



MONTCLAIR STATE UNIVERSITY

Subject: Litter Control

Effective Date: November, 2005

Last updated: 3-18-2021

Approved by: Bradley Demo, Assistant Director of Environmental Health and Safety_____

I. Purpose:

A regulation to prohibit littering at Montclair State University, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

II. Definitions:

For the purpose of this regulation, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this regulation demonstrates a different meaning. 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- any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- b. Litter Receptacle- a container suitable for the depositing of litter.
- c. Person -any individual (including but not limited to a University student; visiting faculty member or other visitor; guest; professional member of the University's academic, administrative, or teaching staff; or other University officer, agent, or employee), corporation, company, partnership, firm, association, or political subdivision of this State whose conduct on University property is subject to regulation by the University.

- d. University- Montclair State University.
- e. University property- Lands and buildings owned or controlled by Montclair State University.

III. Prohibited Conduct:

No person shall throw, drop, discard or otherwise place any litter of any nature upon University property other than in a litter receptacle, or having done so to allow such litter to remain.

Whenever any litter is thrown or discarded or allowed to fall from a vehicle in violation of this regulation, the operator or owner, or both, of the motor vehicle shall also be deemed to have violated this regulation.

IV. Violations:

- a. Any University student who is found to be in violation of this regulation shall be subject to disciplinary action in accordance with the University's Code of Student Conduct.
- b. Any University officer, staff member, employee, or agent who is found to be in violation of this regulation shall be subject to dismissal, removal, reduction of salary, suspension, demotion, or other disciplinary action in accordance with applicable New Jersey statutes and relevant contracts or agreements.
- c. Any other person who has entered into a contract or agreement with the University to provide equipment, materials, supplies, or services on University property, and who is found to be in violation of this regulation, shall be subject to sanctions in accordance with the contract or agreement.
- d. Any visitor, guest, or other person who is not identified under IV.a, IV.b, or IV.c above, and who is found to be in violation of this regulation, is subject to ejection from University property and, if the person refuses to leave after being asked to leave, to prosecution for criminal trespass under N.J.S.A. 2C:18-3.
- e. Any person who throws, drops, discards or otherwise places any litter of any nature upon University property other than in a litter receptacle is also subject to prosecution under applicable New Jersey statutes.