



LOUISIANA LOCAL GOVERNMENT LITTER ORDINANCE TEMPLATE AND HANDBOOK



Photo by Burg Ransom

A turnkey, how-to guide with time-tested solutions for developing and implementing a litter control program in municipal and parish governments

Created, compiled and packaged by the dedicated members of the Louisiana Aquatic Litter Alliance—a group supported by the leadership and staffing of the Louisiana Department of Environmental Quality and convened under the auspices of the United States Environmental Protection Agency's National Trash Free Waters Program

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CONTEXT



LOUISIANA LOCAL GOVERNMENT LITTER ORDINANCE TEMPLATE AND HANDBOOK

Introduction

Commonly held analysis suggests that as much as 80% of trash in the oceans comes from land-based sources. Trash that is improperly disposed of -- either intentionally or inadvertently -- can enter fresh water and coastal ecosystems, and this “aquatic trash” may eventually make its way to the ocean. The U.S. Environmental Protection Agency (EPA) developed the national Trash Free Waters (TFW) program to prompt and support collaborative actions identified by public and private stakeholders to reduce and prevent land-based trash from entering our waterways. The goal of the national TFW program is to develop a focused set of actions and projects that significantly reduce the volume of trash entering our watersheds and the marine environment, approaching zero loadings of trash in our waters within 10 years. With the TFW program having a strong emphasis on helping states, municipalities, and businesses work together to develop innovative aquatic trash management strategies in targeted geographic areas, regional project strategies are developed to address stakeholders' needs and opportunities for collective action that can occur at state and local levels.

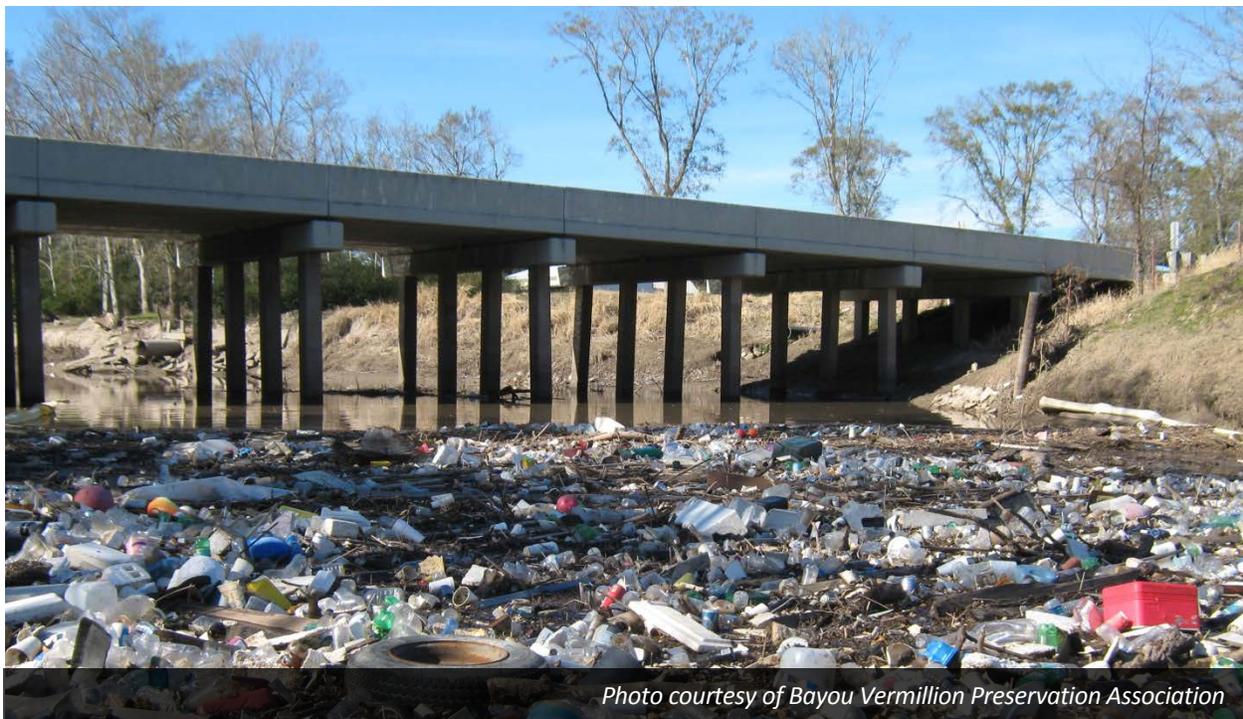


Photo courtesy of Bayou Vermillion Preservation Association

Over the last couple of years, the TFW program has grown to the Gulf of Mexico region and supports aquatic trash prevention and reduction initiatives driven by many public and private stakeholders of that area. In 2014, EPA initiated a systematic, three-phased approach for TFW program implementation and project identification in the Gulf. This three-phased approach includes 1) consulting with government, businesses, non-governmental organizations, and citizen stakeholders to identify ongoing programs and policies that address aquatic trash; 2) working with stakeholders to generate ideas for actions that move us toward a zero loading environment of aquatic trash by capitalizing on drivers (e.g., awareness,

technology, and policy) and reducing barriers to aquatic trash prevention efforts; and 3) supporting project collaboration and implementation, as well as measuring results to determine if such efforts bring a reduction in aquatic trash.

While in Louisiana, stakeholders in every sector noted that trash “hot spots” in this state are found near convenience stores, grocery stores, bridges/overpasses, and at parking lots. Trash cleanup efforts along waterways and throughout watersheds are continuous, and local governments are confronted with the cleanup and disposal costs. More importantly, trash cleanups alone are not a long-lasting, sustainable solution to the aquatic trash problem. The best way to keep trash out of waterways is to keep it from entering the waterways in the first place. For this reason, stakeholders recommended that municipal and parish leaders needed better legal and enforcement mechanisms for their anti-litter programs. While the state litter laws are excellent, there are challenges. Consensus among the Louisiana stakeholder group was that there is a greater need for enforcement at the local level to solve the aquatic trash problem in the state. From this, a stakeholder-driven project was identified and incorporated in the TFW Gulf Regional Strategy.

Champions emerged for this project, including staff from the Louisiana Department of Environmental Quality (LDEQ), and a project stakeholder group was established with representatives from across the state, as well as various interest groups. Referred to as the Louisiana Aquatic Litter Alliance, this workgroup accepted the following charge LDEQ proposed:

THE LDEQ CHARGE TO THE LOUISIANA AQUATIC LITTER ALLIANCE

The Louisiana Aquatic Litter Alliance will engage in meaningful discussions on reducing the large volumes of aquatic litter entering our bayous, and ultimately, the Gulf of Mexico.

Through collaborative dialogue involving parish and municipal thought leaders, as well as environmental groups and other stakeholders, we will develop a “Model Ordinance.” This Model Ordinance will be accompanied by suggestions for adequate enforcement provisions involving law enforcement, prosecutors, and judges.

By designing a logical framework and associated systems, the Louisiana Aquatic Litter Alliance seeks to create turnkey structures for local government leaders. This framework will engage citizens and their communities so as to encourage civic responsibility, as enforcement officials cite and penalize offenders, thereby reducing the volumes of litter that enter our waterways.

The Louisiana Aquatic Litter Alliance then went forth and produced the “Litter Ordinance Template” that could be adopted or adapted by any local government entity – within Louisiana and even beyond its borders. That “Litter Ordinance Template” is contained herein.

But it was not enough.

Upon review of the completed Ordinance Template, local government leaders in the state asked for a “turnkey” solution that addressed not only litter control, but also the accompanying infrastructure to successfully enable enforcement mechanisms. This turnkey solution could contain everything a local government official would need to develop and implement a complete litter abatement program. Essentially, they asked for a “start to finish” tool that could detail how to start a litter abatement program, content of the litter ordinance, and ultimately, guidance on how to enforce and adjudicate violations. In its totality, this Handbook is that tool. It can be used by a government staffer, an elected official, or an enforcement agent. While tailored to the laws of Louisiana and developed in response to

stakeholders' needs of the state, this Ordinance Template and Handbook is certainly adaptable by any local government outside the state.

The Louisiana Aquatic Litter Alliance stakeholder group hopes you find this information useful and welcomes your feedback.

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LITTER SPEECH

TOPICS

1- INTRODUCTION

2- LITTER DEFINED

3- JOB DUTIES / INVESTIGATIONS

A- BAGS

B- SIGNS

C- CIGARETTE BUTTS

D- MC DONALDS / BURGER KING / SONIC / WENDYS / RALLEYS

4- WHO LITTERS THE MOST

A- CITY AREAS YOUNG MALES 10 TO 24

B- RURAL AREAS MALES 15 TO 29

C- ACCIDENTAL LITTER BY MALES 25 TO 55

5- WHY DO PEOPLE LITTER

A- PEOPLE FEEL NO OWNERSHIP FOR THEIR TRASH

B- THEY FEEL SOME ONE ELSE WILL CLEAN UP

C- THEY SEE OTHER LITTER, SO WHY CAN'T THEY DO IT

6- HOW CAN I HELP

A- SET AN EXAMPLE BY NOT LITTERING

B- REPORT LITTER TO THE PROPER AUTHORITIES

C- HELP COORDINATE LITTER CLEAN-UP IN YOUR COMMUNITY

D- EDUCATE CHILDREN AND OTHER ABOUT LITTER PREVENTION

E- MAKE SURE YOUR TRASH CANS ARE COVERED

F- KEEP A LITTER BAG IN YOUR VEHICLE

7- HOW DO I REPORT SOME ONE FOR LITTERING

- A- CONTACT THE SHERIFF'S OFFICE OR THE J.P. AND CONSTABLE'S OFFICE
- B- IF A VEHICLE, WRITE DOWN THE LICENSE TAG AND DESCRIPTION OF THE VEHICLE. TIME AND DATE AND LOCATION AS WELL AS DIRECTION OF TRAVEL. MAKE NOTE OF ANY UNUSAL MARKINGS OR BUMPER STICKERS. TRY TO ID THE DRIVER, MALE OR FEMALE OR OLDER OR YOUNG
- C- IF TRASH ON SIDE OF ROADWAY, SIMPLY CONTACT YOUR CONSTABLE'S OFFICE OR THE ENVIRNMENTAL SERVICES DEPARTMENT

8- ADVERTISEMENT SIGNS ARE LITTER TOO

- A- SNIPE SIGNS POSTED TO TELEPHONE POLES
- B- SIGNS ON THE SIDE OF ANY ROADWAY
- C- GARAGE SALE SIGNS
- D- FOR SALE SIGNS
- E- DIRECTIONAL SIGNS, WEDDINGS, PARTIES

9- WHAT HAPPENS IF SOMEONE RECEIVES A TICKET

- A- OFFICER INVESTIGATE AND ISSUES THE TICKET
- B- THE FINES RANGE FROM \$50 TO \$3,000
- C- OFFENDER HAS TO APPEAR IN COURT
- D- COMMUNITY SERVICE PUNISHMENT

10-LIFE EXPECTANCY OF LITTER

- | | |
|---------------------------|-----------------|
| A- ORANGE OR BANANA PEELS | UP TO 2 YEARS |
| B- CIGARETTE BUTTS | 1 – 5 YEARS |
| C- PLASTIC BAGS | 10 – 20 YEARS |
| D- NYLON FABRIC | 30 – 40 YEARS |
| E- TIN CANS | 50 YEARS |
| F- LEATHER | UP TO 50 YEARS |
| G- ALUMINUM CANS | 80 – 100 YEARS |
| H- PLASTIC 6-PACK HOLDERS | 100 YEARS |
| I- GLASS BOTTLES | 1 MILLION YEARS |
| J- PLASTIC BOTTLES | INDEFINITELY |



TEMPLATE ORDINANCE



STATE LAW	MODEL ORDINANCE	ENTER YOUR OWN LOCAL ORDINANCE HERE
SIMPLE LITTERING (CIVIL)	SIMPLE LITTERING (CIVIL)	SIMPLE LITTERING (CIVIL)
(1 st) \$150 OR 8 hours litter abatement (2 nd) \$1000 OR 16 hours litter abatement Plus court cost of \$100	(1 st) \$100 OR 8 hours litter abatement (2 nd) \$250 OR 16 hours litter abatement Plus court cost of \$100	
INTENTIONAL LITTERING (CRIMINAL)	INTENTIONAL LITTERING (CRIMINAL)	INTENTIONAL LITTERING (CRIMINAL)
(1 st) \$500 AND 8 hours litter abatement (2 nd) \$1000 AND 16 hours litter abatement (3 rd) \$2500 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	(1 st) \$250 AND 8 hours litter abatement (2 nd) \$500 AND 16 hours litter abatement (3 rd) \$1000 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	
INTENTIONAL LITTERING Cigarettes, Cigarette Butts, Cigars, Cigarillos, or Cigar or Cigarillo Tips (CRIMINAL)	INTENTIONAL LITTERING Cigarettes, Cigarette Butts, Cigars, Cigarillos, or Cigar or Cigarillo Tips (CRIMINAL)	INTENTIONAL LITTERING Cigarettes, Cigarette Butts, Cigars, Cigarillos, or Cigar or Cigarillo Tips (CRIMINAL)
(1 st) \$300 AND 8 hours litter abatement (2 nd) \$700 AND 16 hours litter abatement (3 rd) \$1500 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	(1 st) \$300 AND 8 hours litter abatement (2 nd) \$700 AND 16 hours litter abatement (3 rd) \$1000 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	

STATE LAW	MODEL ORDINANCE	ENTER YOUR OWN LOCAL ORDINANCE HERE
LITTERING OF WATERS (CRIMINAL)	LITTERING OF WATERS (CRIMINAL)	LITTERING OF WATERS (CRIMINAL)
(1 st) \$50-\$200	(1 st) \$250 AND 8 hours litter abatement (2 nd) \$500 AND 16 hours litter abatement (3 rd) \$1000 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	
	LITTERING OF WATERS Cigarettes, Cigarette Butts, Cigars, Cigarillos, or Cigar or Cigarillo Tips (CRIMINAL)	
	(1 st) \$300 AND 8 hours litter abatement (2 nd) \$700 AND 16 hours litter abatement (3 rd) \$1000 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	
GROSS LITTERING (CRIMINAL)	GROSS LITTERING (CRIMINAL)	GROSS LITTERING (CRIMINAL)
(1 st) \$1000-\$2000 AND 8 hours litter abatement (2 nd) \$1000-\$5000 AND 24 hours litter abatement (3 rd) \$3000-\$10,000 AND 48-100 hours litter abatement AND imprisoned < 30 days and DL suspended for 1 year	(1 st) \$500-\$1000 AND 16 hours litter abatement (2 nd) \$1000 AND 24 hours litter abatement (3 rd) \$1000 AND 48-100 hours litter abatement AND imprisoned < 30 days and DL suspended for 1 year Plus court cost of \$100	

STATE LAW	MODEL ORDINANCE	ENTER YOUR OWN LOCAL ORDINANCE HERE
COMMERCIAL LITTERING (CIVIL)	COMMERCIAL LITTERING (CIVIL)	COMMERCIAL LITTERING (CIVIL)
\$200 Plus court cost of \$50	(1 st) \$250 (2 nd) up to \$1000 Plus court cost of \$100	
DISTRIBUTION OF FINES	DISTRIBUTION OF FINES	DISTRIBUTION OF FINES
25% to law enforcement 50% to law enforcement retirement 15% to litter abatement program if established or 15% , when JP, to parish for expenses of JP 5% to DA or , when JP, to parish for expenses of constable	30% to parish or city for litter abatement 30% to parish reimbursement of expenses of JP 20% to parish reimbursement of expenses of Constable 20% to law enforcement	
	SIGN LOCATED IN A STATE, PARISH OR MUNICIPAL RIGHT OF WAY (CIVIL)	SIGN LOCATED IN A STATE, PARISH OR MUNICIPAL RIGHT OF WAY (CIVIL)
	(1 st) \$100 OR 8 hours litter abatement (2 nd) \$250 OR 16 hours litter abatement Plus court cost of \$100	
DISTRIBUTION OF FINES	DISTRIBUTION OF FINES	DISTRIBUTION OF FINES
	30% to parish or city for litter abatement 30% to parish reimbursement of expenses of JP 20% to parish reimbursement of expenses of Constable 20% to law enforcement	



Trash Free Waters – Louisiana Aquatic Litter Alliance Template Ordinance – Final (06.15.15)

- I. Purpose and Scope**
- II. Definitions**
- III. Simple Littering prohibited; civil penalties; special court costs**
- IV. Intentional littering prohibited; criminal penalties; special court costs**
- V. Littering of waters prohibited; definitions; criminal penalties; special court costs**
- VI. Gross littering prohibited; criminal penalties; special court costs**
- VII. Commercial littering prohibited; civil penalties; special court costs**
- VIII. Advertising signs located in State, Parish or Municipal right of ways; civil penalties and special court costs**
- IX. Legal enforcement; penalties; payment by mail or credit card**
- X. Duties of law enforcement officers**
- XI. Citations; unlawful acts; records; failure to pay or appear; procedures**
- XII. Collection and distribution of fines; litter abatement**



I. Purpose and Scope

It is the purpose of this chapter and it is hereby declared to be the policy of the parish and/or municipality to implement a comprehensive plan to regulate litter and to eliminate litter as much as possible in a manner that will:

- A. Protect the public health, safety and welfare;
- B. Prevent land, water and air pollution;
- C. Prevent the spread of disease and the creation of nuisances;
- D. Conserve natural resources;
- E. Enhance the beauty and quality of the environment;
- F. Enhance economic development of the state, parish and /or municipality



II. Definitions

- A. **Apparent Value** shall apply to a sign that exceeds four square feet in surface area.
- B. **Litter** shall mean all waste material except as provided and defined in R.S. 30:2173(2), ¹including but not limited to disposable packages, containers, sand, gravel, rubbish, cans, bottles, refuse, garbage, trash, cigarettes, cigarette butts, cigars, cigarillos, cigar or cigarillo tips, debris, dead animals, printed materials found on public rights of way, furniture or appliances, automotive parts including but not limited to tires and engines, trailers, boats and boating accessories, tools and equipment, and building materials, roofing shingles, roofing nails, or other discarded materials of any kind and description.

Litter shall NOT include:

1. Political pamphlets, handbills, religious tracts and newspapers, and other similar printed materials while being used for or distributed in accordance with their intended uses the unsolicited distribution of which is protected by the Constitution of the United States or the Constitution of Louisiana. This exemption does not apply for such improperly discarded or dated materials.
 2. Agricultural products that are being transported from the harvest or collection site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicle. "Agricultural product" as used in this definition means all crops, livestock, poultry, and forestry, and all aquacultural, floracultural, horticultural, silvicultural, and viticultural products.
 3. Recyclable cardboard being transported in compressed bundles to processing facilities if reasonable measures are taken to prevent the product from leaving the transporting vehicle.
- C. **Municipal** shall mean the jurisdictional boundaries of the municipality (city, etc...) and all its waterways.
- D. **Parish** shall mean the jurisdictional boundaries of the Parish and all its waterways.
- E. **Political sign** shall mean any sign urging the election or defeat of any candidate seeking any political office, or urging the passage or defeat of any ballot measure.

¹ This refers to the definition of hazardous waste.



- F. **Real estate sign** shall mean any temporary sign pertaining to the sale, lease or rental of land or buildings, which is erected or displayed on the lot or parcel to which it applies.
- G. **Right-of-Way** shall mean any portion of ground dedicated to the State, Parish or Municipality for any public use.
- H. **Sign** shall mean a medium of communication, including its structure and component parts, which is used or intended to be used to attract attention to its subject matter or location usually for advertising purposes.
- I. **Significant value** shall refer to property that is permanent in nature and has an economic worth that is greater than the cost of disposal.
- J. **Sign owner** shall mean that person who owns a sign and/or is responsible for a sign. In those cases in which an owner cannot be determined; the owner of the subject being advertised shall be deemed the owner of the sign.
- K. **Snipe sign** shall mean a sign which is tacked, nailed, posted, pasted, glued or otherwise attached to poles, stakes, or to other like objects.

