

Ordinance No. 73

AN ORDINANCE FOR PROHIBITING, THE THROWING OR DEPOSITING OF LITTER AND PUBLIC PLACES IN THE BOROUGH OF HOWARD, AND PRESCRIBING THE PENALTIES FOR VIOLATION OF ITS PROVISIONS.

Be it acted and ordained by the borough of Howard, and it is hereby an enacted and ordained by authority of the same:

SECTION ONE: Definitions. For the purpose of this ordinance the following terms, phrases words, and their derivations shall have the meaning given herein, when not inconsistent with the context; words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word shall is always mandatory and not merely directory.

- A. Litter is garbage, refuse and rubbish, including, but not limited to paper, wrappings, cardboard, tin cans, yard clippings, leaves, mud, ashes, street cleanings, stone, and dirt, and all other waste materials which is thrown or deposited as herein prohibited tends to create a danger to public health, safety and welfare.
- B. Person is any person, firm, partnership, association, corporation, company or organization of any kind.
- C. Vehicle is every vehicle in, upon or by which any person or property is or may be transported or drawn upon a highway.

SECTION TWO: No person shall drive or move any truck or other vehicle within the Borough unless such 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 within the Borough 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 THREE: Any person violating any provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fine in amount, not exceeding fifty dollars (\$50.00) or being imprisoned for a period not extending five (5) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION FOUR: If any section, sub section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding, shall not affect the validity of the remaining portions hereof.

SECTION FIVE: All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

ENACTED AND ORDAINED into an ordinance this 19th day of April 1965.