

**BOROUGH OF LODI
INTRODUCTION NOTICE
ORDINANCE # 2026-14**

NOTICE IS HEREBY GIVEN that the following proposed ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Lodi, County of Bergen, State of New Jersey, held on April 21, 2026 and that said ordinance will be taken up for further consideration for final passage at the meeting of said Borough Council to be held at its meeting room in the Borough Hall in Lodi, N.J. on May 19, 2026 at 7:00 P.M., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given the opportunity to be heard concerning the same. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall of the Borough of Lodi, N.J. and a copy is available up to and including the time of such meeting to the members of the general public of the Borough who shall request such copies, at the Office of the Borough Clerk in said Borough Hall in Lodi, N.J.

Office of the Borough Clerk

**ORDINANCE # 2026-14
BOROUGH OF LODI
COUNTY OF BERGEN
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF LODI
CHAPTER 329 LITTERING**

WHEREAS the Borough of Lodi has adopted the Code of the Borough of Lodi Chapter 329 Littering which is reasonably related to preserve public health, safety and welfare; and

WHEREAS the Borough of Lodi desires to amend the Code of the Borough of Lodi Chapter 329 Littering to delete any matters that are pre-empted and covered by N.J.S.A. 39:4-64 Throwing or Dropping Bundles, Objects or Debris from Motor Vehicles; Fine; Rebuttable Presumption.

BE IT ORDAINED by the Borough of Lodi that the Code of the Borough of Lodi Chapter 329 is hereby amended as follows:

1. Section 329-1 Littering Prohibited. It is unlawful for any person to throw, drop, discard or otherwise place litter of any nature upon any public or private property, other than in a litter receptacle, is hereby amended to reflect that provided however notwithstanding the foregoing, the prohibition in this Ordinance shall not prohibit or regulate any matters covered by N.J.S.A. 39:4-64 Throwing or Dropping Bundles, Objects or Debris from Motor Vehicles; Fine; Rebuttable Presumption.
2. Section 329-3 Illegal Dumping. It is unlawful for any person to discard or dump along any street or road, on or off any right-of-way, any household or commercial

solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture, or private property, except by written consent of the owner of said property, in any place not specifically designated for the purpose of solid waste storage or disposal, is hereby amended to reflect that provided however notwithstanding the foregoing, the prohibition in this Ordinance shall not prohibit or regulate any matters covered by N.J.S.A. 39:4-64 Throwing or Dropping Bundles, Objects or Debris from Motor Vehicles; Fine; Rebuttable Presumption.

3. Section 329-4 Containerization of sweepings. No person will be permitted to sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. Every person who owns or occupies property must keep the sidewalk in front of his or her premises free of litter. All litter sweepings must be collected and properly containerized for disposal, is hereby amended to reflect that provided however notwithstanding the foregoing, the prohibition in this Ordinance shall not prohibit or regulate any matters covered by N.J.S.A. 39:4-64 Throwing or Dropping Bundles, Objects or Debris from Motor Vehicles; Fine; Rebuttable Presumption.

4. Section 329-6 Uncovered Vehicles is hereby repealed.

5. Section 329-7 Construction Sites. It is unlawful for any owner, agent or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during or immediately following completion of any construction or demolition project. It is the duty of the owner, agent or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or nonflyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage of refuse, is hereby amended to reflect that provided however notwithstanding the foregoing, the prohibition in this Ordinance shall not prohibit or regulate any matters covered by N.J.S.A. 39:4-64 Throwing or Dropping Bundles, Objects or Debris from Motor Vehicles; Fine; Rebuttable Presumption.

6. Section 329-9 Distribution of Handbills. It is unlawful for any person to place, to cause to be placed, or to hire another person to place any advertisement, handbill or unsolicited material of any kind in or on any street, sidewalk, building or vehicle within the community in such a manner that it may be removed by natural forces, is hereby amended to reflect that provided however notwithstanding the foregoing, the prohibition in this Ordinance shall not prohibit or regulate any matters covered by N.J.S.A. 39:4-64 Throwing or Dropping Bundles, Objects or Debris from Motor Vehicles; Fine; Rebuttable Presumption.

7. Section 329-12 Prohibited Acts and Regulated Activities.

A. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle or, having done so, to allow such litter to remain, is hereby amended to reflect that provided however notwithstanding the foregoing, the prohibition in this

Ordinance shall not prohibit or regulate any matters covered by N.J.S.A. 39:4-64 Throwing or Dropping Bundles, Objects or Debris from Motor Vehicles; Fine; Rebuttable Presumption.

8. Section 329-12 Prohibited Acts and Regulated Activities, Subsection Bis hereby repealed.

9. In the event any section, part or provision of this Ordinance shall be held unconstitutional or otherwise invalid by any Court of competent jurisdiction, such determination shall not affect the validity of this Ordinance or the remaining provisions which shall remain in full force and effect.

10. All other provisions of the Code of the Borough of Lodi that are not inconsistent with the within Ordinance shall remain in full force and effect except as otherwise modified herein.

11. All parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed or modified to the extent of such inconsistency. This Ordinance shall take effect ten (10) days after adoption and publication in the manner prescribed by law.