III. Simple Littering prohibited; civil penalties; special court costs

A. Simple littering.

- 1. No person shall dispose of, or create a condition that the person knew or should have known was likely to result in the disposal of, litter upon any public place in this state, upon private property in this state, or in or on the waters of this state, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley.
- 2. Persons found liable under the provisions of this Subsection shall be assessed the following civil penalties:
 - a. For a first violation, such person shall be fined one hundred dollars or perform eight hours of community service in a litter abatement work program in lieu of the assessed one hundred dollar fine.
 - b. For a second and each subsequent violation, such person shall be fined two hundred and fifty dollars and perform sixteen hours of community service in a litter abatement work program.
- 3. Whoever violates the provisions of this Section shall pay special court costs of one hundred dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:



- a. Twenty five dollars shall be paid to the judicial expense fund for the justice of the peace or the judicial expense fund for the city court, as the case may be.
 - b. Twenty five dollars shall be paid to the office of the district attorney, to the constable acting as the prosecutor, or to the municipal prosecuting attorney, as the case may be.
 - c. Twenty five dollars shall be paid to the clerk of the justice of the peace or paid to the clerk of the city court, as the case may be.
 - d. Twenty-five dollars shall be paid to the law enforcement agency that issued the citation.
- B. If the litter is disposed of from a motor vehicle, vessel, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in R.S. 32:1, there shall be a rebuttable presumption that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a rebuttable presumption that the possessor committed the act of disposing.
- C. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a rebuttable presumption that such person has violated this Section.
- D. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
- E. A person may be held liable and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- F. For the purposes of this Section, each occurrence shall constitute a separate violation.
- G. In addition to penalties otherwise provided, a person held liable under this Section shall:
1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
 2. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
- H. Notwithstanding any provision to the contrary, this Section shall not apply to any activity by persons owning or operating duly licensed commercial vehicles engaged in the collection and transportation of solid waste, construction, or demolition debris or wood waste, as such terms are defined by the rules and regulations of the Department of Environmental Quality, occurring in the course of servicing scheduled pickup routes pursuant to commercial or local government contracts or en route to an authorized pickup station, transfer station, or disposal facility. To qualify for the exemption



provided for in this Subsection, the commercial vehicle shall be covered at all times, except during loading and unloading, in a manner that prevents rain from reaching the waste, prevents waste from falling or blowing from the vehicle, and ensures that leachate from the waste is not discharged from the vehicle during transportation.

IV. Intentional Littering prohibited; criminal penalties; special court costs

- A. No person shall intentionally dispose or permit the disposal of litter upon any public place in the state, upon private property in this state, or in or on the waters of this state, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley, except when such property is designated by the state or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.
- B. Any person found guilty under the provisions of this Section of Intentional Littering shall:
1. Upon first conviction, be fined two hundred and fifty dollars and sentenced to serve eight hours of community service in a litter abatement work program as approved by the court.
 2. Upon second conviction, be fined five hundred dollars and sentenced to serve sixteen hours of community service in a litter abatement work program as approved by the court.
 3. Upon third or subsequent conviction, be fined one thousand dollars, have his motor vehicle driver's license suspended for one year, and be sentenced to serve eighty hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided by this Subparagraph.
- C. Whoever violates the provisions of this Section shall pay special court costs of one hundred dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:
1. Twenty five dollars shall be paid to the judicial expense fund for the justice of the peace or the judicial expense fund for the city court, as the case may be.
 2. Twenty five dollars shall be paid to the office of the district attorney, to the constable acting as the prosecutor, or to the municipal prosecuting attorney, as the case may be.
 3. Twenty five dollars shall be paid to the clerk of the justice of the peace or paid to the clerk of the city court, as the case may be.



4. Twenty-five dollars shall be paid to the law enforcement agency that issued the citation.
- D. Whoever violates the provisions of this Subsection by the intentional disposal or permitting the disposal of cigarettes, cigarette butts, cigars, cigarillos, or cigar or cigarillo tips from a motor vehicle shall:
1. Upon first conviction, be fined three hundred dollars and sentenced to serve eight hours of community service in a litter abatement work program as approved by the court.
 2. Upon second conviction, be fined seven hundred dollars and sentenced to serve sixteen hours of community service in a litter abatement work program as approved by the court.
 3. Upon third or subsequent conviction, be fined one thousand dollars, have his motor vehicle driver's license suspended for one year, and be sentenced to serve eighty hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided by this Subparagraph.
- E. Whoever violates the provisions of this Section shall pay special court costs of one hundred dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:
1. Twenty five dollars shall be paid to the judicial expense fund for the justice of the peace or the judicial expense fund for the city court, as the case may be.
 2. Twenty five dollars shall be paid to the office of the district attorney, to the constable acting as the prosecutor, or to the municipal prosecuting attorney, as the case may be.
 3. Twenty five dollars shall be paid to the clerk of the justice of the peace or paid to the clerk of the city court, as the case may be.
 4. Twenty-five dollars shall be paid to the law enforcement agency that issued the citation.
- F. If the litter is disposed from a motor vehicle, vessel, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in R.S. 32:1, there shall be a rebuttable presumption that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a rebuttable presumption that the possessor committed the act of disposing.



- G. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a rebuttable presumption that such person has violated this Section.
- H. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
- I. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- J. For the purposes of this Section, each occurrence shall constitute a separate violation.
- K. In addition to penalties otherwise provided, a person convicted under this Section shall:
 - 1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
 - 2. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
- L. Notwithstanding any provision to the contrary, this Section shall not apply to any activity by persons owning or operating duly licensed commercial vehicles engaged in the collection and transportation of solid waste, construction, or demolition debris or wood waste, as such terms are defined by the rules and regulations of the Department of Environmental Quality, occurring in the course of servicing scheduled pickup routes pursuant to commercial or local government contracts or en route to an authorized pickup station, transfer station, or disposal facility. To qualify for the exemption provided for in this Subsection, the commercial vehicle shall be covered at all times, except during loading and unloading, in a manner that prevents rain from reaching the waste, prevents waste from falling or blowing from the vehicle, and ensures that leachate from the waste is not discharged from the vehicle during transportation.



V. Littering of Waters Prohibited; definitions; criminal penalties; special court costs

- A. It shall be unlawful for an operator, passenger, crew member, or any person on board any vessel to intentionally discharge, discard, and permanently abandon into the waters of the state any type of finished plastic products, including but not limited to synthetic ropes, fishing nets, and garbage bags, or to intentionally discharge, discard, and permanently abandon litter or other garbage, including but not limited to paper products, glass, metal, dunnage, lining, and packing materials.
- B. As used in this Section, "vessel" means any boat, barge, or other vehicle operating in the waters of the state, including all commercial and recreational watercraft.
- C. Any person who violates the provisions of this Section shall be:
1. Upon first conviction, be fined two hundred and fifty dollars and be sentenced to serve eight hours of community service in a litter abatement work program as approved by the court.
 2. Upon second conviction, be fined five hundred dollars and be sentenced to serve sixteen hours of community service in a litter abatement work program as approved by the court.
 3. Upon third or subsequent conviction, be fined one thousand dollars, have his motor vehicle driver's license suspended for one year, and be sentenced to serve eighty hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided by this Subparagraph.
- D. Whoever violates the provisions of this Subsection by the intentional disposal or permitting the disposal of cigarettes, cigarette butts, cigars, cigarillos, or cigar or cigarillo tips from a vessel shall:
1. Upon first conviction, be fined three hundred dollars and sentenced to serve eight hours of community service in a litter abatement work program as approved by the court.
 2. Upon second conviction, be fined seven hundred dollars and sentenced to serve sixteen hours of community service in a litter abatement work program as approved by the court.
 3. Upon third or subsequent conviction, be fined one thousand dollars, have his motor vehicle driver's license suspended for one year, and be sentenced to serve eighty hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided by this Subparagraph.
- E. Whoever violates the provisions of this Section shall pay special court costs of one hundred dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:



1. Twenty five dollars shall be paid to the judicial expense fund for the justice of the peace or the judicial expense fund for the city court, as the case may be.
 2. Twenty five dollars shall be paid to the office of the district attorney, to the constable acting as the prosecutor, or to the municipal prosecuting attorney, as the case may be.
 3. Twenty five dollars shall be paid to the clerk of the justice of the peace or paid to the clerk of the city court, as the case may be.
 4. Twenty-five dollars shall be paid to the law enforcement agency that issued the citation.
- F. If the litter is disposed from a motor vehicle, vessel, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in R.S. 32:1, there shall be a rebuttable presumption that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a rebuttable presumption that the possessor committed the act of disposing.
- G. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a rebuttable presumption that such person has violated this Section.
- H. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
- I. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- J. For the purposes of this Section, each occurrence shall constitute a separate violation.
- K. In addition to penalties otherwise provided, a person convicted under this Section shall:
1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
 2. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
- L. Notwithstanding any provision to the contrary, this Section shall not apply to any activity by persons owning or operating duly licensed commercial vehicles engaged in the collection and transportation of solid waste, construction, or demolition debris or wood waste, as such terms are defined by the rules and regulations of the Department of Environmental Quality,



occurring in the course of servicing scheduled pickup routes pursuant to commercial or local government contracts or en route to an authorized pickup station, transfer station, or disposal facility. To qualify for the exemption provided for in this Subsection, the commercial vehicle shall be covered at all times, except during loading and unloading, in a manner that prevents rain from reaching the waste, prevents waste from falling or blowing from the vehicle, and ensures that leachate from the waste is not discharged from the vehicle during transportation.

VI. Gross Littering prohibited; criminal penalties; special court costs

- A. No person shall intentionally dispose or permit the disposal of any household or office furniture or appliances, automotive parts, including but not limited to tires and engines, trailers, boats and boating accessories, tools and equipment, building materials, roofing shingles, roofing nails, and bags or boxes of household or office garbage or refuse upon any public place in the state, upon private property in this state, in or on the waters of this state, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley, except when such property is designated by the state or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.
- B. If the litter listed in Subsection A is disposed of from a motor vehicle, vessel, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by R.S. 32:1, there shall be a rebuttable presumption that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a rebuttable presumption that the possessor committed the act of disposing.
- C. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a rebuttable presumption that such person has violated this Section.
- D. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
 - 1. Whoever violates the provisions of this Section shall, upon first conviction, be fined not less than five hundred dollars or more than one thousand dollars and sentenced to serve sixteen hours of community service in a litter abatement work program as approved by the court.



2. Upon second conviction, an offender shall be fined one thousand dollars and sentenced to serve twenty-four hours of community service in a litter abatement work program as approved by the court.
 3. Upon third or subsequent conviction, an offender shall be fined one thousand dollars have his motor vehicle driver's license suspended for one year, be imprisoned for not more than thirty days, or sentenced to serve not less than forty-eight and not more than one hundred hours in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties.
- E. Whoever violates the provisions of this Section shall pay special court costs of one hundred dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:
1. Twenty five dollars shall be paid to the judicial expense fund for the justice of the peace or the judicial expense fund for the city court, as the case may be.
 2. Twenty five dollars shall be paid to the office of the district attorney, to the constable acting as the prosecutor, or to the municipal prosecuting attorney, as the case may be.
 3. Twenty five dollars shall be paid to the clerk of the justice of the peace or paid to the clerk of the city court, as the case may be.
 4. Twenty-five dollars shall be paid to the law enforcement agency that issued the citation.
- F. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- G. For the purposes of this Section, each occurrence shall constitute a separate violation.
- H. In addition to penalties otherwise provided, a person convicted under this Section shall:
1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
 2. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.



VII. Commercial Littering prohibited; civil penalties; special court costs

- A. No person shall dispose or permit the disposal of litter resulting from industrial, commercial, mining, or agricultural operations in which the person has a financial interest upon any public place in the state, upon private property in this state, or in or on the waters of this state, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley, except when such property is designated by the state or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.
- B. No person shall operate any truck or other vehicle on any highway in such a manner or condition that litter resulting from industrial, commercial, mining, or agricultural operations in which the person is involved can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.
- C. If the litter is disposed of from a motor vehicle, vessel, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by R.S. 32:1, there shall be a rebuttable presumption that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a rebuttable presumption that the possessor committed the act of disposing.
- D. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.
- E. Any industrial, commercial, mining, or agricultural operation shall construct and maintain fences or walls to enclose or contain litter generated by its operations.
- F. A person shall be jointly and severally liable for the actions of its agents, officers, and directors for any violation of this Section by any agent, officer, or director in the course and scope of his employment or duties.
- G. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
- H. Any person found liable under the provisions of this Section shall:



1. For a violation of this Section, pay a civil penalty of two hundred and fifty dollars the first time a person is found liable and up to one thousand dollars for each subsequent offense.
 2. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
 3. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
 4. Pay for the cleanup of the litter unlawfully discarded by the defendant.
- I. Whoever violates the provisions of this Section shall pay special court costs of one hundred dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:
1. Twenty five dollars shall be paid to the judicial expense fund for the justice of the peace or the judicial expense fund for the city court, as the case may be.
 2. Twenty five dollars shall be paid to the office of the district attorney, to the constable acting as the prosecutor, or to the municipal prosecuting attorney, as the case may be.
 3. Twenty five dollars shall be paid to the clerk of the justice of the peace or paid to the clerk of the city court, as the case may be.
 4. Twenty-five dollars shall be paid to the law enforcement agency that issued the citation.
- J. A person may be held liable and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- K. For the purposes of this Section each occurrence shall constitute a separate violation.
- L. Notwithstanding any provision to the contrary, this Section shall not apply to any activity by persons owning or operating duly licensed commercial vehicles engaged in the collection and transportation of solid waste, construction, or demolition debris or wood waste, as such terms are defined by the rules and regulations of the Department of Environmental Quality, occurring in the course of servicing scheduled pickup routes pursuant to commercial or local government contracts or en route to an authorized pickup station, transfer station, or disposal facility. To qualify for the exemption provided for in this Subsection, the commercial vehicle shall be covered at all times, except during loading and unloading, in a manner that prevents rain from reaching the waste, prevents waste from falling or blowing from the vehicle, and ensures that leachate from the waste is not discharged from the vehicle during transportation.



VIII. Advertising signs in State, Parish or Municipal right of ways; civil penalties and special court costs

- A. The erection, installation, maintaining or otherwise placing or permitting to remain upon any State, Parish or Municipal highway, right-of-way, including the shoulder, bank, and outer or far side thereof, street, roadway, emergency lane, median, of any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, is prohibited, except insofar as specifically excepted according to provisions made in this ordinance.
- B. Persons found liable under the provisions of this Subsection shall be assessed the following civil penalties:
 - 1. For a first violation, such person shall be fined one hundred dollars or perform eight hours of community service in a litter abatement work program in lieu of the assessed one hundred dollar fine.
 - 2. For a second and each subsequent violation, such person shall be fined two hundred and fifty dollars and perform sixteen hours of community service in a litter abatement work program.
- C. Whoever violates the provisions of this Section shall pay special court costs of one hundred dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:
 - 1. Twenty five dollars shall be paid to the judicial expense fund for the justice of the peace or the judicial expense fund for the city court, as the case may be.
 - 2. Twenty five dollars shall be paid to the office of the district attorney, to the constable acting as the prosecutor, or to the municipal prosecuting attorney, as the case may be.
 - 3. Twenty five dollars shall be paid to the clerk of the justice of the peace or paid to the clerk of the city court, as the case may be.
 - 4. Twenty-five dollars shall be paid to the law enforcement agency that issued the citation.
- D. When structures, signs, obstacles, etc., are of a permanent nature with significant value, the sign owner will be notified by certified mail to remove it within five (5) days. When items do not have significant value but do retain some apparent value, the owner shall be notified orally to remove it within five (5) days. All signs of significant or apparent value will be marked with a NOTICE OF VIOLATION at the time of owner notification. If the owner is unknown or cannot be found, a NOTICE OF VIOLATION shall be affixed to



- the object setting forth that it must be removed within five (5) days from the date specified. Failure to remove within the specified period of time serves as forfeiture of all rights thereto and the Parish or Municipal Government may remove the object for its own use, and dispose of it in any way deemed necessary. The owner and any other person responsible therefore remains liable for any damages to the public property or expenditures of public funds resulting from the installation or removal of such items.
- E. Structures, signs, obstacles, etc. that have no apparent value will be summarily removed and destroyed or disposed of in the most cost effective manner available. Items in this category are wooden stake signs, small cardboard signs, light paper signs, signs nailed to utility poles, snipe signs, signs deemed to be a traffic hazard or obstacle to right-of-way maintenance.
 - F. Political, Real Estate, or Similar Type Signs: Political, real estate, or similar type signs shall not be located within the public right-of-way. Large signs (i.e. plywood with 2 by 4 supports, or signs that exceed 4 square feet in surface area) will be marked with a NOTICE OF VIOLATION and removed after five (5) days. The ultimate disposition of political, real estate, or similar type signs will be provided in paragraph (E) above.
 - G. Any structure, sign, headwall, obstacle, object, deposit, or thing which is potentially hazardous or interferes with road or structure maintenance because of its location or type of construction will be removed as provided for in paragraph (E) above.
 - H. Any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, or any other sign as defined in the foregoing sections, considered to be of no apparent value or potential traffic hazard or obstacle to maintenance is subject to immediate removal and disposal by the appropriate local government authority, as soon as possible after either of those departments and/or officials are made aware of the location of such signs on public property or within the right-of-way.
 - I. Vehicle and trailer signs may be displayed on any vehicle or trailer operated in the daily conduct of any business enterprise so long as such signs:
 - 1. Are not parked in front of or in line with any greenbelt or planting areas when on the premise of the business entity operating or advertising on such vehicle or trailer;
 - 2. Are on a vehicle or trailer which is operable and not parked primarily for the purpose of signage.



- J. Vehicle and trailer signs shall not be used as off-premise signs and shall not be displayed or parked on sites other than the premise of the business entity operating such vehicle other than when the vehicle is being used in connection with the business operations of the entity operating said vehicle or trailer. Such vehicles and trailers may also be parked at the residence of its operator, so long as such vehicle is operated by a resident of the residential property as conveyance to work on a daily or near daily basis. Billboards may not be erected or displayed on any vehicle or trailer.
- K. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
- L. A person may be held liable and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- M. For the purposes of this Section, each occurrence shall constitute a separate violation.
- N. In addition to penalties otherwise provided, a person held liable under this Section shall:
 - 1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
 - 2. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.

IX. Legal Enforcement; penalties; payment by mail or credit card

- A. All criminal violations and civil violations under the provisions of this Part shall be prosecuted by the district attorney of the judicial district in which the violation occurred, the prosecuting attorney for a municipality having a city court within the municipality in which the violation occurred, or the constable, if filed in justice of the peace court.
- B. Each governing authority on whose behalf citations are issued for alleged violations of the provisions of this ordinance shall establish a procedure by which alleged offenders may plead guilty to the alleged offense and pay the fine by mail; however, if the offender fails to pay the fine by mail in advance of adjudication and fails to appear at the time and date indicated on the citation, the court may impose an additional fine or penalty in an amount not to exceed the amount of the fine or penalty for the original violation. Further, the court may suspend the driver's license of the offender until such fines are paid. In addition, each governing authority shall establish a procedure allowing for payment of the fine by credit card as it may designate. However, the procedure shall not limit such payments to payment by credit card.



- C. Any suspension of a motor vehicle driver's license as a result of violation of any provision of this ordinance shall be referred to the Department of Public Safety and Corrections and shall be handled in compliance with the provisions of this ordinance or any other provision of law or rule or regulation of the department relative to the suspension of driving privileges. Any cost of administering the suspension of driver's licenses under the provisions of this ordinance shall be payable from the receipts of penalties assessed pursuant to this Section.
- D. Whenever the driver's license of a person has been suspended pursuant to the provisions of this Chapter, the judicial officer of the court exercising jurisdiction shall immediately forward to the Department of Public Safety and Corrections notice of the time period of the suspension with information necessary for identification of the person. The Department of Public Safety and Corrections shall immediately notify the person of the suspension of his operator's license and the imposition of a fifty-dollar fee. The Department of Public Safety and Corrections shall also notify the person that upon expiration of the time period of suspension, and upon payment of an additional fifty dollars to the department, the operator's license of the person shall be renewed or reissued.

