

CHAPTER 23

Litter

- Section 23.1 Definitions.
- Section 23.2 Placing in receptacles; to prevent scattering.
- Section 23.3 Sweeping litter into gutters; cleanliness of sidewalk.
- Section 23.4 Merchants' duty to keep sidewalks free of litter.
- Section 23.5 Litter thrown from vehicles.
- Section 23.6 Truck loads causing litter.
- Section 23.7 Litter in parks.
- Section 23.8 Litter in lakes and fountains.
- Section 23.9 Litter on occupied private property.
- Section 23.10 Owner to maintain premises free of litter.
- Section 23.11 Litter on vacant lots.

Section 23.1 Definitions.

For the purpose of this chapter the respective following terms and their derivations shall have the meanings ascribed to them:

- (1) Authorized private receptacle. A litter storage and collection container constructed so to reasonably confine and retain litter and trash.
- (2) Garbage. Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.
- (3) 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.
- (4) Park. A park, reservation, playground, beach, recreation center or any other public area, owned or used by the municipality and its inhabitants, and devoted to active or passive recreation.
- (5) Private premises. Any dwelling, house, building or other structure, designed or used wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to the dwelling, house, building or other structure.
- (6) Public place. Any street, sidewalk, boulevard, alley, or other public way and any public park, square, space, grounds or building.
- (7) Refuse. All putrescible and nonputrescible solid waste (except body waste), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned motor vehicles and solid market and industrial wastes.
- (8) Rubbish. Nonputrescible solid wastes consisting of both combustible

and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery, plastic and similar materials.

(9) Vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

Section 23.2 Placing in receptacles; to prevent scattering.

(a) No person shall throw or deposit litter in or upon any street, sidewalk, or other public place except in public receptacles, or in authorized receptacles for collection.

(b) Persons placing litter in public receptacles or in authorized private receptacles shall do so in 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.

Section 23.3 Sweeping litter into gutters; cleanliness of sidewalk.

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

Section 23.4 Merchants' duty to keep sidewalks free of litter.

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place 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 shall keep all premises, including sidewalk, service alleys and parking area of their business, free of litter.

Section 23.5 Litter thrown from vehicles.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place, or upon private property.

Section 23.6 Truck loads causing litter.

No person shall drive or move any truck or other vehicle unless the vehicle is so constructed or loaded as to prevent any load, contents or 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, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.

Section 23.7 Litter in parks.

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

disposed of elsewhere as provided herein.

Section 23.8 Litter in lakes and fountains.

No person shall throw or deposit litter in any fountain, pond, lake, stream, ditch, canal, or any other body of water in a park or elsewhere.

Section 23.9 Litter on occupied private property.

No person shall throw or deposit litter on any occupied or unoccupied private property whether owned by that person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in 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.

Section 23.10 Owner to maintain premises free of litter.

The owner or person in control of any private property shall at all times maintain the premises free of litter on any open or vacant private property whether owned by that person or not.

Section 23.11 Litter on vacant lots.

No person shall throw or deposit litter on any open or vacant private property whether owned by that person or not.

Editorial Note: Authority for this chapter is derived from L.R.S. 33:401(8) as it pertains to the maintenance of general health and abatement of nuisances. The penalty imposed for conviction of violation of any provision of this chapter would be as provided by the general penalty, section 27.7.