

Chapter 103

LITTERING

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[HISTORY: Adopted by the Town Board of the Town of Patterson 8-9-68. (readopted 4-13-2005 by L.L. No. 9-2005) Amendments noted where applicable.]

GENERAL REFERENCES

- Burning permits - See Ch.68
- Dumps and dumping - See Ch. 79.
- Garbage, rubbish and refuse - See Ch. 97.
- Parks - See Ch. 115
- Peddling and soliciting - See Ch. 121.

§ 103-1. Littering prohibited.

It shall be unlawful and a violation of this chapter for any person, firm or corporation to place upon or permit to accumulate upon any public street or sidewalk or other public place in the Town of Patterson any trash, papers, garbage, empty containers or other offensive materials, except in public receptacles or in authorized private receptacles for collection.

§ 103-2. Use of receptacles.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place.

§ 103-3. Sweeping Utter into streets; sidewalks.

No person shall sweep into or deposit in any gutter, street or other public place within the town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

§ 103-4. Littering streets from business premises; sidewalks.

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the town shall keep the sidewalk in front of their business premises free of litter.

§ 103-5. Litter from vehicles.

No person while a driver or passenger in a vehicle shall throw or deposit litter upon any street or other public place within the town.

§ 103-6. Litter falling from trucks or truck tires.

No person shall drive or move any truck or other vehicle within the town unless such vehicle is so constructed or loaded as to prevent any load or contents of litter from being blown or deposited upon any street, alley or other public place. Nor shall any person drive or move any vehicle or truck within the town, the wheels or tires of which carry onto or deposit in any street, alley or other public place mud, dirt, sticky substance or foreign matter of any kind.

§ 103-7. Litter in parks.

No person shall throw or deposit litter in any park within the town except in receptacles provided therefor. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

§ 103-8. Littering bodies of water.

No person shall throw or deposit litter in any fountain, pond, lake, stream, river or any other body of water in a park or elsewhere within the town.

§ 103-9. Distributing handbills on streets.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the town. Nor shall any person hand out or distribute or sell any commercial handbill in any public place; provided, however, that it shall not be unlawful on any sidewalk, street or other public place within the town for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it.

§ 103-10. Distributing handbills to vehicle occupants.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle; provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge to the receiver thereof, a noncommercial handbill to any occupant of a vehicle who is willing to accept it.

§ 103-11. Affixing posters to poles or trees.

No person shall post or affix any notice, poster or other paper or device calculated to attract the attention of the public, to any lamppost, public utility pole or shade tree or upon any public structure or building, except as may be authorized or required by law.

§ 103-12. Littering private property; receptacles. [Amended 5-8-1996 by L.L. No. 4-1996]

No person shall throw, deposit or allow permit or cause to be thrown or deposited any refuse, garbage, debris, junk, discarded or abandoned appliance, abandoned boat or abandoned motor vehicle or parts thereof or any other impure or waste materials on or about any public or private property, whether owned by such person or not, except that the owner of person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other

public place or upon any private property.

§ 103-13. Maintenance of private property. [Amended 5-8-1996 by L.L. No. 4-1996]

A. Notwithstanding the aforesaid, the retention of refuse, debris, junk, discarded or abandoned appliances, boats and motor vehicles or parts thereof shall be permitted for a period not exceeding ten (10) days while awaiting removal, provided that the aforesaid matter is placed in a manner that it cannot be seen by the public, and further provided that all health, fire and other rules, regulations and laws are complied with; and the retention of garbage of other putrescible waste shall be permitted for a period not exceeding five (5) days while awaiting removal, provided that such garbage or other waste is placed in containers designed for the storage of such material which shall completely confine the material, shall be rodent proof and insect proof and shall be kept in an inoffensive and sanitary condition at all times, in full compliance with all applicable fire, health and other codes, rules and regulations.

B. Every owner, lessee, tenant, occupant or person in charge of any building, grounds or premises shall keep and cause to be kept the sidewalk, lawn area and road frontage abutting said building, grounds or premises free from obstruction and nuisances of every kind, and shall keep said sidewalks lawn area and road frontage abutting said building, grounds or premises free from garbage, refuse, rubbish, litter and other offensive material.

§ 103-14. Littering vacant property.

No person shall throw or deposit litter on any open or vacant private property within the town, whether owned by such person or not.

§ 103-15. Mulch piles; ashes as fill.

Nothing in this chapter shall be construed as denying any person the right to maintain a mulch pile or accumulation of grass cuttings, leaves or other inoffensive materials on his own or leased property, as long as dust, odors or other nuisances are not permitted to develop from the resulting compost. Nothing in this chapter shall be construed as denying any person the right to use ashes or other clean material as fill on his property so long as dust or any other nuisance is not permitted to develop therefrom.

§ 103-16. Penalties for offenses. [Amended 9-10-84 by L.L. No. 3-1980; 10-10-84 by L.L. No. 3-1984; 1-24-1990 by L.L. No. 4-1990; 7-24-1996 by L.L. No. 8-1996]

Any person committing an offense against any of the provisions of this chapter or Article, as the case may be, shall be guilty of a violation under the Penal Law of the State of New York and, upon conviction thereof, shall be punishable for each offense by a fine of one hundred dollars

(\$100.) for the first offense, one hundred fifty dollars (\$150.) for the second offense and two hundred dollars (\$200.) for the third and/or subsequent offenses. Additionally, any person convicted of violating any provision of this chapter or Article, as the case may be, shall pay the Town of Patterson restitution equal to the amount actually expended for cleanup costs incurred as a result of said violation.¹

¹ Editor's Note: Former § 103-17, Reward for information, added 3-21-1989 by L.L. No. 5-1989 was repealed 5-22-1996 by L.L. No. 5-1996