X. Duties of Law Enforcement Officers

It shall be the duty of all law enforcement officers to enforce the provisions of these ordinances.

XI. Citations; unlawful acts; records; failure to pay or appear; procedures

- A. Whenever any person has allegedly violated any provision of this ordinance a law enforcement officer shall take the person's name, address, and driver's license number, and if the violation occurs from a motor vehicle, the license number of the motor vehicle, and shall issue a citation or summons or otherwise notify him in writing that he must appear in court at a time and place to be specified in such citation or summons.
- B. If applicable, the citation or summons shall indicate that the alleged violator may admit liability and, in lieu of appearing in court, make the payment of the applicable fines, penalties, and costs to the appropriate court by mail or credit card. The law enforcement officer shall provide, in writing, the date by which the payment must be received and the name and phone number of the court having jurisdiction over the alleged offense. The citation or summons shall instruct the alleged violator to contact the court to obtain the amounts of the applicable fines, penalties, and costs and advise him that if he has violated this ordinance he must pay special court costs of one hundred dollars, but for violations of this ordinance he has the option to perform community service in a court-approved litter abatement work program in lieu of paying a fine.



- C. Each law enforcement officer upon issuing a citation or summons to an alleged violator of any provision of this ordinance shall deposit the original citation or summons or a copy of same with a court having jurisdiction over the alleged offense.
- D. Upon the deposit of the original citation or summons or a copy of same with a court having jurisdiction over the alleged offense, the original citation or summons or a copy of same shall be disposed of only by trial in a court of proper jurisdiction or any other official action by a judge of the court, including payment of the appropriate fines, penalties, and costs to that court by the person to whom such citation or summons has been issued.
- E. It shall be unlawful for any law enforcement officer or any other officer or public employee to dispose of a litter citation or summons or copies thereof or of the record of the issuance of the citation or summons in a manner other than as required herein.
- F. The Chief Administrative Officer of each law enforcement agency issuing a citation or summons shall require all officers under his supervision to return to him a copy of every litter citation or summons which was issued by the officer for the violation of a litter law or ordinance. In addition, the Chief Administrative Officer shall require the return of all copies of every litter citation or summons which has been spoiled or upon which an entry has been made without having issued the citation or summons to the alleged offender.
- G. The Chief Administrative Officer shall also maintain or cause to be maintained in connection with every litter citation or summons issued by an officer under his supervision a record of the disposition of the charge by the court in which the original or a copy of the litter citation or summons was deposited.
- H. Nothing herein shall be construed as prohibiting or interfering with the authority of a district attorney or other prosecuting attorney to dismiss a litter citation or summons or litter charge by entry of a *nolle prosequi*.
- I. Whenever an alleged offender fails to appear before the judicial officer at the place and time specified in a citation or summons, the judicial officer of the court exercising jurisdiction shall immediately forward to the Department of Public Safety and Corrections notice of the failure to appear, with information necessary for identification of the alleged offender, and another date and time for the alleged offender to appear before the judicial officer. Thereupon, unless the original charges have been disposed of, the Department of Public Safety and Corrections shall immediately notify the alleged offender that:
 - 1. The judicial officer has taken judicial notice of his failure to appear at the hearing on the date and time listed on the original citation or summons and has found him in contempt of court and his failure to appear could subject him to additional penalties or fines.
 - 2. He must appear before the judicial officer on a specified date and time to answer the charges for his original violation and his contempt of court.



3. His failure to appear at this second hearing could subject him to another charge of contempt of court along with the punishment of serving time in jail.

XII. Collection and Distribution of Fines; litter abatement

- A. All fines collected under the provisions of this ordinance shall be distributed as follows:
 1. Thirty percent shall be paid to parish governing authority for litter abatement when the law is enforced by a justice of the peace court; or, Thirty percent shall be paid to municipality for litter abatement when the law is enforced by a city court.
 2. Thirty percent shall be paid to parish governing authority which shall remit that amount to the judicial expense fund for the justice of the peace when the law is enforced by a justice of the peace court;
or,
Thirty percent shall be paid to municipality for reimbursement of the expenses of the city court when the law is enforced by a city court.
 3. Twenty percent shall be paid to the parish governing authority which shall remit that amount to the constable when the law is enforced by a justice of the peace court;
or,
Twenty percent shall be paid to the municipality for reimbursement of expenses of the municipality when the law is enforced by a city court;
or,
Twenty percent shall be paid to the office of the district attorney where the violations occurred if prosecuted by the district attorney.
 4. Twenty percent shall be paid to the law enforcement agency issuing the citation.



Sections of the State Law NOT included:

RS 30:2524	Donations and grants; Louisiana Litter Abatement Grant Program
RS 30:2525	Litter reduction and public action section; staff; powers and duties; cooperation; funding
RS 30:2526	Notice to public required
RS 30:2527	Use of anti-litter symbol; distribution; placement
RS 30:2528	Litter bags; distribution and design
RS 30:2529	Removal of litter; responsibility
RS 30:2530	Anti-litter campaign; industrial and civic cooperation requested
RS 30:2531.4	Community service litter abatement work program; establishment; limited liability
RS 30:2531.7	Rules and regulations
RS 30:2531.9	Application of other laws
RS 30:2533	Litter violations bureau
RS 30:2535	Litter receptacle; placement and use; logo; penalties
RS 30:2536	Beautification and litter clearing by prisoners
RS 30:2537	Adopt-a-beach program
RS 30:2538	Trash bash program
RS 30:2539	Beach sweep program
RS 30:2540	Inland water cleanup
RS 30:2541	Boaters' and fishermen's pledge
RS 30:2542	Great Louisiana people's pledge
RS 30:2543	People against littering
RS 30:2544	Litter-free zones; temporary signs, handbills, flyers and notices; notice to remove; penalties
RS 30:2545	Beaches; glass container prohibition
RS 30:2547	Adopt-a-byway program
RS 30:2548	Adopt a Water Body program

Other provisions of the Louisiana Environmental Quality Act:

La. R.S. 30:2025.	Enforcement
La. R.S. 30:2076.	Prohibitions
La. R.S. 2076.2.	Criminal penalties for violation of the Louisiana Pollutant Discharge Elimination



LOUISIANA LITTER LAWS



Louisiana State Litter Laws
La. R.S. Title 30

CHAPTER 21. STATEWIDE BEAUTIFICATION
PART I. LOUISIANA LITTER REDUCTION AND
PUBLIC ACTION COMMISSION

- RS 30:2521 STATEWIDE BEAUTIFICATION
- RS 30:2522 Definitions
- RS 30:2523 Repealed by Acts 2001, No. 1137, 1.
- RS 30:2524 Donations and grants; Louisiana Litter Abatement Grant Program
- RS 30:2525 Litter reduction and public action section; staff; powers and duties; cooperation; funding
- RS 30:2526 Notice to public required
- RS 30:2527 Use of anti-litter symbol; distribution; placement
- RS 30:2528 Litter bags; distribution and design
- RS 30:2529 Removal of litter; responsibility
- RS 30:2530 Anti-litter campaign; industrial and civic cooperation requested
- RS 30:2531 Intentional littering** prohibited; criminal penalties; **simple littering** prohibited; civil penalties; special court costs
- RS 30:2531.1 Gross littering** prohibited; criminal penalties; indemnification
- RS 30:2531.2 Repealed by Acts 2003, No. 950, §4, eff. Jan. 1, 2004.
- RS 30:2531.3 Commercial littering** prohibited; civil penalties; indemnification; special court costs
- RS 30:2531.4 Community service litter abatement work program; establishment; limited liability
- RS 30:2531.5 Legal enforcement; penalties; payment by mail or credit card
- RS 30:2531.6 Citations; unlawful acts; records; failure to pay or appear; procedures

- RS 30:2531.7 Rules and regulations
- RS 30:2531.8 Duties of law enforcement officers
- RS 30:2531.9 Application of other laws
- RS 30:2532 Collection and distribution of fines; litter abatement and education account
- RS 30:2533 Litter violations bureau
- RS 30:2534 Repealed by Acts 2008, No. 89, §2, eff. June 5, 2008.
- RS 30:2535 Litter receptacle; placement and use; logo; penalties
- RS 30:2536 Beautification and litter clearing by prisoners
- RS 30:2537 Adopt-a-beach program
- RS 30:2538 Trash bash program
- RS 30:2539 Beach sweep program
- RS 30:2540 Inland water cleanup
- RS 30:2541 Boaters' and fishermen's pledge
- RS 30:2542 Great Louisiana people's pledge
- RS 30:2543 People against littering
- RS 30:2544 Litter-free zones; temporary signs, handbills, flyers and notices; notice to remove; penalties
- RS 30:2545 Beaches; glass container prohibition
- RS 30:2546 Littering of waters; definitions; penalties; disposal facilities
- RS 30:2547 Adopt-a-byway program
- RS 30:2548 Adopt a Water Body program

Other provisions of the Louisiana Environmental Quality Act.

La. R.S. 30:2025. Enforcement

La. R.S. 30:2076. Prohibitions

La. R.S. 2076.2. Criminal penalties for violation of the Louisiana Pollutant Discharge Elimination System

**CHAPTER 9. JUSTICES OF THE PEACE COURTS
PART I. IN GENERAL**

La. R.S. 13:2586. Jurisdiction and procedure

La. R.S. 13:2587.1. Prosecution of litter violations in justice of the peace courts

La. R.S. 13:2589. Compensation of justices of the peace and constables in criminal matters

La. R.S. 30: 2522. Definitions

4) "**Litter**" means all waste material except as provided and defined in R.S. 30:2173(2), including but not limited to disposable packages, containers, sand, gravel, rubbish, cans, bottles, refuse, garbage, trash, cigarettes, cigarette butts, cigars, cigarillos, cigar or cigarillo tips, debris, dead animals, furniture or appliances, automotive parts including but not limited to tires and engines, trailers, boats and boating accessories, tools and equipment, and building materials, roofing nails, or other discarded materials of any kind and description. While being used for or distributed in accordance with their intended uses, litter shall not include political pamphlets, handbills, religious tracts and newspapers, and other similar printed materials, the unsolicited distribution of which is protected by the Constitution of the United States or the Constitution of Louisiana. Litter shall not include agricultural products that are being transported from the harvest or collection site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicle. Litter shall also not include recyclable cardboard being transported in compressed bundles to processing facilities. "Agricultural product" as used in this definition means all crops, livestock, poultry, and forestry, and all aquacultural, floracultural, horticultural, silvicultural, and viticultural products.

La. R.S. 30: 2531. **Intentional littering** prohibited; criminal penalties; simple littering prohibited; civil penalties; special court costs

A. Intentional littering. (1) No person shall intentionally dispose or permit the disposal of litter upon any public place in the state, upon private property in this state not owned by him, upon property located in rural areas in this state not owned by him, **or in or on the waters of this state**, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley, except when such property is designated by the state or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.

(2) Whoever violates the provisions of this Subsection shall:

(a) Upon first conviction, be fined five hundred dollars and sentenced to serve eight hours of community service in a litter abatement work program as approved by the court.

(b) Upon second conviction, be fined one thousand dollars and sentenced to serve sixteen hours of community service in a litter abatement work program as approved by the court.

(c) Upon third or subsequent conviction, be fined two thousand five hundred dollars, have his motor vehicle driver's license suspended for one year, and be sentenced to serve eighty hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided by this Subparagraph.

(3) Whoever violates the provisions of this Subsection by the intentional disposal or permitting the disposal of cigarettes, cigarette butts, cigars, cigarillos, or cigar or cigarillo tips from a motor vehicle shall:

(a) Upon first conviction, be fined three hundred dollars and sentenced to serve eight hours of community service in a litter abatement work program as approved by the court.

(b) Upon second conviction, be fined seven hundred dollars and sentenced to serve sixteen hours of community service in a litter abatement work program as approved by the court.

(c) Upon third or subsequent conviction, be fined one thousand five hundred dollars, have his motor vehicle driver's license suspended for one year, and be sentenced to serve eighty hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided by this Subparagraph.

B. Simple littering. (1) No person shall dispose of, or create a condition that the person knew or should have known was likely to result in the disposal of, litter upon any public place in this state, upon private property in this state not owned by him, upon property located in a rural area in this state not owned by him, **or in or on the waters of this state**, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley.

(2) Persons found liable under the provisions of this Subsection shall be assessed the following civil penalties and costs:

(a) For a first violation, such person shall either be fined one hundred fifty dollars or given the option to perform eight hours of community service in a litter abatement work program in lieu of the assessed one hundred fifty dollar fine.

(b) For a second and each subsequent violation, such person shall either be fined one thousand dollars or be given the option to perform sixteen hours of community service in a litter abatement work program in lieu of the one thousand dollar fine.

C. Whoever violates the provisions of this Section shall pay special court costs of one hundred dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:

(1) Twenty dollars shall be paid to the judicial expense fund for that judicial district, or to the justice of the peace or the city court, as the case may be.

(2) Twenty dollars shall be paid to the office of the district attorney, to the constable, or to the municipal prosecuting attorney, as the case may be.

(3) Ten dollars shall be paid to the clerk of the district court, or to the justice of the peace or the city court, as the case may be.

(4) Twenty-five dollars shall be paid to the state treasury for credit to the Keep Louisiana Beautiful Fund.

(5) Twenty-five dollars shall be paid to the law enforcement agency that issued the citation.

D.(1) If the litter is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.

(2) When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.

E. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

F. A person may be found guilty or held liable and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

G. For the purposes of this Section, each occurrence shall constitute a separate violation.

H. In addition to penalties otherwise provided, a person convicted or held liable under this Section shall:

(1) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.

(2) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.

I. Notwithstanding any provision to the contrary, this Section shall not apply to any activity by persons owning or operating duly licensed commercial vehicles engaged in the collection and transportation of solid waste, construction, or demolition debris or wood waste, as such terms are defined by the rules and regulations of the Department of Environmental Quality, occurring in the course of servicing scheduled pickup routes pursuant to commercial or local government contracts or en route to an authorized pickup station, transfer station, or disposal facility. To qualify for the exemption provided for in this Subsection, the commercial vehicle shall be covered at all times, except during loading and unloading, in a manner that prevents rain from reaching the waste, prevents waste from falling or blowing from the vehicle, and ensures that leachate from the waste is not discharged from the vehicle during transportation.

Acts 1998, 1st Ex. Sess., No. 148, §3; Acts 2003, No. 950, §3, eff. Jan. 1, 2004; Acts 2007, No. 233, §1; Acts 2014, No. 100, §1.

La. R.S. 30:2531.1. **Gross littering** prohibited; criminal penalties; indemnification

A. No person shall intentionally dispose or permit the disposal of **any household or office furniture or appliances, automotive parts, including but not limited to tires and engines, trailers, boats and boating accessories, tools and equipment, building materials, roofing nails, and bags or boxes of household or office garbage or refuse** upon any public place in the state, upon private property in this state not owned by him, upon property located in rural areas in this state not owned by him, **or in or on the waters of this state**, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley, except when such property is designated by the state or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.

B.(1) If the litter listed in Subsection A is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.

(2) When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.

C. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

D.(1) Whoever violates the provisions of this Section shall, upon first conviction, be fined not less than one thousand dollars nor more than two thousand dollars and sentenced to serve eight hours of community service in a litter abatement work program as approved by the court.

(2) Upon second conviction, an offender shall be fined not less than two thousand dollars nor more than five thousand dollars and sentenced to serve twenty-four hours of community service in a litter abatement work program as approved by the court.

(3) Upon third or subsequent conviction, an offender shall be fined not less than three thousand dollars nor more than ten thousand dollars, have his motor vehicle driver's license suspended for one year, be imprisoned for not more than thirty days, or sentenced to serve not less than forty-eight and not more than one hundred hours in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties.

(4) The judge may require an individual convicted of a violation of this Section to remove litter from state highways, public rights-of-way, public playgrounds, public parks, or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this Section.

E. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

F. For the purposes of this Section, each occurrence shall constitute a separate violation.

G. In addition to penalties otherwise provided, a person convicted under this Section shall:

(1) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.

(2) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.

Acts 1998, 1st Ex. Sess., No. 148, §3; Acts 2006, No. 234, §1.

La. R.S. 30:2531.3. **Commercial littering** prohibited; civil penalties; indemnification; special court costs

A. No person shall dispose or permit the **disposal of litter resulting from industrial, commercial, mining, or agricultural operations** in which the person has a financial interest upon any public place in the state, upon private property in this state not owned by him, upon property located in rural areas in this state not owned by him, or in or on the waters of this state, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley, except when such property is designated by the state or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.

B. No person shall operate any truck or other vehicle on any highway in such a manner or condition that litter resulting from industrial, commercial, mining, or agricultural operations in which the person is involved can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.

C.(1) If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed the act of disposing.

(2) When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.

(3) Any industrial, commercial, mining, or agricultural operation in the city of Donaldsonville shall construct and maintain fences or walls to enclose or contain litter generated by its operations. Failure to construct or maintain an enclosure shall constitute a separate violation of this Paragraph for each day that the enclosure is not built or maintained.

D. A person shall be jointly and severally liable for the actions of its agents, officers, and directors for any violation of this Section by any agent, officer, or director in the course and scope of his employment or duties.

E. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

F. Any person found liable under the provisions of this Section shall:

(1)(a) For a violation of Paragraph (C)(3) of this Section, pay a civil penalty of five hundred dollars.

(b) For any other violation, pay a civil penalty of two hundred dollars.

(2) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.

(3) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.

(4) Pay for the cleanup of the litter unlawfully discarded by the defendant.

G. Any person found liable under the provisions of this Section shall pay special court costs of fifty dollars in lieu of other costs of court which shall be disbursed as follows:

(1) Twenty dollars shall be paid to the judicial expense fund for that judicial district, or to the justice of the peace or the city court, as the case may be.

(2) Twenty dollars shall be paid to the office of the district attorney, or to the constable or to the municipal prosecuting attorney, as the case may be.

(3) Ten dollars shall be paid to the clerk of the district court, or to the justice of the peace or the city court, as the case may be.

H. A person may be held liable and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

I. For the purposes of this Section each occurrence shall constitute a separate violation.
Acts 1998, 1st Ex. Sess., No. 148, §3; Acts 2001, No. 865, §1.

La. R.S. 30:2531.5. **Legal enforcement;** penalties; payment by mail or credit card

A. All criminal violations under the provisions of this Part shall be prosecuted by the district attorney of the judicial district in which the violation occurred.

B. Civil violations under the provisions of this Part shall be prosecuted by the district attorney of the judicial district in which the violation occurred, the prosecuting attorney for a municipality having a city court within the municipality in which the violation occurred, or the constable, if filed in justice of the peace court.

C. Each governing authority on whose behalf citations are issued for alleged violations of the provisions of R.S. 30:2531 through 2531.3 shall establish a procedure by which alleged offenders may plead guilty to the alleged offense and pay the fine by mail; however, if the offender fails to pay the fine by mail in advance of adjudication and fails to appear at the time and date indicated on the citation, the court may impose an additional fine or penalty in an amount not to exceed the amount of the fine or penalty for the original violation. Further, the court may suspend the driver's license of the offender until such fines are paid. In addition, each governing authority shall establish a procedure allowing for payment of the fine by credit card as it may designate. However, the procedure shall not limit such payments to payment by credit card.

D. An action brought pursuant to R.S. 30:2531(B) or 2531.3 shall be tried as a summary proceeding pursuant to Code of Civil Procedure Article 2591 et seq.

E. Any suspension of a motor vehicle driver's license as a result of violation of any provision of R.S. 30:2531 through 2531.3 shall be referred to the Department of Public Safety and Corrections and shall be handled in compliance with the provisions of R.S. 32:414 or any other provision of law or rule or regulation of the department relative to the suspension of driving privileges. Any cost of administering the suspension of driver's licenses under the provisions of R.S. 30:2531 through 2531.3 shall be payable from the receipts of penalties assessed pursuant to this Section.

