

Litter Control Ordinance

TOWN OF BETHLEHEM LITTER CONTROL ORDINANCE

I. STATE OF PURPOSE

The purpose of this ordinance is to protect and promote the health, safety, and welfare of residents of the Town of Bethlehem through the control and prevention of illegal dumping of litter throughout the community.

II. AUTHORITY

This Ordinance is adopted under the provisions of RSA 31:39 I (f)

III. DEFINITIONS

For the purposes of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this Ordinance:

- A. LITTER: Means all rubbish, refuse, garbage, trash, furniture, demolition debris, dead animals or other discarded materials of every kind and description.
- B. PERSON: Any person, owner, lessee, firm, business, partnership, sole proprietorship, association, corporation, company, or organization of any kind.
- C. PRIVATE PROPERTY: Any land or any structure or portion of any structure designed or used for private, commercial, or residential purposes which is not public property.
- D. PUBLIC PROPERTY: Any and all streets, waterways, public rights of way, easements, medians, sidewalks, highway, streets, or other public parks, spaces, grounds, and buildings.

IV. GENERAL PROHIBITION

It shall be unlawful for any person or persons to dump, deposit, throw or leave, or to cause or permit the dumping, depositing, placing, throwing or leaving of litter on any public or private property in the town of Bethlehem unless:

- A. Such property is designated by the Selectmen of the Town of Bethlehem or by the State of New Hampshire (or by any of its agencies or political subdivisions) for the disposal of such litter, and such person is authorized by the proper public authority to use such property;
- B. Such waste material is placed into a litter receptacle or container installed on such property.
- C. Such waste material is placed by property owners on their own property.
- D. Such waste material is placed on private property with the consent of the property owners.

V. VIOLATIONS AND PENALTIES

- A. Evidence of a specific complaint or complainant is not necessary to establish a violation of this chapter.
- B. Any person who violates the provisions of this chapter shall be guilty of a violation for each offense and shall be subject to a fine of up to \$1000.00 for each offense.

VI. ENHANCED PENALTY

Any person who violates the provisions of this Ordinance three (3) or more times in a year shall be subjected to the provision of an enhanced penalty and shall be subject to a fine of no less than \$500.00 dollars for each offense. For the purpose of this Ordinance, a year shall be defined as within a 12-month period. The amount of this enhanced penalty shall not be fixed and may be adjusted one time per year by the Board of Selectmen.

VII. SEVERABILITY

If any provisions of this Ordinance or the application of such provisions to any person or circumstances shall be held invalid, the validity of the remainder of this Ordinance and applicability of such provisions to other persons or circumstances shall not be affected thereby.

Adopted this 28th day of September 2020.

Bethlehem Board of Selectmen

Gabe Boisseau
Linda Moore
Mary Moritz
Bruce Caplain
Chris Jensen