

**BOROUGH OF FRANKLIN**

**ORDINANCE No. 13-2023**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY  
OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING  
CHAPTER 168 REGARDING LITTER CONTROL**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that the Franklin Borough Code is amended as follows:

**SECTION I.** Section 168-1 of the Code is hereby amended to add or replace (as applicable) the following definitions:

**§ 168-1. Definitions.**

For the purposes of this chapter, the following words shall have the following meanings:

**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 packing or construction material, but does not include the waste of the primary process of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

**LITTER RECEPTACLE**

A container suitable for the depositing of litter.

**PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**SECTION II.** Section 168-2 of the Code is hereby replaced as follows:

**§ 168-2. Prohibited acts and regulated activities.**

1. 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.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

**SECTION III**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION IV**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

ATTEST:

**BOROUGH OF FRANKLIN**

  
\_\_\_\_\_  
Colleen Little, DEPUTY CLERK

  
\_\_\_\_\_  
BY: John M. Sowden IV, MAYOR

DATED: October 10, 2023

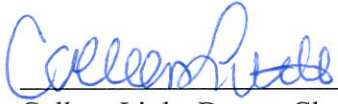
**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on September 26, 2023, at 7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on October 10, 2023, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

  
\_\_\_\_\_  
Colleen Little  
Deputy Municipal Clerk

**CERTIFICATION**

I, Colleen Little, Deputy Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 10<sup>th</sup> day of October, 2023.

  
\_\_\_\_\_  
Colleen Little, Deputy Clerk  
Borough of Franklin

  
\_\_\_\_\_  
John M Sowden IV, Mayor

Introduced: September 26, 2023

Adopted: October 10, 2023

**ORDINANCE No. 13-2023**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING CHAPTER 168 REGARDING LITTER CONTROL**

**RECORD OF COUNCIL VOTES:**

<b>RECORD OF COUNCIL VOTES-FIRST READING</b>					<b>Move</b>	<b>2nd</b>
<b>COUNCIL MEMBER</b>	<b>AYES</b>	<b>NAYES</b>	<b>ABSTAIN</b>	<b>ABSENT</b>		
CONCETTO FORMICA	X					
RACHEL HEATH	X				X	
JOSEPH LIMON	X					X
JOHN POSTAS COUNCIL PRESIDENT	X					
STEPHEN SKELLENGER	X					
GILBERT SNYDER				X		
MAYOR SOWDEN, IV (Tie Only)						

<b>RECORD OF COUNCIL VOTES-SECOND READING</b>					<b>Move</b>	<b>2nd</b>
<b>COUNCIL MEMBER</b>	<b>AYES</b>	<b>NAYES</b>	<b>ABSTAIN</b>	<b>ABSENT</b>		
CONCETTO FORMICA	X					X
RACHEL HEATH	X					
JOSEPH LIMON	X					
JOHN POSTAS COUNCIL PRESIDENT	X				X	
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X					
MAYOR SOWDEN, IV (Tie Only)						

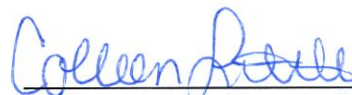
**BOROUGH OF FRANKLIN  
LEGAL NOTICE**

**BOROUGH OF FRANKLIN**

**ORDINANCE No. 13-2023**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN,  
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY  
MODIFYING CHAPTER 168 REGARDING LITTER CONTROL**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Borough Municipal Building, 46 Main Street, Franklin, NJ, on the 26<sup>th</sup> day of September, 2023, and the same came up for final passage at a meeting of the said Borough Council on the 10<sup>th</sup> day of October, 2023, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.



---

Colleen Little, Deputy Municipal Clerk