F. Whenever the driver's license of a person has been suspended pursuant to the provisions of this Chapter, the judicial officer of the court exercising jurisdiction shall immediately forward to the Department of Public Safety and Corrections notice of the time period of the suspension with information necessary for identification of the person. The Department of Public Safety and Corrections shall immediately notify the person of the suspension of his operator's license and the imposition of a fifty-dollar fee. The Department of Public Safety and Corrections shall also notify the person that upon expiration of the time period of suspension, and upon payment of an additional fifty dollars to the department, the operator's license of the person shall be renewed or reissued.

Acts 1998, 1st Ex. Sess., No. 148, §3; Acts 2003, No. 950, §3, eff. Jan. 1, 2004; Acts 2014, No. 432, §1.

La. R.S. 30:2531.8. **Duties of law enforcement officers**

It shall be the duty of all law enforcement officers of this state to enforce the provisions of this Part.

Acts 1998, 1st Ex. Sess., No. 148, §3.

La. R.S. 30:2531.6. Citations; unlawful acts; records; failure to pay or appear; procedures

A.(1) Whenever any person has allegedly violated any provision of R.S. 30:2531 through 2531.3, a law enforcement officer shall take the person's name, address, and driver's license number, and if the violation occurs from a motor vehicle, the license number of the motor vehicle, and shall issue a citation or summons or otherwise notify him in writing that he must appear in court at a time and place to be specified in such citation or summons.

(2) If applicable, the citation or summons shall indicate that the alleged violator may admit liability and, in lieu of appearing in court, make the payment of the applicable fines, penalties, and costs to the appropriate court by mail or credit card. The law enforcement officer shall provide, in writing, the date by which the payment must be received and the name and phone number of the court having jurisdiction over the alleged offense. The citation or summons shall instruct the alleged violator to contact the court to obtain the amounts of the applicable fines, penalties, and costs and advise him that if he has violated R.S. 30:2531 he must pay special court costs of one hundred dollars, but for violations of R.S. 30:2531(B) he has the option to perform community service in a court-approved litter abatement work program in lieu of paying a fine.

B. Each law enforcement officer upon issuing a citation or summons to an alleged violator of any provision of R.S. 30:2531 through 2531.3 shall deposit the original citation or summons or a copy of same with a court having jurisdiction over the alleged offense.

C. Upon the deposit of the original citation or summons or a copy of same with a court having jurisdiction over the alleged offense, the original citation or summons or a copy of same shall be disposed of only by trial in a court of proper jurisdiction or any other official action by a judge of the court, including payment of the appropriate fines, penalties, and costs to that court by the person to whom such citation or summons has been issued.

D. It shall be unlawful for any law enforcement officer or any other officer or public employee to dispose of a litter citation or summons or copies thereof or of the record of the issuance of the citation or summons in a manner other than as required herein.

E. The **chief administrative officer of each law enforcement agency** in the state shall require all officers under his supervision to return to him a copy of every litter citation or summons which was issued by the officer for the violation of a litter law or ordinance, and in addition shall require the return of all copies of every litter citation or summons which has been spoiled or upon which an entry has been made without having issued the citation or summons to the alleged offender.

F. The chief administrative officer shall also maintain or cause to be maintained in connection with every litter citation or summons issued by an officer under his supervision a record of the disposition of the charge by the court in which the original or a copy of the litter citation or summons was deposited.

G. Nothing herein shall be construed as prohibiting or interfering with the authority of a district attorney or other prosecuting attorney to dismiss a litter citation or summons or litter charge by entry of a nolle prosequi.

H. Whenever an alleged offender fails to appear before the judicial officer at the place and time specified in a citation or summons, the judicial officer of the court exercising jurisdiction shall immediately forward to the Department of Public Safety and Corrections notice

of the failure to appear, with information necessary for identification of the alleged offender, and another date and time for the alleged offender to appear before the judicial officer. Thereupon, unless the original charges have been disposed of, the Department of Public Safety and Corrections shall immediately notify the alleged offender that:

(1) The judicial officer has taken judicial notice of his failure to appear at the hearing on the date and time listed on the original citation or summons and has found him in contempt of court and his failure to appear could subject him to additional penalties or fines.

(2) He must appear before the judicial officer on a specified date and time to answer the charges for his original violation and his contempt of court.

(3) His failure to appear at this second hearing could subject him to another charge of contempt of court along with the punishment of serving time in jail.

Acts 1998, 1st Ex. Sess., No. 148, §3; Acts 2003, No. 950, §3, eff. Jan. 1, 2004.

La. R.S. 30:2531.9. **Application of other laws**

A. Nothing in this Part shall limit the authority of any state agency to enforce any other laws, rules, or regulations relating to waste or the management of solid, biomedical, or hazardous waste.

B. Nothing in this Part shall be construed to affect any ordinance of any political subdivision of the state of Louisiana in effect on June 16, 1998, or to prohibit any political subdivision of the state from adopting ordinances aimed at litter control and reduction. Parish governing authorities may enact such ordinances as further provided in R.S. 33:1236(54).

C. Nothing in this Part shall be deemed to supersede, amend, or delete the provisions of R.S. 30:2545 and 2546.

D. Any occurrence in violation of this Part and otherwise regulated by any other Chapter of this Subtitle may be prosecuted under this Part. However, no person shall be prosecuted for an occurrence in violation of this Part if the person is being prosecuted for the same occurrence under any other Chapter of this Subtitle.

Acts 1998, 1st Ex. Sess., No. 148, §3.

La. R.S. 33:1236. Powers of parish governing authorities

The police juries and other parish governing authorities shall have the following powers:

(54)(a) To enact ordinances prohibiting the littering of **roads and thoroughfares** over which such authorities have jurisdiction and to provide for penalties for violation of such ordinances. Parish law enforcement authorities, including constables, shall have the authority to enforce such ordinances, including the authority to issue citations for violations of such ordinances. Justices of the peace shall have jurisdiction to hear cases relative to such violations and to impose penalties for such violations in accordance with applicable ordinances. The disposition of any fines or forfeitures collected for such violations shall be in accordance with such ordinances.

La. R.S. 30:2532. **Collection and distribution of fines; litter abatement and education account**

A. All fines collected under the provisions of this Part shall be payable as follows:

(1) Twenty-five percent shall be paid to the law enforcement agency issuing the citation.

(2)(a) Fifty percent shall be paid to the law enforcement agency issuing the citation that shall transfer the funds to the retirement system of such law enforcement agency prior to the close of the fiscal year in which the fine was collected. The funds shall be applied to the oldest outstanding positive amortization base of the retirement system without reamortization of such base until all such bases are liquidated.

(b) Upon liquidation of all positive amortization bases for the applicable retirement system, the amount remitted shall be added to the general funds of the retirement system until a new positive amortization base is created. Upon creation of a new positive amortization base, the fines collection shall be distributed in the manner prescribed in Subparagraph (a) of this Paragraph.

(3)(a) Fifteen percent shall be paid to the sheriff of the parish, the parish governing authority, or the municipality where the violation occurred if a community service litter abatement program has been established pursuant to R.S.30:2531.4.

(b) When the law is enforced by a justice of the peace court, then fifteen percent shall be paid to the parish governing authority for reimbursement of expenses of the justice of the peace court.

(4) Five percent shall be paid to the office of the district attorney of the judicial district where the violations occurred, or if prosecuted in a justice of the peace court or a city court, then to the parish governing authority for reimbursement of expenses of the constable or to the municipality, as the case may be.

(5) The remainder shall be paid to the state treasury for credit to the litter abatement and education account.

B.(1) All other monies received under the provisions of this Part shall be paid into the state treasury on or before the twenty-fifth day of each month following their collection and, in accordance with Article VII, Section 9 of the Constitution of Louisiana, shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated therefrom to pay all obligations secured by the full faith and credit of the state which become due and payable within each fiscal year, the treasurer shall pay an amount equal to the total amount of such funds collected or received under the provisions of this Part paid into the treasury into a special fund which is hereby created in the state treasury and designated as the litter abatement and education account.

(2) The funds received from donations and local and private appropriations shall be used for expenses above and beyond the normal operating expenses of the section and shall not be considered by the division of administration when making annual budgets for the operating expenses of the section.

C., D. Repealed by Acts 2011, No. 265, §6, eff. July 1, 2011.

Acts 1986, 1st Ex. Sess., No. 32, §1; Acts 1987, No. 235, §1; Acts 1988, No. 692, §1; Acts 1989, No. 687, §1; Acts 1989, No. 768, §3; Acts 1992, No. 361, §§1 and 2, eff. July 1, 1992; Acts 1992, No. 362, §1; Acts 1992, No. 655, §1; Acts 1992, No. 984, §8; Acts 1993, No. 579, §3; Acts 1995, No. 1019, §§1, 9; Acts 1998, 1st Ex. Sess., No. 148, §3; Acts 2011, No. 265, §§1, 6, eff. July 1, 2011.

La. R.S. 30:2546. **Littering of waters**; definitions; penalties; disposal facilities

A. It shall be unlawful for an operator, passenger, crew member, or any person on board any vessel to intentionally discharge, discard, and permanently abandon into the waters of the state any type of finished plastic products, including but not limited to synthetic ropes, fishing nets, and garbage bags, or to intentionally discharge, discard, and permanently abandon other garbage, including but not limited to paper products, glass, metal, dunnage, lining, and packing materials.

B. As used in this Section, "vessel" means any boat, barge, or other vehicle operating in the waters of the state, including all commercial and recreational watercraft.

C. Any person who violates the provisions of this Section shall be fined not less than fifty dollars nor more than two hundred dollars for each violation; subsequent to notification of such violation, each twenty-four hour day the condition remains uncorrected shall constitute a separate violation.

D. The commission shall require, by regulation, that all marinas and all other access areas used by vessels have proper disposal facilities on site. The commission shall establish the requirements for such disposal reception facilities.

Acts 1992, No. 487, §1; Acts 1995, No. 1019, §9

La. R.S. 30:2548. **Adopt a Water Body program**

A. In order to fulfill the obligations and responsibilities assigned to it under R.S. 30:2521, the section shall develop a program to be known as "Adopt a Water Body", whereby a business or a private civic organization may adopt a portion of a public bayou, stream, creek, river, or lake for the sole purpose of controlling litter. Included in the responsibilities of any business or private civic organization which chooses to participate in the program shall be the following:

(1) Development of a functional plan to influence and encourage the public to improve the appearance of the adopted portion of a public water body.

(2) A general cleanup of the area at least twice a year.

(3) Assistance to the section in securing media coverage for the program.

B. Any organization which adopts a portion of a public bayou, stream, creek, river, or lake may place a sign identifying the organization on an interstate highway or state highway within two hundred feet of the adopted water body upon approval of the Department of Transportation and Development. Such a sign may also be placed on the bank of the adopted water body with the approval of the riparian landowner.

C. The Department of Transportation and Development may promulgate rules and regulations to implement the provisions of this Section regarding the placement, construction, and maintenance of the signs provided for in this Section.

Acts 2007, No. 149, §1.

Other provisions of the Louisiana Environmental Quality Act.

La. R.S. 30:2025. Enforcement

F. Criminal penalties.

Except as otherwise provided by law:

(2)(a) Any person who willfully or knowingly discharges, emits, or disposes of any substance in contravention of any provision of this Subtitle of the regulations, or of the permit or license terms and conditions in pursuance thereof, when the substance does not endanger or could not endanger human life or health... **shall be guilty of a misdemeanor and may be fined not more than twenty-five thousand dollars per violation**, which may be assessed for each day the violation continues, and costs of prosecution, **or imprisoned for not more than one year**, or both, provided that a continuous violation extending beyond a single day shall be considered a single violation. A finding that this Paragraph has been violated shall be a responsive verdict when the defendant has been charged with a violation of Paragraph (1) of this Subsection.

(4) Upon a determination that a criminal violation may have occurred, notification shall be given to the district attorney in whose jurisdiction such possible violation has occurred. The department shall provide the district attorney with any and all information necessary to evaluate the alleged violation for criminal prosecution. The criminal prosecution of such violations shall be at the direction of the district attorney. The department shall cooperate fully with the district attorney.

(5) **The court may suspend the execution of a sentence imposed on any offender convicted under this Subtitle of illegally disposing of solid waste as defined under R.S. 30:2153, if the offender is placed on supervised probation for at least two years and, as a condition of probation, cleans up the site or removes the illegally disposed waste from the site to the satisfaction of the Department of Environmental Quality.**

La. R.S. 30:2076. Prohibitions

(4) No person shall cause or allow to be discharged within Louisiana any trash, garbage, sewage, or sewage sludge in contravention of any rules or regulations adopted pursuant thereto and authorized by R.S. 30:2074(B)(7).

La. R.S. 30:2076.2. Criminal penalties for violation of the Louisiana Pollutant Discharge Elimination System

B. Knowing violations.

(1) Any person who knowingly violates any provision of the Louisiana Pollutant Discharge Elimination System

(3) Shall, upon conviction, be subject to a **fine of not less than five thousand dollars nor more than fifty thousand dollars** per day of violation, or **imprisonment for not more than three years, with or without hard labor, or both**. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than one hundred thousand dollars per day of violation, or imprisonment for not more than six years, with or without hard labor, or both.

CHAPTER 9. JUSTICES OF THE PEACE COURTS PART I. IN GENERAL

La. R.S. 13:2586. Jurisdiction and procedure

A. Justices of the peace shall have concurrent jurisdiction with the district courts in all civil matters as set forth in Articles 4911 through 4913 of the Code of Civil Procedure.

B. They shall have no jurisdiction in succession or probate matters, or when a succession is a defendant, or when the state, parish, or municipality, or other political corporation, is a party defendant, or when the title to real estate is involved.

C.(1) They shall have criminal jurisdiction parishwide as committing magistrates and shall have the power to bail or discharge, in cases not capital or necessarily punishable at hard labor, and may require bonds to keep the peace.

(2) A justice of the peace shall have concurrent jurisdiction over the litter violations occurring anywhere in the parish in which the court is situated, which are prohibited by R.S. 30:2531(B) or any ordinance of a parish governing body providing for litter abatement or control that provides that the trial for the violation of any such ordinance may be in a justice of the peace court. In addition, a constable may issue summons and serve subpoenas for such violations occurring anywhere in the parish in which his court is situated. However, the penalty that may be imposed by a justice of the peace in connection with a litter violation prohibited by R.S. 30:2531(B) shall be limited to the range of fines allowed by that Subsection.

La. R.S. 13:2587.1. Prosecution of litter violations in justice of the peace courts

The constable of the justice of the peace court or his deputy shall act as prosecutor when called upon to do so by the justice of the peace when the justice of the peace exercises his jurisdiction to adjudicate litter violations prohibited by R.S. 30:2531(B). In those cases where the constable has issued the citation or summons or has made the arrest or appears as a witness against the accused, the constable shall designate the deputy constable to prosecute the matter. If there is no deputy constable, then the justice of the peace may appoint a special deputy constable to prosecute the case or may authorize a constable from another ward in the parish to prosecute the matter.

La. R.S. 13:2589. Compensation of justices of the peace and constables in criminal matters

A.(1) Justices of the peace and constables shall receive no fees in criminal matters or in peace bond cases, but in lieu thereof they shall receive such salaries as are fixed by the parish governing authority and paid by the parish, which salaries shall be graded, but which in no case shall be less than seventy-five dollars per month. This salary of not less than seventy-five dollars per month shall include and shall not be in addition to the amount of the salary provided for in R.S. 33:1702.

(2) Every justice of the peace and constable shall attend at least one of the Justice of the Peace Training Courses offered by the attorney general pursuant to R.S. 49:251.1 every other year, and a justice of the peace or constable who fails to do so shall not earn or receive the compensation provided in this Section, until he attends a course and receives a certificate of completion from the attorney general.

B. Notwithstanding the provisions of R.S. 30:2531 through 2531.5 and 30:2532, governing the distribution of fines for littering, and notwithstanding the provisions of Subsection A above, the local governing bodies receiving the fines imposed by R.S. 30:2531 through 2531.5 and by any parish ordinance shall reimburse those justice of the peace courts and ward constable offices who handle litter violations for the time spent and expenses incurred by the respective justice of the peace, and constable, deputy constable, or special deputy constable for handling those litter violations.



VIOLATION REPORTING PROCEDURE



VIOLATION REPORTING PROCEDURE

Once a citizen witnesses a litter violation, either traveling within a vehicle or trash placed on the side of roadway, that citizen has the option of calling a Justice of the Peace or Constable. That J.P. or Constable will send them via fax or mail, a Litter Prevention form which simply records what the witness saw. If the litter was thrown from a moving vehicle, the witness should write down the license tag and make note of make, model, color of vehicle and any other identifying markings such as bumper stickers, description of driver, etc. Once this form is filled out and signed by the witness and faxed back to the Constable, he/she tracks down the alleged violator and issues them a summons for litter court. Litter court is usually held once per month, either at the City Hall building in Abita Springs or the Hearing Officer at Koop Dr. The witness must show up for court to testify regarding his affidavit and at that point the litter violator is prosecuted. The sitting Judge has the option of fining the violator a monetary fine of between \$50.00 to \$500.00, plus 8 hours of community service within our litter abatement program. All convicted litter violators are entered into a repeat offender database which is updated by the Environmental Services Department. Should a violator receive a second summons, their fine is automatically doubled if convicted. If a violator pleads guilty prior to court date and pays his/her fine, then the witness is notified and their appearance in court will not be necessary.

Throughout the Parish one will find green Litter Signs that display the Justice of the Peace's name and phone number for reporting litter. Or, they can simply contact Environmental Services, Rick Moore @ 985-898-5218 or email address of litter@stpgov.org to report any type of litter or request a Litter Prevention Form.

ST. TAMMANY PARISH LITTER PREVENTION FORM

To report littering, all you need to do is record the information in the form below and give to a justice of the peace or constable.

Date and time you saw the littering occur: _____

Type of incident:

- | | |
|------------------------------------|--|
| — Litter from a commercial vehicle | — Deliberately thrown |
| — Blown or fell from Vehicle | — Did not involve vehicle |
| — Litter from a private vehicle | — Unsecured trash on construction site |
| — Overflowing commercial dumpster | — Other: _____ |
| — Unsecured household trash | |

Location of incident: _____

Describe the litter: _____

Did you keep the litter: _____

For commercial vehicles or commercial property, name of company:

Vehicle License plate number: _____

Description of Vehicle: Make: _____ Model: _____

Color Body Type: (example 4-door) _____

Other vehicle identifiers (Example: dents, bumper stickers):

Driver Description: _____

Passenger Information: (if available): _____

Your Name (printed): _____

Address: _____

Phone Number: _____ Fax: _____

I declare the information I have given in this affidavit is true and correct.

Affiant's Signature

Date



St. Tammany Parish

Department of Environmental Services
Solid Waste / Litter Enforcement Division

P.O. Box 628
Covington, La. 70434
Phone: (985) 898-2535
Fax: (985) 898-2523
Email: litter@stpgov.org

Violation
Number: 1500

NOTICE OF VIOLATION

IN ACCORDANCE WITH THE ST. TAMMANY PARISH CODE OF ORDINANCES,
THIS IS NOTICE THAT YOU ARE IN VIOLATION OF THE ST. TAMMANY
PARISH LITTER, SOLID WASTE AND/OR SIGNAGE ORDINANCE NUMBERS
01-0284 & 02-0551 & 03-0615 & 06-1417 & Chapters 9, 14, 15 & 23.

LITTERING PROHIBITED
ADVERTISEMENT SIGNS ON R.O.W.
SOLID WASTE BURNING PROHIBED
TEMPORARY SIGN PERMIT REQUIRED
SEPTAGE WASTE HAULING & TRANSFER
SOLID WASTE HAULING & TRANSFER VIOLATION
SOLID WASTE DISPOSAL, DIVERSION & STORAGE VIOLATION

TO AVOID ANY FURTHER ACTION BY ST. TAMMANY PARISH, ANY (or) ALL
VIOLATIONS CAPTIONED ABOVE MUST BE CORRECTED WITH (5) DAYS
FROM RECEIPT OF THIS NOTICE.

