person, corporation, firm, partnership, company, association, or other legally established organization.

Public Space means land, waters, streets, highways, sidewalks, public ways, and public grounds (including schools, parks, and town forests) owned by the Town, as well as by the State of Rhode Island.

Section 3. LITTERING PROHIBITED

No person shall throw, drop, place, discard, or otherwise dispose of litter upon public space, or upon private property without permission of the owner or legal occupant, or in the waters of the town unless such acts are done in accordance with state and town law relating to the management, disposal, and storage of such matter.

Section 4. ENFORCEMENT

A. The main purpose of this ordinance is to focus public attention on the litter problem and to encourage voluntary compliance in the public spirit. Any person that does not comply and is convicted of a violation of this ordinance shall be subject to the following penalties:

(1) first offense – fine of not less than thirty dollars (\$30), nor more than three hundred dollars (\$300), and/or the violator may be ordered to pick up litter in the Town for not less than one (1) nor more than ten (10) hours.

(2) Subsequent offenses – fines of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500), and/or the violator may be ordered to pick up litter in the Town for not less than two (2) nor more than twenty (20) hours.

(3) In addition to other penalties, a person convicted of a violation of this ordinance shall be liable for the removal or cost of removal of the litter involved.

B. All departments and agencies of the Town shall assist the Town Police Department in the enforcement of this ordinance.

C. The Town's Municipal Court shall have jurisdiction to try violations of this ordinance. In addition to imposing the penalties enumerated above, the court may hold the registration of any vehicle own by a violator that is used ion the act of littering until the liability referred to in section 4.A above is satisfied (see, RI G.L 3701501(d)).

Section 5. EFFECTIVE DATE

This ordinance shall be in full force and effect from the date of its passage.

As adopted by Town Council 4-10-00

Prepared for the Conservation Commission
J. Da Ponte 624-7492