

## Chapter 9.16

### LITTER AND LITTERING

#### Sections:

- 9.16.010 Short title.
- 9.16.020 Definitions.
- 9.16.030 Litter in public places.
- 9.16.040 Placement of litter in receptacles so as to prevent scattering.
- 9.16.050 Sweeping litter into gutters prohibited.
- 9.16.060 Merchants' duty to keep sidewalks free of litter.
- 9.16.070 Litter thrown by persons in vehicles.
- 9.16.080 Truck loads causing litter.
- 9.16.090 Litter in parks.
- 9.16.100 Litter in lakes and fountains.
- 9.16.110 Throwing or distributing commercial handbills in public places.
- 9.16.130 Depositing commercial and noncommercial handbills on uninhabited or vacant premises.
- 9.16.140 Prohibiting distribution of handbills where properly posted.
- 9.16.150 Distributing commercial and noncommercial handbills at inhabited private premises.
- 9.16.160 Dropping litter from aircraft.
- 9.16.170 Posting notices prohibited.
- 9.16.180 Litter on occupied private property.
- 9.16.190 Owner to maintain premises free of litter.
- 9.16.200 Litter on vacant lots.
- 9.16.210 Notice to remove.
- 9.16.220 Action upon noncompliance.
- 9.16.230 Abatement by City Manager--Filing of report and account.
- 9.16.240 Hearing upon report of costs--Notice.
- 9.16.250 Hearing--Approval of costs--Lien established.
- 9.16.260 Filing resolution assessing costs as a lien with County Auditor.

#### **Section 9.16.010 Short title.**

This chapter shall be known and may be cited as the "Riverside Anti-Litter Ordinance."  
(Ord. 3422 § 1, 1966)

#### **Section 9.16.020 Definitions.**

For the purposes of this chapter 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.

"Aircraft" means any contrivance now known or hereafter invented, used or designated for navigation or for flight in the air. The word "aircraft" includes helicopters and lighter than air dirigibles and balloons;

"Authorized private receptacle" means a litter storage and collection receptacle as required and authorized in the ordinance regulating the disposal of garbage and waste matter in

the City;

"City" means the City of Riverside;

"Commercial handbill" means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

A. Which advertises for sale any merchandise, product, commodity, or thing; or

B. Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales; or

C. Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided, that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind, without a license, where such license is or may be required by any law of this State, or under any ordinance of this City; or

D. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor;

"Garbage" means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food;

"Litter" means "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;

"Newspaper" means any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, means and includes any periodical or current magazine regularly published with not less than four issues per year, and sold to the public;

"Noncommercial handbill" means any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper;

"Park" means a park, reservation, playground, beach, recreation center or any other public area in the City, owned or used by the City and devoted to active or passive recreation;

"Person" means any person, firm, partnership, association, corporation, company or organization of any kind;

"Private premises" means any dwelling, house, building, or other structure, designed or used either 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 such dwelling, house, building, or other structure;

"Public place" means any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds, malls and buildings;

"Refuse" means all putrescible and nonputrescible solid wastes (except body wastes),

including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes;

"Rubbish" means 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 and similar materials;

"Vehicle" means 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. (Ord. 3422 § 2, 1966)

**Section 9.16.030 Litter in public places.**

No person shall throw or deposit litter in or upon any street, sidewalk, mall or other public place within the City except in public receptacles, in authorized private receptacles for collection, or in official City dumps. (Ord. 3422 § 3, 1966)

**Section 9.16.040 Placement of litter in receptacles so as to prevent scattering.**

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such 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. (Ord. 3422 § 4, 1966)

**Section 9.16.050 Sweeping litter into gutters prohibited.**

No person shall sweep into or deposit in any gutter, street, mall or other public place within the City the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter. (Ord. 3422 § 5, 1966)

**Section 9.16.060 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, mall or other public place within the City 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 within the City shall keep the sidewalk in front of their business premises free of litter. (Ord. 3422 § 6, 1966)

**Section 9.16.070 Litter thrown by persons in vehicles.**

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the City, or upon private property. (Ord. 3422 § 7, 1966)

**Section 9.16.080 Truck loads causing litter.**

No person shall drive or move any truck or other vehicle within the City 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, mall or other public place. Nor shall any person drive or move any vehicle or truck within the City, the wheels or tires of which carry onto or deposit in any street, alley, mall or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind. (Ord. 3422 § 8, 1966)

**Section 9.16.090 Litter in parks.**

No person shall throw or deposit litter in any park within the City except in public receptacles and in such 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, mall or other public place. Where public receptacles are not provided, all such litter shall be carried away from the

park by the person responsible for its presence and properly disposed of elsewhere as provided herein. (Ord. 3422 § 9, 1966)

**Section 9.16.100 Litter in lakes and fountains.**

No person shall throw or deposit litter or any foreign substance in any fountain, pond, lake, stream, bay or other body of water in a park, mall, or elsewhere within the City. (Ord. 3422 § 10, 1966)