IF YOU HAVE ANY QUESTIONS OR CONCERNS YOU MAY CONTACT THE
DEPARTMENT OF ENVIRONMENTAL SERVICES THE LITTER / SOLID WASTE
ENFORCEMENT DIVISION AT (985) 898-2535 or ACCESS THE PARISH
ORDINANCES AT <http://www.stpgov.org/code>

OFFICER

OFFENDER NAME

DATE & TIME

LOCATION OF OFFENSE

SIGNATURE

NOTICE

IN ACCORDANCE WITH THE ST. TAMMANY PARISH CODE OF ORDINANCES, THIS IS NOTICE THAT YOU ARE IN VIOLATION OF SEC: 15-005.06

Description of activity/violation: POSTING ADVERTISEMENT SIGN(S) ON PUBLIC RIGHT OF WAYS

Date: _____ Signature: _____

PARISH OF ST. TAMMANY CONSTABLE OFFICE

73477 Tammy Lane
Covington, LA 70435
(985) 892-1964

THIS POSTING IS NOTICE THAT THE DESCRIBED ACTIVITY IS IN VIOLATION OF THE ST. TAMMANY PARISH CODE OF ORDINANCES. YOU ARE DIRECTED TO REMOVE SAID VIOLATION WITHIN (5) FIVE DAYS FROM THE DATE OF THIS NOTICE. FAILURE TO COMPLY WITH THIS POSTING WILL RESULT IN APPROPRIATE LEGAL ACTION.

GENERAL PENALTY

WHENEVER, IN THE PARISH CODE, ANY ACT OR OMISSION IS PROHIBITED OR IS MADE OR DECLARED TO BE A VIOLATION, YOU MAY BE CITED TO APPEAR BEFORE THE ST. TAMMANY PARISH JUSTICE OF THE PEACE OR YOU MAY BE ISSUED A MISDEMEANOR SUMMONS TO APPEAR IN COURT, OR BOTH. A MISDEMEANOR IS PUNISHABLE BY A TERM OF IMPRISONMENT OF UP TO THIRTY (30) DAYS IN THE PARISH JAIL AND/OR A FINE OF UP TO FIVE HUNDRED DOLLARS (\$500.00). IF CITED TO APPEAR BEFORE THE JUSTICE OF THE PEACE, CORRECTIVE ACTION AND CIVIL FINES AND/OR PENALTIES MAY BE IMPOSED. UNLESS SPECIFICALLY PROVIDED OTHERWISE, EACH DAY THAT A VIOLATION OF ANY ORDINANCE OR PROVISION OF THIS CODE EXISTS, IT SHALL CONSTITUTE A SEPARATE OFFENSE OR VIOLATION.

SUMMONS

ST. TAMMANY PARISH JUSTICE COURT
PARISH OF ST. TAMMANY - DIVISION _____
State of Louisiana

On the _____ day of _____, 20____ at _____ a.m. / p.m.

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

D/L: _____ DOB: _____

did unlawfully at _____
LOCATION

commit the following offense:

Offense: _____

Parish Ordinance /R.S. - Section: _____

Description of Offense: _____

CONSTABLE - Signature _____

DATE _____

Therefore, you, the accused are hereby notified and summoned by the authority vested in the above Constable to personally appear before the St. Tammany Parish Justice Court located 21490 Koop Dr., Bldg. A, Mandeville, LA 70471

On _____, _____, 20____; at _____ a.m. / p.m.
MONTH DAY YEAR TIME

To be arraigned without fail, otherwise a warrant for your arrest may be sought all in accordance with LSA-C.CR.P. Article 211. You have the right to be represented by an attorney at all stages of this proceeding.

I acknowledge receipt of this summons,

Accused _____

**EACH DAY THE VIOLATION OCCURS SHALL
CONSTITUTE A SEPARATE OFFENSE.**

COURT APPEARANCE MANDATORY: Failure to appear in Court will result in an attachment for your arrest.

NEED NOT APPEAR: If you do not wish to contest this charge, you may post a cash bond for this offense at the Justice of the Peace Office. It will be forfeited at the court date above, and it will not be necessary for you to appear in Court and no further action will be taken.

JUSTICE OF THE PEACE • Phone: _____

WHITE - (Court copy) YELLOW - (Violator copy) PINK - (Constable copy)



PROSECUTION AND ADJUDICATION



Establishment and structure of Litter Courts

LSA-R.S. 13: 2586

§ 2586. Jurisdiction and procedure

A. Justices of the peace shall have concurrent jurisdiction with the district courts in all civil matters as set forth in Articles 4911 through 4913 of the Code of Civil Procedure.

B. They shall have no jurisdiction in succession or probate matters, or when a succession is a defendant, or when the state, parish, or municipality, or other political corporation, is a party defendant, or when the title to real estate is involved.

C.(1) They shall have criminal jurisdiction parishwide as committing magistrates and shall have the power to bail or discharge, in cases not capital or necessarily punishable at hard labor, and may require bonds to keep the peace.

(2) A justice of the peace shall have concurrent jurisdiction over the litter violations occurring anywhere in the parish in which the court is situated, which are prohibited by R.S. 30:2531(B) or any ordinance of a parish governing body providing for litter abatement or control that provides that the trial for the violation of any such ordinance may be in a justice of the peace court. In addition, a constable may issue summons and serve subpoenas for such violations occurring anywhere in the parish in which his court is situated. However, the penalty that may be imposed by a justice of the peace in connection with a litter violation prohibited by R.S. 30:2531(B) shall be limited to the range of fines allowed by that Subsection.

(3) A justice of the peace shall not have the authority to issue a warrant for the arrest of a law enforcement officer for acts performed while in the course and scope of his official duties.

(4) Upon the favorable passage of a local ordinance by a parish governing authority, a justice of the peace in said parish shall have concurrent jurisdiction over the violations for removal, disposition, or abandonment of objects, of a value not to exceed the civil jurisdictional limits of the justice of the peace court, that occur anywhere in the parish in which the court is situated, which are prohibited by R.S. 34:843 or any ordinance of a parish governing body that provides for the violation of any such ordinance may be in a justice of the peace court. In addition, a constable may issue summons and serve subpoenas for such violations occurring anywhere in the parish in which his court is situated. However, the penalty that may be imposed by a justice of the peace in connection with a removal, disposition, or abandonment violation prohibited by R.S. 34:843 shall be limited to the range of fines and penalties allowed by that Section.

(5) A justice of the peace court in Caddo Parish shall have concurrent jurisdiction over property standards violations within its territorial jurisdiction, pursuant to local ordinance. In addition, a constable of a justice of the peace court in Caddo Parish may issue summons and serve subpoenas for such violations occurring anywhere within the territorial jurisdiction of the justice of the peace court.

D. Persons found liable in a justice of the peace court for a violation pursuant to Subsection C shall have the right of direct appeal to the district court by trial de novo for the parish in which the justice of the peace court is situated. The appeal must be filed within ten days of the date of the judgment and notice of the appeal must be given within the ten-day period to the justice of the peace who adjudicated the matter, the district court to which the matter is being appealed, and the district attorney for the district in which the parish and justice of the peace court are located. The appeal from a decision of the district court shall be the same as provided by law for appeals of civil matters adjudicated by a district court. If the judgment is sustained on appeal, the defendant may be assessed additional court costs by the district court as authorized by law.

E.(1) A justice of the peace who renders a judgment shall retain original jurisdiction over that judgment, the enforcement, and collection of garnishments, judgment debtor examinations, and the issuance of any writ to enforce its judgment.

(2) The constable of the justice of the peace court shall have authority parishwide to enforce a judgment of the justice of the peace court as provided for in Paragraph (1) of this Subsection.

F. A constable of the justice of the peace court is authorized to effectuate service of process within the parish of that court for any case before that court.

All constables are encouraged to exercise their duties as peace officers by writing citations for litter violations. A justice of the peace may not, pursuant to R.S. 13:3477, appoint a special deputy constable to issue litter tickets. **That justice of the peace may participate in a parish wide litter court and pursuant to statute may hear litter violations which have been written by any constable or law enforcement officer in the parish.** Op.Atty.Gen., No. 99-218, October 20, 1999

A parish police jury does have authority to adopt and enforce parish-wide litter ordinances. Penalties for violation of such an ordinance shall not exceed maximum fines set forth under state law. There is no requirement to offer community service in lieu of fines for violation of parish-wide litter ordinances. **Justices of the peace and constables may be reimbursed for handling litter cases as provided in the appropriate statute or parish ordinance.** R.S. 42:63(D) prohibits an elected clerk of court from being appointed as clerk of a parish litter court. The court should impose an additional five

dollar fee in litter cases for wildlife management in accordance with R.S 56:70. Op.Atty.Gen., No. 00-236, January 5, 2001.

The Litter Courts must follow Louisiana state statutory guidelines in all its dealings with the Louisiana Litter Reduction and Public Action Commission. Op.Atty.Gen. No. 00-217, August 2, 2000.

A justice of the peace may exercise his or her jurisdiction in prosecuting litter violators throughout the parish in which his or her ward sits. Op.Atty.Gen. No. 96-66, March 5, 1996.

LSA-R.S. 13:2587.1

§ 2587.1. Prosecution of litter violations in justice of the peace courts

The constable of the justice of the peace court or his deputy shall act as prosecutor when called upon to do so by the justice of the peace when the justice of the peace exercises his jurisdiction to adjudicate litter violations prohibited by R.S. 30:2531(B). In those cases where the constable has issued the citation or summons or has made the arrest or appears as a witness against the accused, the constable shall designate the deputy constable to prosecute the matter. If there is no deputy constable, then the justice of the peace may appoint a special deputy constable to prosecute the case or may authorize a constable from another ward in the parish to prosecute the matter

A justice of the peace may exercise his or her jurisdiction in prosecuting litter violators throughout the parish in which his or her ward sits. Op.Atty.Gen. No. 96-66, March 5, 1996.

A constable able and willing to perform his duties may not appoint deputy constables unless he is in a parish with more than 400,000 persons, but he may work in conjunction with a deputy sheriff or another constable in his parish in litter violation cases and may have another law enforcement official in the car when he is performing his duties. Op.Atty.Gen. No. 97-309, September 8, 1997.

LSA-R.S. 13:2589

§ 2589. Compensation of justices of the peace and constables in criminal matters

A.(1) Justices of the peace and constables shall receive no fees in criminal matters or in peace bond cases, but in lieu thereof they shall receive such salaries as are fixed by the parish governing authority and paid by the parish, which salaries shall be graded, but which in no case shall be less than seventy-five dollars per month. This salary of not less than seventy-five dollars per month shall include and shall not be in addition to the amount of the salary provided for in R.S. 33:1702.

(2) Every justice of the peace and constable shall attend at least one of the Justice of the Peace Training Courses offered by the attorney general pursuant to R.S. 49:251.1 every other year, and a justice of the peace or constable who fails to do so shall not earn or receive the compensation provided in this Section, until he attends a course and receives a certificate of completion from the attorney general.

B. Notwithstanding the provisions of R.S. 30:2531 through 2531.5 and 30:2532, governing the distribution of fines for littering, and notwithstanding the provisions of Subsection A above, the local governing bodies receiving the fines imposed by R.S. 30:2531 through 2531.5 and by any parish ordinance shall reimburse those justice of the peace courts and ward constable offices who handle litter violations for the time spent and expenses incurred by the respective justice of the peace, and constable, deputy constable, or special deputy constable for handling those litter violations.

C. In Caddo Parish, in addition to the reimbursements provided for in Subsection B of this Section, the justice of the peace courts and ward constable offices shall also be reimbursed for handling property standards violations.

LSA-R.S. 56:70.03

§ 70.3. Louisiana Help Our Wildlife Fund; creation; composition of fund; uses of fund

A. The Louisiana Help Our Wildlife Fund, hereinafter referred to as "the fund", is hereby created within the Louisiana Wildlife and Fisheries Conservation Fund in the state treasury.

B. The fund shall be composed of:

(1) Monies from appropriations by the legislature.

(2) All monies paid as a cost levied on class violations as provided in Subsection C of this Section.

(3) Any federal monies made available to the state for enforcement of anti-poaching laws.

C.(1) In addition to any other costs otherwise imposed by law, and notwithstanding any provision of law to the contrary, a cost of five dollars for any class violation as provided in R.S. 56:31 through 37.1 is hereby levied in each criminal action which results in conviction or guilty plea. The recipient of such costs shall remit them upon collection to the state treasurer.

(2) Notwithstanding any other provision of law to the contrary, in addition to any fine imposed under R.S. 30:2531 and 2531.1 or fine imposed pursuant to any parish or municipal ordinance prohibiting littering, an additional fine of five dollars is hereby imposed for each violation of said statutes or ordinances which results in a conviction, guilty plea, or plea of nolo contendere. The recipient of such fines shall, notwithstanding any other law to the contrary, remit them to the state treasurer upon collection.

D.(1) After complying with the requirements of Article VII, Section 9 (B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, the treasurer each fiscal year, prior to placing the remaining funds in the state general fund, shall pay the same amount of funds as was paid into the state treasury pursuant to Subsections B and C of this Section into a special fund hereby created within the Louisiana Wildlife and Fisheries Conservation Fund in the state treasury and known as the Louisiana Help Our Wildlife Fund.

(2) The monies in the Louisiana Help Our Wildlife Fund shall be used solely for the purposes set forth in this Subpart and only in the amounts appropriated each year by the legislature.

(3) All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(4) The monies in the fund shall be invested by the treasurer in the same manner as monies in the Louisiana Wildlife and Fisheries Conservation Fund. All interest earned on monies invested by the treasurer shall be deposited in the Louisiana Help Our Wildlife Fund.

E. The Louisiana Help Our Wildlife Fund may be used solely for the following purposes:

(1) Rewards for information leading to the arrest and conviction of poachers and litterers.

(2) A promotional and educational campaign to inform the general public on:

(a) The harm and danger of poaching and littering.

(b) The reward for information which leads to the arrest and conviction of poachers and litterers.

(3) Toll free telephone numbers.

(4) All expenses necessary to implement the provisions of this Subpart as determined by the secretary of the Department of Wildlife and Fisheries.

A parish police jury does have authority to adopt and enforce parish-wide litter ordinances. Penalties for violation of such an ordinance shall not exceed maximum fines set forth under state law. There is no requirement to offer community service in lieu of fines for violation of parish-wide litter ordinances. Justices of the peace and constables may be reimbursed for handling litter cases as provided in the appropriate statute or parish ordinance. R.S. 42:63(D) prohibits an elected clerk of court from being appointed as clerk of a parish litter court. **The court should impose an additional five dollar fee in litter cases for wildlife management in accordance with R.S 56:70.** Op.Atty.Gen., No. 00-236, January 5, 2001.

SUBPOENA

State of Louisiana ~ St. Tammany Parish ~ Third Ward Justice Court

St. Tammany Parish

Petitioner

Vs.

XYZ: 985-807-4000 **Defendant**

Case No.: 3A- 3964

SUBPOENA for RECORDS

TO: AT&T Mobility:

Fax# 1-877-971-6093

YOU ARE HEREBY COMMANDED TO MAIL OR FAX OR EMAIL THE FOLLOWING DOCUMENTS IN YOUR POSSESSION OR CUSTODY AND CONTROL TO THIRD WARD JUSTICE COURT OF ST. TAMMANY, LOUISIANA ON OR BEFORE May 31, 2013.

**Name & Billing Address of subscriber assigned to phone number 985-807-4000
DATE RANGE: from January 1, 2013 (thru) May 15, 2013**

THIS IS FOR RECORDS ONLY. THERE WILL BE NO ORAL INTERROGATORIES. YOUR FAILURE TO RESPOND TO THIS SUBPOENA COULD SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT.

BY THE ORDER OF THE THIRD WARD JUSTICE COURT, 73477 TAMMY LANE, COVINGTON, LA. 70435, Phone (985) 892-4486 or Fax (985) 892-8426 or Email: remoore@stpgov.org

**ENTERED BY: HONORABLE CONNIE G. MOORE, JUDGE OF SAID COURT,
This _____ day of _____, AD. _____.**

JUDGE

Judge's No.: JP-52-3



**ST. TAMMANY PARISH
JUSTICE COURT – DIVISION THREE**
21490 KOOP DRIVE
MANDEVILLE, LA. 70471
PHONE: (985) 892-4486
FAX: (985) 892-8426
e-mail: litter@stpgov.org

St. Tammany Parish Government

**Vs.
John Doe**

I, the accused, understand that I have the right to plead not guilty and to have a trial for the Offense of Littering – St. Tammany Parish Ordinance #01-0284 and/or #02-0551, Section: 15-001.00. I, the accused, waive formal arraignment and appearance for trial, as well as, waive jurisdiction and enter a plea of guilty to this offense in accordance with Louisiana R.S. 32:641. Citation No. : 5067 , Date: July 29, 2014 .

Accused: _____ **Date:** _____

Witness: _____ **Date:** _____

FINES

(AS IN ACCORDANCE WITH S.T.P. ORDINANCE NO. 01-0284)

Penalty imposed for the first offense shall be between the ranges of \$50.00 to \$500.00 and sentenced to serve (8) eight hours of community service in a litter abatement work program as approved by the court. Second offense ranges between \$300.00 to \$1,500.00 and sentenced to serve (16) sixteen hours of community service. Third offense ranges between \$500.00 to \$3,000.00, have his/her motor vehicle license suspended for one year, be imprisoned for not more than (30) thirty days, or sentenced to serve 24-75 hours of community service, and/or Judgment/Lien filed on your immovable property.

Court Fees: \$ 50.00 **Community Service:** _____
Fine~Bond: \$ 100.00 **Drivers Lic. Suspend:** _____
TOTAL: \$ 150.00 **Other:** _____
Cash _____ Check _____ # _____ Money Order _____

Mail Payment To: St. Tammany Parish Justice Court ~ P.O. Box 1133, Covington, La. 70434

Fine/Court Fees: Make Check Payable to: St. Tammany Parish Justice Court

IF YOU DO NOT WISH TO CONTEST THIS CHARGE, YOU MAY POST A BOND FOR THIS OFFENSE. The bond will be forfeited on the court date and your appearance in court will not be necessary and no further action will be taken. You can mail this form to the court prior to your court date. Mail and make your payment as outlined above.

Notice of Judgment

VS

Case No. 3A-

Third Ward Justice Court, Parish of St. Tammany, State of Louisiana
73477 Tammy Lane Covington, La. 70435 (985) 892-4486 Fax: 892-8426

TO:

You are hereby notified judgment was rendered in the above captioned matter. A certified copy of the judgment is attached to this notice.

Unless the judgment is paid in full, or an appeal taken, within the time limits set by law, execution of the judgment may be issued.

This service was issued and a certified copy was mailed to the above named party by the Third Ward Justice Court for the Parish of St. Tammany, State of Louisiana, on this day of 20 , at Covington, Louisiana.

Judge: _____
Connie G. Moore

St. Tammany Parish Justice Court

State of Louisiana

Summons #

Plaintiff: **St. Tammany Parish Government**

vs.

Defendant(s):

JUDGMENT

This matter came before the court on the _____ day of _____ 20____ for hearing on Summons # _____ issued against the defendant(s) for violation of St. Tammy Parish Ordinance:

Present in court: _____, Constable, St. Tammany Parish
Defendant:

The Court, having heard the pleadings, evidence and arguments, and considering the law and evidence to be in favor of the Plaintiff, St. Tammany Parish Government, for the reasons orally assigned;

IT IS ORDERED, ADJUDGED AND DECREED the plaintiff, St. Tammany Parish Government, have judgment to recover against the defendant (s) _____, a fine in the amount of \$ _____, plus judicial interest from this date, and including court cost in the amount of \$50 and any future cost incurred . The court awards attorney fees in the amount of 25% of the unpaid principal and interest in the event this matter has to be turned over to an attorney for collection.

READ AND RENDERED AND SIGNED in open court this _____ day of 20____, at Covington, Louisiana.

