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Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

~~COUNTY~~  
~~CITY~~ of HOBART  
~~TOWN~~  
Village

Local Law No. 1 of the year 19 76

A local law TO PREVENT LITTERING IN THE VILLAGE OF HOBART  
(Insert title)

Be it enacted by the BOARD OF TRUSTEES - Village Board of the  
(Name of Legislative Body)

~~COUNTY~~  
~~CITY~~ of HOBART as follows:  
~~TOWN~~  
Village

A. Definitions and word usage. As used in this chapter, the following terms shall have the meanings indicated:

AUTHORIZED PRIVATE RECEPTACLE -- A litter storage and collection receptacle of steel, aluminum or plastic, of ten (10) to thirty (30) gallons' capacity, with tight cover, or a larger steel container with closed lid.

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 all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare or tends to create blight.

NEWSPAPER -- A printed publication issued at regular intervals, including any periodical or current magazine regularly published with not less than four (4) issues per year and sold to the public, commonly containing news, comment, features and advertisements, including any "newspaper" duly entered with the Post Office Department of the United States in accordance with federal statute or regulation.

PARK -- A park, reservation, playground, recreation center or any other public area in the village, owned or operated by the village, and devoted to active or passive recreation.

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

PRIVATE PREMISES -- Any house, building or other structure not owned or operated by the village, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, ground, parking lot, walk, driveway, porch steps, vestibule or mailbox belonging or appurtenant to such house, building or other structure.

PUBLIC PLACE -- Any and all streets, sidewalks, boulevards, alleys or other public ways, and any and all public parks, squares, spaces, grounds and buildings.

REFUSE -- Includes garbage and rubbish.

RUBBISH -- Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as, but not limited to, paper wrappings, cardboard, tin cans, wood, glass, bedding, crockery.

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

VILLAGE -- Village of Hobart

When not inconsistent with the context, words used in the present tense include the future; words used in the plural number include the singular; words used in the singular number include the plural; and words in the masculine include the feminine and the neuter. The word "shall" is always mandatory and not merely directory.

B. Littering in public places prohibited.

1. No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the village, except in public receptacles or in authorized private receptacles for collection.

2. 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 or upon private property.

3. No person shall sweep into or deposit in any gutter, street or other public place within the village the accumulation of litter from any building or lot or from any public or private sidewalk or driveway.

4. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

C. Littering from vehicles prohibited.

1. No person shall throw or deposit litter from any vehicle upon any street or other public place within the village or upon private property.

2. No person shall drive or move any vehicle or truck within the village, the wheels or tires of which carry onto or deposit in any street, alley or other public place, sticky substances or foreign matter of such kind as adheres to the road surface.

D. Littering in parks and bodies of water prohibited.

1. No person shall throw or deposit litter in any park within the village, except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public or private place. 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, as provided herein.

2. No person shall throw or deposit litter in any pond, river, stream or other body of water within the village.

E. Littering on private property prohibited.

1. No person shall throw or deposit litter on any private property within the village, whether owned by such person or not and whether occupied or vacant, except that the owner or 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 private property.

2. The owner or person in control of private property or any portion thereof shall at all times maintain the premises or that portion controlled by him free of litter, except when stored properly in authorized private receptacles for collection, when such person shall have actual notice thereof or when said litter shall have been present a sufficient length of time to constitute constructive notice.

F. Penalties for offenses.

1. Any person committing an offense against any provision of this chapter shall be guilty of a violation punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

G. VALIDITY. Should any provisions of this law be judicially determined to be invalid, the remaining provisions shall continue in full force and effect.

H. EFFECTIVE DATE. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.