**Section 9.16.110 Throwing or distributing commercial handbills in public places.**

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street, mall or other public place within the City. Nor shall any person hand out or distribute or sell any commercial handbill in any public place. Provided, however, that it is not unlawful on any sidewalk, street, mall or other public place within the City for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it. (Ord. 3422 § 11, 1966)

**Section 9.16.130 Depositing commercial and noncommercial handbills on uninhabited or vacant premises.**

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant. (Ord. 3422 § 13, 1966)

**Section 9.16.140 Prohibiting distribution of handbills where properly posted.**

No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on said premises in a conspicuous position near the entrance thereof, a sign bearing the words: "No Trespassing," "No Peddlers or Agents," "No Advertisement," or any similar notice, indicating in any manner that the occupants of said premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises. (Ord. 3422 § 14, 1966)

**Section 9.16.150 Distributing commercial and noncommercial handbills at inhabited private premises.**

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private premises. Provided, however, that in case of inhabited private premises which are not posted, as provided in this chapter, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets, or other public places, and except that mailboxes may not be so used when so prohibited by federal postal law or regulation.

Exemption for mail and newspapers. The provisions of this section shall not apply to the distribution of mail by the United States, nor to newspapers (as defined herein) except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property. (Ord. 3422 § 15, 1966)

**Section 9.16.160 Dropping litter from aircraft.**

No person in an aircraft shall throw out, drop or deposit within the City any litter, handbill or any other object. (Ord. 3422 § 16, 1966)

**Section 9.16.170 Posting notices prohibited.**

No person shall post or affix any notice, poster or other paper or device, calculated to attract the attention of the public, to any lamp post, public utility pole or shade tree, or upon any public structure or building, except as may be authorized or required by law. (Ord. 3422 § 17, 1966)

**Section 9.16.180 Litter on occupied private property.**

No person shall throw or deposit litter on any occupied private property within the City, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such 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. (Ord. 3422 § 18, 1966)

**Section 9.16.190 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. Provided, however, that this Section shall not prohibit the storage of litter in authorized private receptacles for collection. (Ord. 3422 § 19, 1966)

**Section 9.16.200 Litter on vacant lots.**

No person shall throw or deposit litter on any open or vacant private property within the City whether owned by such person or not. (Ord. 3422 § 20, 1966)

**Section 9.16.210 Notice to remove.**

The City Manager, or his designated agent, is authorized and empowered to notify the owner of any open or vacant private property within the City or the agent of such owner to properly dispose of litter located on such owner's property which is dangerous to public health, safety or welfare. Such notice shall be by registered mail addressed to said owner at his last known address or may be by personal service upon the owner, or his agent. (Ord. 3422 § 21 (part), 1966)

**Section 9.16.220 Action upon noncompliance.**

Upon the failure, neglect or refusal of any owner or agent so notified, to properly dispose of litter dangerous to the public health, safety or welfare within ten days after receipt of written notice provided for in Section 9.16.210, or within ten days after the date of such notice in the event the same is returned to the City Post Office Department because of its inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner, or agent, the City Manager, or his designated agent, is authorized and empowered to pay for the disposing of such litter or to order its disposal by the City. (Ord. 3422 § 21 (part), 1966)

**Section 9.16.230 Abatement by City Manager--Filing of report and account.**

If the owner fails or neglects to remove the litter within the time specified in this chapter, the City Manager, or his designated agent, shall cause such litter to be removed. The removal work may be done by City crews or by private contractor. A report of the proceedings and an

accurate account of the cost of removing the litter on each separate property shall be filed with the City Council. (Ord. 3422 § 21 (part), 1966)

**Section 9.16.240 Hearing upon report of costs--Notice.**

The City Clerk shall thereupon set the report and account for hearing by the City Council at the first regular or adjourned regular meeting which will be held at least seven calendar days after the date of filing, and shall post a copy of such report and account and notice of the time and place of hearing in a conspicuous place at or near the entrance of the council chambers in the City Hall. (Ord. 3422 § 21 (part), 1966)

**Section 9.16.250 Hearing--Approval of costs--Lien established.**

The City Council shall consider the report and account at the time set for hearing, together with any objections or protests by any interested parties. Any owner of land or person interested therein may present a written or oral protest or objection to the report and account. At the conclusion of the hearing, the City Council shall either approve the report and account as submitted or as modified or corrected by the City Council.

The amounts so approved shall be liens upon the respective lots or premises, and the City Council shall adopt a resolution assessing such amounts as liens upon the respective parcels of land as they are shown upon the last available assessment roll, and determining that such litter was dangerous to the public health, safety and welfare and constituted a nuisance. (Ord. 3422 § 21 (part), 1966)

**Section 9.16.260 Filing resolution assessing costs as a lien with County Auditor.**

The City Clerk shall prepare and file with the County Auditor a certified copy of the resolution of the City Council assessing the costs of removal of litter as a lien on the land, adopted pursuant to Section 9.16.250. (Ord. 3422 § 21 (part), 1966)