JUDGE, Connie G. Moore



ST. TAMMANY PARISH
DEPARTMENT OF ENVIRONMENTAL SERVICES
P.O. Box 628
COVINGTON, LA 70434
PHONE: (985) 898-2535
FAX: (985) 898-2523
email: es@stpgov.org

Pat Brister
Parish President

REPEAT OFFENDER DATABASE FORM

DATE: _____

TICKET #: _____ WARD#: _____

CONSTABLE ISSUING TICKET: _____

JUSTICE OF THE PEACE: _____

NAME OF OFFENDER: _____

ADDRESS: _____

SOCIAL SECURITY #: _____

DRIVER'S LICENSE #: _____

OFFENCE: _____

VIOLATION: _____

FINE AMOUNT: _____



APPENDIX





Environmental Services

Purpose

The Department of Environmental Services (DES) is responsible for providing control, monitoring, inspection and, in some cases, the provision of water and sewer services, as well as regulatory authority over septage, on-site wastewater treatment, individual water wells, and litter abatement.

Functions

Over the course of the last twelve years, the Department of Environmental Services (DES) has expanded its core mission as a regulatory authority into a multi-faceted entity. Daily operations include regulatory, operational, service-oriented, grants administration and special project(s) functions.

Regulatory

The DES provides regulatory authority over the following within the unincorporated portions of St. Tammany Parish:

- **Commercial/Residential Development**-The review and approval of design specifications for the provision and/or extension of central water/sewer services to new and/or expanding commercial and residential development. This also includes the final inspection of all new/expanded systems before the issuance of any building permits.
- **Individual Building Permits**-Reviews and approves each individual building permit for the proper provision of water and sewer services, either through central or on-site systems.
- **Private Water/Wastewater Operations**-Monitoring, inspection and enforcement over water production/delivery systems and wastewater conveyance and treatment for a multitude of private utilities providing service to over 26,000 Parish residential and commercial structures.
- **On-Site Wastewater Treatment**-Monitoring, inspection and enforcement over the installation, operation, and replacement of all on-site wastewater systems utilized by over 36,000 Parish residential and commercial structures.
- **Individual Water Wells**-Intake and review of all requests to install an individual water well and ensure all Louisiana Department of Health and Hospital regulations are followed during installation and a clear-water sample received prior to use.
- **Solid Waste**-Licensing, inspection, monitoring and enforcement of the 34 solid waste/garbage service providers operating within the Parish.
- **Litter Abatement**-Investigation of litter complaints and illegal dump sites, issuance of fines for the aforementioned, and providing testimony in court against those accused of littering and/or illegal dumping.

Operations

The DES manages the operations of the following within unincorporated St. Tammany Parish:

- **Water/Wastewater Services (Tammany Utilities)**-The production and delivery of potable water and the collection, conveyance and treatment of wastewater for over 12,000 utility customers. This includes the operation and maintenance, on a 24 hour per day, seven day per week basis, of 32 water wells, 54 wastewater treatment facilities and 216 sewer lift stations.
- **Septage collection and treatment**-The Parish operates the only Louisiana Department of Environmental Quality approved septage treatment facility in St. Tammany. Septage is the wastewater that is pumped from individual on-site wastewater treatment systems. The DES has constructed a 36,000 gallon holding tank and from that utility crews press the septage to dewater it, deposit the dried septage into a dumpster for transport to an LDEQ approved disposal facility, and treat the remaining water.
- **Garbage Service Dist. No. 1 Contract Management**-Manage the five-year solid waste services contract between the District and Waste Management, as well as conduct billing operations on behalf of the District. Garbage Service District No. 1 provides services to the Cross Gates, Turtle Creek, Meadowlake and Willowwood subdivisions.
- **Litter Abatement Crew**-Utilize one DES staff to supervise and transport up to eight community service workers, five days a week, to pick up roadside litter. In 2010 the litter abatement crew cleared 377 miles of road and collected over 13,000 bags of litter. In 2012, 304 miles of road were cleaned by Litter Abatement.

Solid Waste and Litter

PERMITS ISSUED:

Solid Waste / Trash Hauler -**25**

Septic Hauler – **17**

Transfer Stations - **2**

LITTER and WASTE STATISTICS 2012

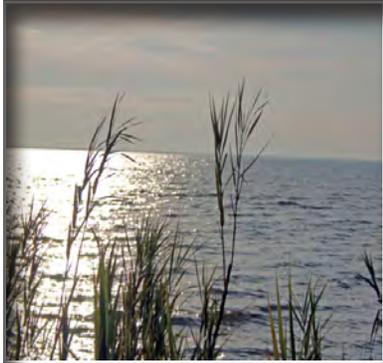
- **109,200 tons** of trash, debris and garbage was collected at transfer stations throughout the Parish.
- **738,300 gallons** of septic/sewer waste was pumped.
- **164** litter violations were issued.
- **\$7,180.00** in fines were collected.
- **1,925** sewerage inspections (SIP) were issued.
- **170** new sewerage systems were installed.
- **11,603** bags of litter were collected.
- **304** miles of road were cleaned by Litter Abatement.

To contact Litter/Solid Waste Enforcement call 985-898-2535.

Grants

The DES applies for, manages, implements and handles financial and project progress reporting for a wide array of government grants. Below is a list of grants the DES currently provides one of the aforementioned functions.

These grants are in various stages of implementation, they are as follows:



- **Coastal Impact Assistance Grant (CIAP)**- An \$8.6 million grant for the conservation, protection and preservation of coastal areas, including wetlands; which is split between four separate projects.
- **Community Development Block Grant (CDBG)**-The DES utilizes a portion of the CDBG entitlement funding the Parish Government receives in order to design and construct water/sewer infrastructure improvements for low to moderate income residents, and maintains said improvements. To date the DES has utilized over \$2 million in CDBG funding to construct infrastructure improvements.
- **Office of Community Development/Disaster Recovery Unit (OCD/DRU)**-The DES manages \$4.4 million in post-Hurricane Katrina recovery funds to construct sewer infrastructure improvements in the Reno Hills area (Mandeville) and the Ben Thomas area (Slidell).
- **Community Water Enrichment Fund (CWEF)**-The DES has utilized over \$150,000.00 of this State grant funding to make improvements to Parish-owned community water systems. This grant is available from the State on an annual basis and will be applied for in the future to make further water system improvements.
- **Pontchartrain Restoration Program (PRP)**-The DES has been awarded over \$2.9 million in grants, over the course of eight separate awards to study, design, develop and prepare implementation of facets of wastewater consolidation and utility management.

The DES has conducted and/or created (with the assistance of professional consultants), upon request of the administration, a number of planning studies/documents concerning environmental issues facing the Parish. Below is a list of those studies/documents:

Wastewater Consolidation Study

Phases 1-8: A series of planning documents developed over the course of eight years that documented:

- **Phase 1:** A study detailing the lack of central wastewater treatment in St. Tammany.
- **Phase 2:** The creation and conceptual engineering plan for five regional wastewater conveyance and treatment systems.
- **Phase 3:** The potential for franchising of utility services to private utility companies as means to deliver wastewater services.
- **Phase 4:** Development of an on-site wastewater management plan.
- **Phase 5:** Template conceptual plans for retrofitting areas for sewer services.
- **Phases 6 and 7:** The development of a business and management plan(s) for Parish-owned utilities.
- **Phase 8:** The completion of a use attainability analysis for the Fritchie Marsh for wetland assimilation purposes.

Solid Waste Management Implementation Plan

A comprehensive plan that details:

- Current solid waste practices in St. Tammany.
- Disposal alternatives in St. Tammany.
- Criteria for organized solid waste collection.
- Potential funding alternatives.

St. Tammany Water and Sewer Rate Design

A study to develop consolidated water and sewer rate structures for all service areas receiving central water/sewer services from Tammany Utilities.

DES Accomplishments 2012

- Tammany Utilities (TU) flushed all water systems once per quarter during 2012.
- Cleaned, repaired and repainted four water storage tanks.
- Worked with Mandeville area residents to remove wastewater treatment plant from neighborhood that was operated by a failed private utility – making a serious improvement to the development.
- Entered into an Memorandum of Understanding (MOU) with the City of Mandeville to facilitate future regional sewer projects.
- Utilized state grant funds to make various water system improvements.



Madisonville Water Tower before painting and repairs.



Madisonville Water Tower after painting and repairs.

Upcoming DES Goals for 2013

- Work with Parish TMDL group to develop Parishwide water quality plan.
- Start construction of the Reno Hills and Ben Thomas sewer construction projects.
- Work with private waste transfer sites to develop a consistent Household Hazardous Waste (HHW) drop off site(s).

Upcoming TU Goals for 2013

- In 2013 TU will commence \$270,000 sewer lift station upgrades.
- TU will complete two water storage tank cleaning and repainting projects.
- Replace 244 water meters to facilitate better water resource management
- Upgrade key portions of vehicle fleet.
- Complete design and initiate various regional wastewater collection, conveyance, and treatment projects.

To contact Environmental Services call 985-898-2535.

2012 & 2013 & 2014 & 2015 St. Tammany Parish Litter Control Data

Justice of the Peace Litter Court Docket Parish Wide Litter and Illegal Signs Violations	All Investigations by the Constables Parish Wide Warnings, Null Process, Compliance, N.A.T	Justice of the Peace - Judgments Failure to Appear - No Payments Litter & Sign Violations
<u>2012</u>	<u>2012</u>	<u>2012</u>
19 Cases Fines Collected \$2,650	82 Cases Investigated	2 Cases Judgments Filed \$250
<u>2013</u>	<u>2013</u>	<u>2013</u>
202 Cases Fines Collected \$20,675	386 Cases Investigated	35 Cases Judgments Filed \$6,700
<u>2014</u>	<u>2014</u>	<u>2014</u>
66 Cases Fines Collected \$8,512	195 Cases Investigated	11 Cases Judgments Filed \$3,150
<u>2015</u> thru (04/30/2015)	<u>2015</u> thru (04/30/2015)	<u>2015</u> thru (04/30/2015)
32 Cases Fines Collected \$3,642	103 Cases Investigated (todate)	1 Cases Judgments Filed \$200
Total Fines Collected \$35,479.00 319 Total Cases	766 Total Cases Investigated	Total Judgments Filed \$10,300.00 49 Total Cases

St. Tammany Parish Litter Prevention

Adopt-A-Road Agreement

The group leader or individual should read this agreement and fill in the blank areas. Please mail the signed agreement to St. Tammany Parish Environmental Services (address follows). Environmental Services must receive the signed form 10 working days before the first cleanup can be scheduled. This agreement defines the responsibilities of the Parish and the group or individual.

St. Tammany Parish Department of Environmental Services, hereinafter called the "Parish" and _____, hereinafter called the "Contractor", enter into this agreement on this _____ day of _____, 20_____, to permit the Contractor to contribute toward keeping St. Tammany Clean by maintaining litter free and aesthetically pleasing parish roadways and rights of way.

The location of the adopted area shall be:

By signing below, the Contractor acknowledges awareness that the safety of its employees/volunteers/families is critically important and agrees to the following terms and conditions:

Contractor Terms and Conditions:

- Participants shall collect litter on a predetermined section of parish road or neighborhood area that has been approved by the Parish.
- Participants must be 14 years of age or older. The Contractor shall furnish supervision of one adult for every three children under the age of 14. Participants shall sign a hold harmless agreement prior to their participation in the litter cleanup. In the case of minors, the parent/guardian must sign his/her approval for his/her child to participate.

- The Contractor shall remove litter from the minimum adopted area of two miles, and a minimum of four times annually for a two-year period.
- The Contractor shall contact the Parish 10 working days prior to the litter cleanup day to obtain a litter safety kit and to request garbage pickup on the day of the litter cleanup.
- The Contractor shall place filled trash bags at designated locations for collection by the independent garbage hauler.
- The Contractor shall return unused litter safety kit materials to the Parish within two working days following the litter cleanup day.
- All participants shall wear safety equipment at all times when at the site. Group size is limited to the amount of safety equipment provided.
- Participants shall not touch anything that might be hazardous or cause injury. The leader shall report these items to the Parish (985-898-2535) or the police. Questions about hazardous materials should be directed to the Parish (985-898-2535). Participants shall not use mind-altering substances prior to or while participating in the litter cleanup.

Parish Terms and Conditions:

- Furnish and install a permanent sign with the Contractor's name or logo or acronym at the adopted area.
- Provide a litter safety kit, containing trash bags, first aid kit, gloves, and safety vests.
- Help assign an independent garbage hauler to remove the filled trash bags.
- Assist the Contractor in cleaning up litter under unusual circumstances, i.e., when large, heavy, hazardous items are found.

This agreement may be terminated by either party at any time without cause.

I, _____, group leader,
on behalf of _____,
the sponsoring organization, have read the terms
and conditions for participants, and I agree and
acknowledge the following:

Participants in this program are under the control
of our group and not St. Tammany Parish. Our
organization will evaluate all participants to
determine that they are responsible individuals
who will abide by the rules of the road and use due
care and caution while participating in this cleanup
program. Each participant will be knowledgeable of
the rules of the road as they pertain to pedestrians,
and the terms and conditions of participation. We
recognize that this program will expose participants
to traffic along roadways being cleaned as well as
other potential hazards. It is our responsibility to
obtain and send to the Parish signed hold
harmless agreement from each participant in the
program.

It is further agreed that our organization and all of
its participants, will save and hold harmless,
protect and defend St. Tammany Parish, its
agents, employees, and officials from any claim by
our organization, any participants from our
organization, or any third parties, arising out of our
participation in this project.

I CERTIFY THAT I AM AUTHORIZED TO SIGN
THIS AGREEMENT ON BEHALF OF OUR
ORGANIZATION, AND THAT EACH
PARTICIPANT HAS REVIEWED THIS
AGREEMENT AND CONSENTS TO ITS TERMS.

CONTRACTOR

Signature

Print Name

Organization

ST. TAMMANY PARISH

Signature

Print Name

Parrish Department

Mail this form to:
St. Tammany Parish
Department of Environmental Services
P.O. Box 628

Covington, LA 70434

St. Tammany Parish Litter Prevention

Litter Cleanup Day or Adopt-A-Road Application Form

An organization, business, organization or individual may choose to cleanup a parish road at will or adopt a road for regular maintenance. Complete this form and mail or fax it to St. Tammany Parish Environmental Services. (Address and phone and fax numbers are below.)

If the requested road has been adopted by another organization or individual, Environmental Services will work with the group leader or individual to select another suitable road.

Date of application:

Name of organization:

Contact person:

Mailing address:

City, State, Zip:

Daytime phone:

Evening phone:

Road interested in cleaning or adopting:

Alternative road interested in cleaning/adopting:

Approximate number of people participating in the litter clean up effort:

Number of volunteers below the age of 14:

Location to pickup and return safety kits (Environmental Services Office or Covington, Slidell, or Hickory barns):

Mail or fax this form to:

St. Tammany Parish
Department of Environmental Services
P.O. Box 628
Covington, LA 70434
985-898-2535
985-898-2523 (Fax)

LITTER IN AMERICA

Results from the nation's largest litter study

KEY FINDINGS: LITTERING BEHAVIOR

Littering Behavior in America*, new research from Keep America Beautiful, reports on three nationwide studies—behavior observations, intercept interviews, and a national telephone survey. These explore how frequently people litter, the individual and contextual variables that contribute to littering, and the effectiveness of various approaches to reduce littering.

In the 2009 national survey, the first since 1969, 15% of individuals self-reported littering in the past month. In 1969, 50% admitted littering. While self-reported littering rates have declined in the past 40 years, individual littering—and litter—persists.

LITTER IS PRIMARILY THE RESULT OF INDIVIDUAL BEHAVIORS.

- **About 85% of littering is the result of individual attitudes.** Changing individual behavior is key to preventing litter.
- Nearly one in five, or **17%**, of all disposals observed in public spaces were littering. The remainder (83%) was properly discarded in a trash or recycling receptacle.
- **Most littering behavior—81%—occurred with notable intent.** This included dropping (54%), flick/flip of the item (20%), and other littering with notable intent (7%).

Table 8. Frequencies of Litter Disposal Strategies for General Litter

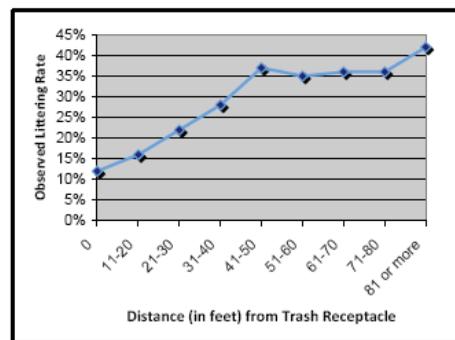
	Frequency	Percentage
Drop: Intent †	183	54%
Flick/Fling †	68	20%
Drop: No Intent	42	12%
Shoot & Miss †	8	2%
Placed item on table, bench, or ledge †	21	6%
Inch Away †	8	2%
Wedge †	4	1%
Sweep †	3	<1%
90%ers †	2	<1%
Blew away	3	<1%
TOTAL	342	100%

Note: † designates littering that occurred with notable "intent."

THE COMMUNITY ENVIRONMENT ALSO INFLUENCES LITTERING BEHAVIOR.

- **A strong contributor to littering is the prevalence of existing litter.** About 15% of littering is affected by the environment, or existing litter.
- **Trash receptacles are widespread, while ash receptacles are less common.** Of the sites observed, 91% had trash receptacles (including dumpsters), but only 47% had ash receptacles. And even fewer had recycling containers (12%).
- **Most littering occurs at a considerable distance from a receptacle.** At the time of improper disposal, the average estimated distance to the nearest receptacles was 29 feet. The observed littering rate when a receptacle was 10 feet or closer was 12%, and the likelihood of littering increased steadily for receptacles at a greater distance.
- **Individuals under 30 are more likely to litter than those who are older.** In fact, age, and not gender, is a significant predictor of littering behavior.

Figure 2: Observed Littering Rate by Distance to Receptacle



MORE ON REVERSE SIDE...



* The 2009 National Visible Litter Survey and Litter Cost Study was prepared by MidAtlantic Solid Waste Consultants for Keep America Beautiful, Inc. Research reports and an executive summary can be downloaded at www.kab.org/research09. Keep America Beautiful, Inc. 2009 national litter and littering behavior research were conducted through a grant from Philip Morris USA, an Altria Company. Wm. Wrigley Jr. Company Foundation sponsored the creation of these fact sheets. All contents Copyright 2010 Keep America Beautiful, Inc. – www.kab.org. January 2010

LITTER IN AMERICA

Results from the nation's largest litter study

CIGARETTE BUTT LITTERING

The most frequently littered items are cigarette butts. Tobacco products are roughly 38% of all U.S. roadway litter and comprise nearly 30% at “transition points”. Here are more facts about cigarette butt littering:

- A focused observation of smokers revealed a **65% littering rate**. Both the availability of ash receptacles and the amount of existing litter affected the littering rate.
- **Cigarette butt litter was more strongly influenced by the environment than was general litter.** A full 38% of cigarette butt littering was due to the environment, and 62% to individual behavior.

Table 6. Type and Frequency of Disposed Objects

	Proper	Improper	% Littered
Cigarette Butt	146	194	57%
Combo/Mixed Trash	325	12	4%
Paper	251	20	7%
Beverage Cup	180	5	3%
Napkin/Tissue	110	9	8%
Beverage Bottle: Plastic	100	5	5%
Food Remnants	65	16	20%
Food Wrapper	85	14	14%
Beverage Can	59	8	12%
Food Container	57	1	2%
Plastic Bag	38	2	5%
Beverage Bottle: Glass	11	0	0%
Unknown	116	10	8%
Other	77	46	37%
TOTAL	1,620	342	17%

PREVENTING LITTER REQUIRES CHANGING INDIVIDUAL BEHAVIOR— AND THE ENVIRONMENT

Make proper disposal convenient and accessible. Provide sufficient trash, ash, and recycling receptacles. There is a special need for more ash receptacles.

Ensure consistent and ongoing clean-up efforts. Littered environments attract more litter. Decrease the amount of existing litter.

Use landscaping, improving the built infrastructure, and ongoing maintenance to set a community standard and promote a sense of personal responsibility not to litter. Communities that make an effort to “beautify” result in lower rates of littering behavior.

Make the most of awareness and motivational campaigns. Use messaging that highlights social disapproval for littering and a preference for clean, litter-free communities. Messages that show littering as common undermine littering prevention. And keep the focus on individual responsibility.



LITTER IN AMERICA

Results from the nation's largest litter study

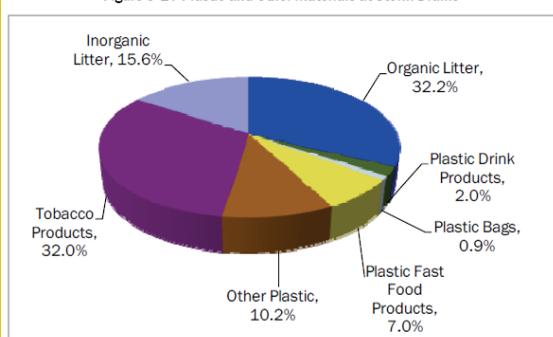
KEY FINDINGS: LITTERING NEAR BUSY PEDESTRIAN CENTERS

Keep America Beautiful's 2009 National Visible Litter Survey and Litter Cost Study* identified specific off-road locations where litter is most prevalent. Areas in and around transportation hubs, downtown business districts, and parks and other green spaces where individuals shop, eat, smoke, and congregate all attract and accumulate litter.

LARGE AND SMALL ITEMS LITTER PARKS, BEACHES, AND OTHER RECREATIONAL AREAS.

- Litter in recreation areas is evenly split between items over 4 inches and smaller items. Most litter over 4 inches is food-related, including packaging and organic items.
- Most litter in recreation areas less than 4 inches is cigarette butts. Tobacco litter represents 31.5% and confection, such as candy and gum, is 18.5%. Paper (15.7%) and plastic (12.7%) also make up a large share of litter in parks, beaches, and outdoor recreation areas.
- The overwhelming majority of litter in recreational areas—98.5%—is attributable to pedestrians. This is largely because many parks, playgrounds, and community outdoor areas are not accessible to vehicles.
- Recreational sites that are well landscaped and near residential areas tend to have less litter. Landscaping, however, can be a good “hide out” for cigarette butts and other littered items, which are placed there intentionally or blown into greenery.

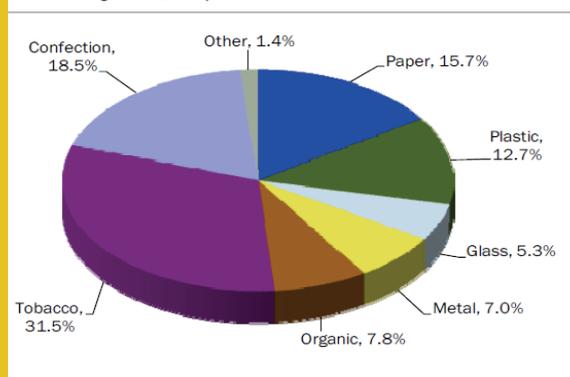
Figure 3-27 Plastic and Other Materials at Storm Drains



MOST OFF-ROADWAY LITTER IS IMPROPERLY DISCARDED AT “TRANSITION POINTS”.

- Transition points have more than twice as much visible litter as other off-roadway location. These are areas where individuals consuming a food or tobacco product are required to discard the product before proceeding.
- Pedestrians are the source of 95.8% of litter at transition points. Motorists are a small fraction at 3.3%.
- Virtually all litter at transition areas—97%—consists of items less than 4 inches. Most is cigarette butts and confection litter, such as candy, chocolate, and gum.
- 53.7% of litter at transition points is confection litter. This is followed by cigarette butts at nearly 30%. Confection litter tends to accumulate because it can be difficult and expensive to clean up.

Figure 3-32 Composition of Litter at Recreational Areas



MORE ON REVERSE SIDE...



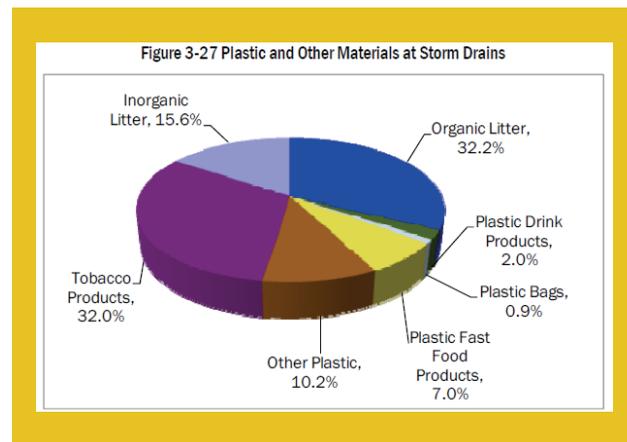
* The 2009 National Visible Litter Survey and Litter Cost Study was prepared by MidAtlantic Solid Waste Consultants for Keep America Beautiful, Inc. Research reports and an executive summary can be downloaded at www.kab.org/research09. Keep America Beautiful, Inc. 2009 national litter and littering behavior research were conducted through a grant from Philip Morris USA, an Altria Company. Wm. Wrigley Jr. Company Foundation sponsored the creation of these fact sheets. All contents Copyright 2010 Keep America Beautiful, Inc. – www.kab.org. January 2010

LITTER IN AMERICA

Results from the nation's largest litter study

STORM DRAINS ARE A TRAP FOR LITTER THAT COLLECTS FROM STREETS AND SIDEWALKS.

- **After transition points, storm drains attract the most litter in a non-roadway setting.** These are located primarily in gutters and designed to drain excess rain from paved streets, parking lots, etc. Cigarette butts, confection, plastic, and other types of litter all tend to collect in or around storm drains.
- **Pedestrians and motorists are largely responsible for storm drain litter.** Storm drains can be equally accessible to pedestrians and motorists, but pedestrians are responsible for 59% of this litter, and motorists 32%. Unsecured loads account for 5.3%.
- **83% of litter near storm drains consists of smaller items under 4 inches.** These include predominantly cigarette butts and confection litter.
- **Most litter—32%—at storm drains is tobacco products.** Plastic is the next largest component at 20.1%, followed by confection 16.1%, paper 15.9%, glass 8.6%, metal 4.2%, and other littered items 3.1%.
- **Plastic items account for four of the most commonly littered items at storm drains.** This includes plastic fast food service items, plastic drink products, plastic bags, and other types of plastic.
- **Litter near storm drains, especially plastics, can contaminate waterways.** Because storm drains lead to waterways, litter can pose a potential hazard to marine life should these materials end up in our nation's water system.



LITTER IN AMERICA

Results from the nation's largest litter study

KEY FINDINGS: CIGARETTE BUTT LITTER

Cigarette butts are the most frequently littered item. Tobacco products comprise 38% of all U.S. roadway litter and 30% at "transition points," places where smokers much discontinue smoking before proceeding. As part of Keep America Beautiful's 2009 Littering Behavior in America* research, specific data was gathered about cigarette butt littering. This included observations of smokers at recreation areas, bars/restaurants, retail, and medical/hospitals.

THE OVERALL LITTERING RATE FOR CIGARETTE BUTTS IS 65%.

This is slightly higher than the 58% rate found in the general littering observations.

- When a cigarette butt is littered, dropping with intent is the most frequent behavior or strategy (35%), followed by "flick/fling" (27%), and "stomp" (27%).
- Most cigarette butts are littered on the ground (85%), 37% into bushes/shrubbery, 25% on or around trash receptacles, and 15% into planters.

Table 10. Frequencies of Litter Disposal Strategies for Cigarette Butt Litter

	Frequency	Percentage
Drop with Intent	122	35%
Flick/Fling	94	27%
Stomp	92	27%
Other	17	5%
Bury	9	3%
Wedge	6	2%
Shoot & Miss	3	1%
TOTAL	343	100%

Table 4. Frequencies of Where Cigarette Butts were Littered in Observation Locations

	Frequency	Percentage
Ground	110	85%
Bushes/Shrubbery	48	37%
On or around trash receptacles	32	25%
Planters	20	15%
Other	6	5%

CIGARETTE BUTT LITTERING IS MORE INFLUENCED BY THE ENVIRONMENT THAN GENERAL LITTERING. ONE OF THE STRONGEST PREDICTORS OF CIGARETTE BUTT LITTERING IS THE NUMBER OF ASH RECEPTACLES.

- 38% of cigarette butt littering is associated with the physical environment, including the number of ash receptacles. The presence of ash receptacles, either as stand-alone, or integrated into a trash can, correlates with lower rates of cigarette butt littering.
- For every additional ash receptacle, the littering rate for cigarette butts decreases by 9%.
- At the time of improper disposal, litterers were an average of 31 feet from an ash receptacle. While trash receptacles are widespread (at 91% of observed sites), ash receptacles are less common, with only 47% of observed sites having an ash only or ash/trash receptacle.
- Of smokers who work, 41.8% report that they do not have receptacles for cigarette butts at their work location.

MORE ON REVERSE SIDE...



* The 2009 National Visible Litter Survey and Litter Cost Study was prepared by MidAtlantic Solid Waste Consultants for Keep America Beautiful, Inc. Research reports and an executive summary can be downloaded at www.kab.org/research09. Keep America Beautiful, Inc. 2009 national litter and littering behavior research were conducted through a grant from Philip Morris USA, an Altria Company. Wm. Wrigley Jr. Company Foundation sponsored the creation of these fact sheets. All contents Copyright 2010 Keep America Beautiful, Inc. – www.kab.org. January 2010

LITTER IN AMERICA

Results from the nation's largest litter study

ANOTHER STRONG PREDICTOR OF CIGARETTE BUTT LITTERING IS THE AMOUNT OF EXISTING LITTER.

- **Smokers are more likely to litter if the environment contains any type of litter, not just cigarette butts.** More littered environments encourage more littering.
- **Medical/hospital sites have the highest littering rates,** followed by recreation areas, bars/restaurants, and then retail locations and city centers.

Table 14. Place of Disposal for Cigarette Butt Litter

	Frequency
Pocketed	2
Trash can	8
Ashtray	26
Ground	7
Field Strip	5
Personal Ashtray	2
Cigarette Pack	1

63% OF CIGARETTE BUTT LITTERING IS ATTRIBUTABLE TO INDIVIDUAL MOTIVATIONS.

- **Younger adult smokers are more likely to litter cigarette butts than older smokers,** although there is no correlation with gender.
- **Only 14% of current smokers report owning a pocket ashtray,** and 28.1% report that they do not have a receptacle for cigarette butts in their car.
- **77% of individuals in an intercept survey report that they thought cigarette butts were litter.** When asked how they disposed of their cigarette butts when outside, most report using an ashtray. Others report using a trash can or dropping the butt to the ground.

These key research findings indicate that the most effective ways to address cigarette butt littering include **increasing the availability of ash receptacles and portable ashtrays, decreasing the amount of existing litter through clean-up activities, and educating the public with motivational messages that target individual responsibility and obligation.**



LITTER IN AMERICA

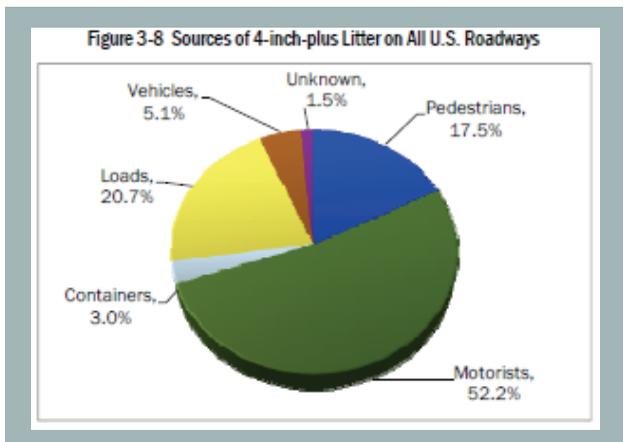
Results from the nation's largest litter study

KEY FINDINGS: SOURCES OF LITTER

Keep America Beautiful's 2009 National Visible Litter Survey and Litter Cost Study* identifies individuals as the primary source of litter. Motorists and pedestrians are littering on roads and highways, in downtown business districts, recreational areas, and beaches.

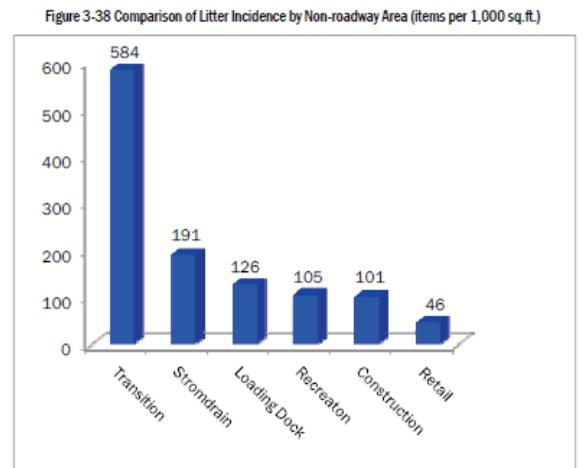
LITTER ON ROADS AND HIGHWAYS IS THE RESULT OF INDIVIDUAL ACTIONS.

- **Motorists and pedestrians contribute a combined nearly 70% of litter over 4 inches.** Along roadways and highways, motorists generate 52.2% of litter and pedestrians 17.5%.
- **Motorists not properly securing truck or cargo loads, including collection vehicles, represent 20.7% of roadway litter 4 inches-plus.** Vehicle debris and improperly secured containers, dumpsters, trash cans or residential waste/recycling bins represent another 8.1% of litter over 4 inches.



ALONG U.S. ROADWAYS CIGARETTE BUTTS, DISCARDED IMPROPERLY BY MOTORISTS AND PEDESTRIANS, ARE THE MOST FREQUENTLY IDENTIFIED ITEM.

- **Tobacco products comprise roughly 38% of ALL U.S. roadway litter** in overall aggregate analysis. Paper (22%) and plastic (19%) are the next largest percentages of litter on roads and highways.
- **Packaging litter comprises nearly 46% of litter 4 inches and greater.** This includes fast food, snack, tobacco, and other product packaging. And 61% of beverage containers 4 inches or greater on U.S. roadways are soft drink and beer containers.



MORE ON REVERSE SIDE...



* The 2009 National Visible Litter Survey and Litter Cost Study was prepared by MidAtlantic Solid Waste Consultants for Keep America Beautiful, Inc. Research reports and an executive summary can be downloaded at www.kab.org/research09. Keep America Beautiful, Inc. 2009 national litter and littering behavior research were conducted through a grant from Philip Morris USA, an Altria Company. Wm. Wrigley Jr. Company Foundation sponsored the creation of these fact sheets. All contents Copyright 2010 Keep America Beautiful, Inc. – www.kab.org. January 2010

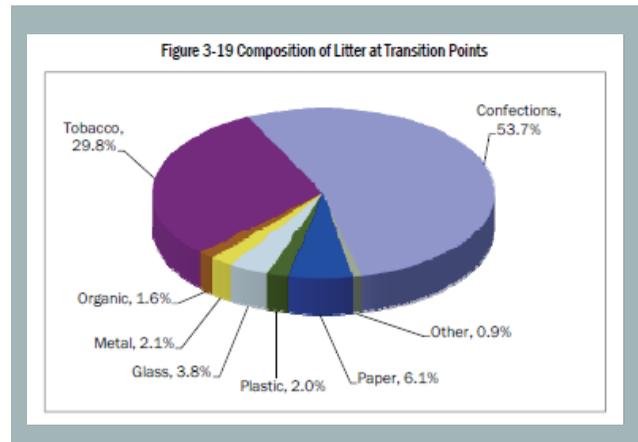
LITTER IN AMERICA

Results from the nation's largest litter study

OFF THE ROADS, MOST LITTER IS IMPROPERLY DISCARDED AT "TRANSITION POINTS."

- About 95% of litter at transition points is from pedestrians. These are areas where individuals consuming a food or tobacco product are required to discard the product before entering.

- Virtually all litter—97%—found at transition areas are small items. Confection litter (candy, chocolate, gum, etc.) is the most predominant at 53.7%, and tobacco products second at 29.8%.



STORM DRAINS, LOADING DOCKS, RECREATION AREAS, CONSTRUCTION SITES, AND RETAIL DISTRICTS ARE ALSO AREAS WHERE LITTER COLLECTS—MOSTLY SMALLER ITEMS LIKE CIGARETTE BUTTS, CONFECTION, AND PAPER.

- **After transition points, storm drains are the most littered.** Cigarette butts, confection, and other litter accumulate in or around storm drains, located primarily in gutters and designed to drain excess rain from paved streets, parking lots, etc.
- **85% of litter at loading docks is from workers loading and unloading goods.** Areas behind retail and other businesses are littered predominantly with cigarette butts, but also metals, plastic, and paper.
- **People litter both large and small items at recreational areas.** The source of most litter at parks, beaches, and open areas where people congregate for leisure activities is pedestrians—98.5%. Small items, which represent about half the litter, are cigarette butts and confection, while larger litter is most commonly food-related.
- **The primary source of litter at active residential and commercial construction sites is workers (69%).** They improperly dispose of trash from snacks, meals, smoking, etc. Most construction site litter is smaller items (93%), including cigarette butts, small pieces of paper, plastic, and confection.
- **High-traffic locations are a draw for a variety of items littered by shoppers.** Strip malls, shopping centers, and convenience stores all attract packaging litter, cigarette butts, and confection.



LITTER IN AMERICA

Results from the nation's largest litter study

KEY FINDINGS: THE COSTS OF AMERICANS LITTERING

The 2009 National Visible Litter Survey and Litter Cost Study* documents the direct and indirect costs of litter to communities, schools, and businesses. While visible roadside litter is down 61% since 1969, litter, and littering behavior, remains a persistent and costly problem.

BREAKDOWN OF DIRECT LITTER COSTS IN THE U.S.

Litter clean up costs the U.S. more than an estimated \$11.5 billion each year.

- Businesses pay \$9.1 billion of clean up costs, or about **80%**.
- States, cities, and counties together expend \$1.3 billion on litter abatement. **Litter removal is often a hidden cost within employee expenses or other projects which makes it difficult to determine the actual cost to local governments.**
- Educational institutions spend approximately \$241 million dollars annually for litter clean up. **Similar to local governments, litter costs are often not included as a budget line item, making it difficult to determine the time spent on cleanup in hallways, cafeterias, and sports facilities.**
- Many communities depend on volunteers to clean up litter, a trend that will likely grow.
- Continuing population growth—about 3.5 million/year—will strain litter abatement efforts. Even if litter is reduced on a per capita basis, more people will tend to result in more litter.
- As the U.S.—along with state and local governments—struggles economically, budget cuts may reduce tax-funded litter clean-up programs.

THE INDIRECT COSTS OF LITTER ON QUALITY-OF-LIFE ARE CONSIDERABLE.

Indirect costs include the degree to which litter reduces the value of real estate, deters a customer from entering a business, or a new employer from locating to a community. To measure these impacts of litter, the 2009 study surveyed homeowners, realtors, and business development officials.

- **93% of homeowners say a littered neighborhood would decrease their assessment of a home's value and influences their decision to purchase a property.** And 40% estimated that litter would reduce a home's value by 10% to 24%.
- 36% of business development officials say that **litter impacts a decision to locate to a community.**
- 55% of realtors think that **litter reduces property values by about 9%.**
- 60% of property appraisers **would reduce a home's value if it was littered.**
- **The presence of litter in a community decreases property values by a little over 7%**, according to the National Association of Home Builders pricing model.

MORE ON REVERSE SIDE...



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LITTER IN AMERICA

Results from the nation's largest litter study

LITTER HAS COSTLY ENVIRONMENTAL CONSEQUENCES.

- The environmental outcomes of litter can have economic impacts. This includes lost tourism revenues, expenses for repairing vehicles, boats and ships, restoration of ecosystems, wildlife injury, and eventually the cost to human health.
- Debris may be carried by storm drains into local waterways, with potential for serious environmental contamination. Wind and weather, traffic, and animals all move litter into gutters, lawns and landscaped areas, alleyways, and parking structures.

DIRECT COSTS OF LITTER	
ENTITY TYPE	COST (IN MILLIONS)
States	\$ 363
Counties	\$ 185
Municipalities	\$ 797
Businesses	\$ 9,128
Educational	\$ 240
NGOs	\$ 769
TOTAL	\$ 11,482





Keep Abbeville Beautiful - Charlene Beckett, Director
Email: abbevillemainstreet@cox-internet.com

Keep Assumption Beautiful - Jane Boudreaux, Director
Email: boudreauxj@charter.net

Keep Baton Rouge Beautiful - Gwen Emick, Director
Email: emick4349@att.net

Keep Bossier Beautiful - Patti Richter, Director
Email: patti.richter1959@gmail.com

Keep Calcasieu Beautiful - Cindy Murphy, Director
Email: cmurphy@cppj.net

Keep Covington Beautiful - Priscilla Floca, Executive Director
Email: phfloca@bellsouth.net

Keep DeRidder Beautiful - Kerri Broussard, Director
Email: kbroussard@cityofderidder.org

Keep East Feliciana Beautiful – Barbara Hebert, Director
Email: bbhebert@bellsouth.net

Keep Eunice Beautiful - Donna Baltakis, Director
Email: baltakisd@bellsouth.net

Keep Grambling Beautiful - Betty Giles, Director
Email: blgiles74@yahoo.com

Keep Hammond Beautiful - Dori St. Cyr, Director
Email: stcyr_d@hammond.org

Keep Jefferson Beautiful – Katherine Constanza, Assistant Director
Email: kconstanza@jeffparish.net

Keep Lacombe Beautiful - Carolyn Darby, Director
Email: keeplacombebeautiful@gmail.com

Keep Lafayette Beautiful - Mark Pope, Director
Email: mpope@lafayettela.gov

Keep Lincoln Beautiful - Courtney Hall, Administrator, Lincoln Parish
Email:

Keep Livingston Beautiful - Donna Jennings, Director
Email: djennings1@bellsouth.net

Keep Madisonville Beautiful, Samantha Goodwin
Email: keepmadisonvillebeautiful@gmail.com

Keep Mandeville Beautiful – Megan Gouzy, Director
Email: kmb@cityofmandeville.com

Keep Monroe Beautiful - Greg Smith, Director
Email: greg.smith@ci.monroe.la.us

Keep Morehouse Beautiful - Vicki Carpenter, Director
Email: tcarpenter@hughes.net

Keep Natchitoches Beautiful - Samantha Bonnette, Director
Email: sbonnette@NatchitochesLA.gov

Keep New Orleans Beautiful - Liz Davey, Director
Email: ldavey@tulane.edu

Keep New Roads Beautiful – Lynette Nelson, Director
Email: lynette@cityofnewroads.net

Keep Opelousas Beautiful - Raymond Duplechain, Director
Email: rduplechain@cityofopelousas.com

Keep Ouachita Parish Beautiful - Sgt. Wayne Heckford, Director
Email: wheckford@oppj.org

Keep St. James Parish Beautiful – Audrey Temple, Director
Email: audrey.temple@stjamesla.com

Keep St. John the Baptist Beautiful - Greg K. Maurin, Director
Email: zamaurin1@gmail.com

Keep St. Martin Beautiful - Jacques Privat, Director
Email: privat379@hotmail.com

Keep St. Mary Parish Beautiful - Rodney Grogan, Director
Email: rgrogan@cityofpatterson.org

Keep Slidell Beautiful - Bill Mauser, Director
Email: mmendoza@cityofslidell.org

Keep Terrebonne Beautiful - Wendy Billiot, Director
Email: keepterrebonnebeautiful@yahoo.com

Keep Union Beautiful- Nancy Love, Director
Email:

Keep Vernon Parish Beautiful - Joe Lang, Director
Email: joe@vppjla.com

Keep Washington Parish Beautiful - Troy Barber, Director
Email: tbarber@wpgov.org

Keep West Baton Rouge Beautiful – Tammy Allen, Director
Email: tammy.allen@wbrCouncil.org

Keep West Feliciana Beautiful – Cammi Norwood
Email: cammienorwood@bellsouth.net

Keep West Monroe Beautiful - Randy Duke, Director
Email: rduke@nexussystems.net

Shreveport Green - Donna Curtis, Director
Email: dcurtis@shreveportgreen.org

Southwest Louisiana Team Green - Eligha Guillory, Director
Email: eligha.guillory@cityoflc.us

RECYCLING INFORMATION

E-Waste Disposal Locations: (Includes: computers, monitors, Small TV's)

- Best Buy (Covington) – 69344 Hwy 21, Covington, La. 70433
Phone: (985) 892-2457
- Best Buy (Slidell) – 120 Northshore Blvd., Slidell, La. 70460
Phone: (985) 643-9493
- Office Depot (Covington) – 401 N. U.S. Hwy 190, Covington, La. 70433
Phone: (985) 893-4142
- Office Depot (Mandeville) – 1847 N. Causeway Blvd., Mandeville, La. 70471
Phone: (985) 626-7739
- Office Depot (Slidell) – 1583 Gause Blvd., Slidell, La. 70460
Phone: (985) 781-2505
- Cartridge World (Covington) – 808 N. Hwy 190, Covington, La. 70433
Phone: (985) 892-6460
(Acceptable items include: ink & toner cartridges; fuser kits & imaging kits)

Batteries:

- Battery World (Covington) – 51 Park Place Drive, Covington, La. 70433
Phone: (985) 809-9300
(Acceptable items include: ALL BATTERIES – small & large)

Building Materials & Paint:

- Habitat for Humanities (Mandeville) – 1400 North Lane, Mandeville, La. 70471
Phone: (985) 898-0642
(Acceptable items include: new & used building materials; cabinets, doors, windows, un-opened paints [latex only], appliances [white goods], furniture, pictures, books, clothing. "NO" oil based paints or hazardous materials.)

- Habitat for Humanities (Slidell) – 747 Old Spanish Trail, Slidell, La. 70458
Phone: (985) 649-0067
(Acceptable items include: new & used building materials; “NO” hazardous waste and “NO” paints, used appliances [white goods], cars, boat, RV’s & trucks.)
- The Green Project (New Orleans) – 2831 Marais St., New Orleans, La. 70117
Phone: (504) 945-0240
(Acceptable items include: large and small quantities of latex paint that is processed and shipped overseas to third world countries. Also visit their website: www.thegreenproject.org)

Clothes and Household Goods:

- Goodwill Industries (Covington) – 790 Hwy 190, Covington, La. 70433
Phone: (985)892-3937
- Goodwill Industries (Mandeville) – 4940 Hwy 22, Mandeville, La. 70471
Phone: (985) 845-1465
- Goodwill Industries (Slidell) – 184 Gause Blvd., Slidell, La. 70460
Phone: (985) 649-2909
(Acceptable items include: all clothes, shoes and garments; household furniture, kitchens wares and consumer items; toys, games and computer related software)
- Louisiana Teen Challenge (Parish Wide Locations) – Phone: (504) 947-7949
(Acceptable items: all new and used clothes and shoes. Home Pick-up available of any household items {except mattresses} call for scheduling.)
- Salvation Army (Parish Wide) – 100 Jefferson Hwy., New Orleans, La.
Phone: (504) 835-9755
(Acceptable items include: all clothing, household items, toys, electronics, books, equipment, small furniture, bikes and left over garage sale items. FREE pickup available at your home or business, contact www.pickupplease.org to schedule.)

Drop Box Locations for Clothes and Household Goods:

- Verlero - 2060 Old Spanish Trail, Slidell, La.
- Charlotte's Web - 1700 Old Spanish Trail, Slidell, La.
- Skater's Paradise - 1421 Gause Blvd. West, Slidell, La.
- Quick Ez - 500 Brownswich, Slidell, La.
- Goodbee Quick Stop - 13029 Hwy. 190, Covington, La.
- Super Bee Auto Spa - 627 Boston St., Covington, La.
- Warehouse Grill - 1105 N. Collins Blvd., Covington, La.
- Charlie Maestri's - 1037 W. R.R. Blvd., Covington, La.
- Dawsey Hardware - 78481 Hwy. 437, Covington, La.
- Northlake Assembly - 958 N. Lee Rd., Covington, La.
- CITGO Gas - 20150 Hwy 36 or Covington Hwy., Covington, La.
- Environmental Providers - 20393 Hwy 36, Covington, La.
- Frabbieli's - 22697 Hwy. 435, Abita Springs, La.
- Auto Salvage - 69459 Hwy. 59, Mandeville, La.
- Pro Cleaners - 2185 Hwy. 59, Mandeville, La.
- Lock One - 71013 Hwy 41, Pearl River, La.
- Happy Jack's - 39422 Hwy 41-Spur, Pearl River, La.
- Friendly Fred's - 66182 Hwy 41, Pearl River, La.
- Evan's Pharmacy - 64288 Hwy 41, Pearl River, La.
- Jubilee Foods - 61461 Hwy 1090, Pearl River, La.
- River Life Fellowship - 63433 Hwy 11, Pearl River, La.

Miscellaneous Recycling Products:

- Target (Covington) – 69320 Hwy 21, Covington, La. 70433
Phone: (985) 871-7093
- Target (Slidell) – 61121 Airport Rd, Slidell, La. 70460
Phone: (985) 649-6903
(Acceptable items include: glass, plastic & aluminum bottles & cans; plastic bags; MP3, Cellphones & Ink Cartridges)
- AT&T (Covington) – 1102 N. Hwy 190, Covington, La. 70433
Phone: (985) 875-1993
- AT&T (Covington) – Pinnacle Parkway, Covington, La. 70433
Phone: (985) 809-6784

- AT&T (Mandeville) – 601 N. Causeway Blvd., Mandeville, La.
Phone: (985) 624-9900
- AT&T (Slidell) – 796 I-10 Service Rd., Slidell, La
Phone: (985) 847-9900
- AT&T (Slidell) – 61103 Airport Road, Slidell, La.
Phone: (985) 781-4786
(Acceptable items include: any used cell phones; which are then recycled and refurbished then sent to American Soldiers)
- Verizon (Covington) – 1170 N. Hwy 190, Covington, La. 70433
Phone: (985) 893-7039
- Verizon (Slidell) – 125 Gause Blvd., Slidell, La. 70460
Phone: (985) 641-3299
(Acceptable items include: used cell phone batteries; used cell phones that are taken and refurbished and given to Battered Women & Shelters; Trade-In program, whereas, any used phone is purchased from the consumer {must qualify}, visit: www.trade-in.vzw.com)

Recycling Container Drop-Off Locations:

Sponsored by Keep Mandeville Beautiful and Progressive Waste Solutions:

1. Girod & General Pershing, Mandeville, La. (Tammy Trace)
2. Hwy 22, Rouse's Supermarket, Mandeville, La.

(Acceptable items include: newspaper, clean paper, magazines, clean plastics [#1-7], glass, aluminum, tin & steel cans.)

Important Note: should these containers become full, please do not drop off your recyclables on the ground. Take your recyclables back home or travel to the second location. These containers are serviced on Monday, Wednesday & Friday mornings.

****Due to industry changes, please contact each vendor for additional information****

*****NO HAZARDOUS MATERIALS ACCEPTED*****

VEHICLE & TRAILER ADVERTISEMENT SIGNS

Unified Development Code Section 7.0208

I. Vehicle and Trailer Signs

1. Vehicle and trailer signs may be displayed on any vehicle or trailer operated in the daily conduct of any business enterprise so long as such signs:
 - a. Are not parked in front of or in line with any greenbelt or planting areas when on the premise of the business entity operating or advertising on such vehicle or trailer;
 - b. Are on a vehicle or trailer which is operable and not parked primarily for the purpose of signage.

2. Vehicle and trailer signs shall not be used as off-premise signs and shall not be displayed or parked on sites other than the premise of the business entity operating such vehicle other than when the vehicle is being used in connection with the business operations of the entity operating said vehicle or trailer. Such vehicles and trailers may also be parked at the residence of its operator, so long as such vehicle is operated by a resident of the residential property as conveyance to work on a daily or near daily basis. Billboards may not be erected or displayed on any vehicle or trailer.

SEC. 9-060.00 ENFORCEMENT AND PENALTIES

Provisions of this ordinance shall be enforced as per law, including but not limited to Section 1-008.00 of the Code of Ordinances of St. Tammany Parish, Louisiana. (Ord. No. 82-502, adopted 12/16/82) and the Administrative Hearing Officer.

Misdemeanor. Any person within the Parish who violates this ordinance, or who shall permit such a violation to exist on the premises under his control, or who shall fail to take action to abate the existence of the violation, shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment of not more than thirty (30) days, or both such fine and imprisonment. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues (Ord. No. 85-381, adopted 04/18/85).

Equitable Relief. In the event a violation exists or there is a threat of violation of this ordinance, the Department, or their designees, may take appropriate actions to enforce this ordinance. Such action may include application for injunctive relief, action to compel performance, including revocation of license or other appropriate action in court if necessary to prevent, restrain, correct, or abate such violations or threatened violations. Such remedies are cumulative in nature.

Civil Action Costs. If a person fails to comply with the provisions of this ordinance, the Parish may recover all costs and a reasonable attorney fee incurred for corrective action in a civil action in a civil or administrative action. Such costs and attorney fee, together with any fine or penalty, shall be filed as a lien or mortgage as per law.

Citation. The Department, or their designees, may issue citations for violations of this ordinance. The citation shall be issued to the person charged with the violation, or in the case of a corporation, to the supervisor at the site of the violation or any officer or agency expressly implied authorized to accept such issuance.

Inspection. All property affected by this ordinance shall be subject to inspection by the Department, or their designees, in accordance with this ordinance. No person shall refuse to permit the Department, or their designees, to inspect any premises or interfere with or resist the Department, or their designees, in the discharge of their duty to protect the public health and safety and the protection of the environment.

Abatement. The St. Tammany Parish Government, upon recommendation of the Department, may declare a violation of this ordinance to be a public nuisance and order abatement to be made initially at parish expense. The Department shall present an itemized statement for corrective action expenses to the owner of the real property where such abatement has been conducted. Such expenses for corrective action may also be recovered in civil or administrative action.

Administrative Hearing Officer. The Parish Administrative Hearing Officer shall have concurrent jurisdiction over any violation of this ordinance, pursuant to Section 1-012.00, et seq., of the St. Tammany Parish Code of Ordinances.

A Justice of the Peace shall have concurrent jurisdiction over violation of this ordinance, as per law. In addition, a Constable may issue summons and serve subpoenas anywhere in the Parish all in accordance with Louisiana Revised Statutes (R.S.) R.S. 13:2586 and Ord. 01-0284, adopted 03/01/2001. Prosecution of Solid Waste violations and compensation in criminal cases of a justice of the peace and constable shall be in accordance with R.S. 13:2587.1 and R.S. 13:2589. (Ord. 01-0284, adopted 03/01/2001). All fines collected by the Justice of the Peace Courts for litter violations pursuant to R.S. 25:1101 et seq. shall be paid to St. Tammany Parish pursuant to R.S. 25:1112.

SEC. 15-001.00 LITTER PREVENTION

DEFINITION:

LITTER: shall mean all waste material except as provided and defined in LA – R.S. 30:2173(2), including but not limited to disposable packages, containers, sand, gravel, rubbish, cans, bottles, refuse, garbage, trash, debris, dead animals, furniture or appliances, automotive parts, including but not limited to, tires and engines, trailers, boats and boating accessories, tools and equipment, and building materials, or discarded materials of any kind and description. Litter shall not include agricultural products that are being transported from the harvest or collections site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicles. Litter also shall not include recyclable cardboard being transported in compressed bundles to processing facilities. “Agricultural product,” as used in the definition, means all crops, livestock, poultry, and forestry; and all aquacultural, floricultural, silvicultural, and viticulture products.

SEC. 15-001.01 PURPOSE AND SCOPE

It is the purpose of this Chapter and it is hereby declared to be the policy of the Parish to implement a comprehensive plan to regulate litter and to eliminate litter as much as possible in a manner that will:

1. Protect the public health, safety and welfare;
2. Prevent land, water and air pollution;
3. Prevent the spread of disease and the creation of nuisances;
4. Conserve natural resources;
5. Enhance the beauty and quality of the environment.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.03 INTENTIONAL LITTERING PROHIBITED; **CRIMINAL PENALTIES**

- A. No person shall intentionally dispose or permit the disposal of litter upon any public place in the Parish, upon private property in the Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.
- B. If the litter is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.
- C. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.
- D. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
 - a. Whoever violates the provisions of this Section shall, upon first conviction, be fined two hundred and fifty (\$250.00) dollars and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the Court.
 - b. Upon second conviction, an offender shall be fined five hundred (\$500.00) dollars and sentenced to serve sixteen (16) hours of community service in a litter abatement work program as approved by the Court.
 - c. Upon third or subsequent conviction, an offender shall be fined one thousand two hundred and fifty (\$1,250.00) dollars, have his motor vehicle driver s license suspended for one year, be imprisoned for not more than thirty (30) days, and be sentenced to serve eighty (80) hours of community service in a litter abatement work program as approved by the Court, or all or any combination of the aforementioned penalties provided by this Subparagraph.
 - d. The judge may require an individual convicted of a violation of this Section to remove litter from Parish highways, public rights-of-way, public playgrounds, public parks or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this Section.

(Ord. 01-0284, adopted 03/01/2001; amended by Ord. 08-1763, adopted 03/06/2008)

- E. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- F. For the purposes of this Section, each occurrence shall constitute a separate violation.
- G. In addition to penalties otherwise provided, a person convicted under this Section shall:
 - a. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
 - b. Pay all reasonable investigative expenses and costs to investigative agency or agencies.
 - c. Pay all other reasonably related costs and expenses of any nature whatsoever incurred by the Parish, including but not limited to administrative expenses, attorney fees, and all costs.
(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.04 GROSS LITTERING PROHIBITED; **CRIMINAL PENALTIES**

- A.** No person shall intentionally dispose or permit the disposal of any household or office furniture or appliances, automotive parts, including but not limited to, tires and engines, trailers, boats, and boating accessories, tools, and equipment, building materials, and bags or boxes of household or office garbage or refuse upon any public place in the Parish, upon private property in the Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish, whether from a vehicle or otherwise, including but not limited to, any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.
- B.** If the litter herein as defined is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.
- C.** When litter disposed in violation of this Ordinance is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.
- D.** The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
- a. Whoever violates the provisions of this Section shall, upon first conviction, be fined not less than five hundred (\$500)dollars nor more than one thousand (\$1,000) dollars and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the court.
 - b. Upon second conviction an offender shall be fined not less than one thousand (1,000) dollars nor more than two thousand five hundred (\$2,500) dollars and sentenced to serve twenty-four (24) hours of community service in a litter abatement work program as approved by the court.
 - c. Upon third or subsequent conviction, an offender shall be fined not less than one thousand five hundred (\$1,500) dollars nor more than five thousand (\$5,000) dollars have his motor vehicle driver's license suspended for one year, be imprisoned for not more than thirty days, or sentenced to serve not less than forty-eight (48) and not more than one hundred (100) hours in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties.

- E.** The Court may require an individual convicted of a violation of this Section to remove litter from state highways, public rights-of-way, public playgrounds, public parks, or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this section.
- F.** A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- G.** For the purposes of this Section, each occurrence shall constitute a separate violation
- H.** In addition to penalties otherwise provided, a person convicted under this Section shall:
 - a. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
 - b. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
 - c. Pay all other reasonably related costs and expenses of any nature whatsoever incurred by the Parish, including but not limited to administrative expenses, attorney fees, and all costs.
(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.05 COMMERCIAL LITTERING

- A. No person shall dispose or permit the disposal of litter resulting from industrial, commercial, mining, or agricultural operations in which the person has a financial interest upon any public place in the Parish, upon private property in this Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish whether from a vehicle or otherwise, including but not limited to any public highway public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley; except, when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.
- B. No person shall operate any truck or other vehicle in such a manner or condition that litter resulting from industrial, commercial, mining, or agricultural operations in which the person is involved can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.
- C. If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed the act of disposing.
- D. When litter disposed in violation of the Section is discovered to contain any article of articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.
- E. A person shall be jointly and severally liable for the actions of its agents, officers, and directors for any violation of this Section by any agent, officer, or director in the course and scope of his employment or duties.

SEC. 15-001.06 SIMPLE LITTERING

- A.** No person shall dispose or permit the disposal of litter upon any public place in this Parish, upon private property in this Parish not owned by him, upon property located in rural areas in this State not owned by him, or in or on the waters of the State whether from a vehicle or otherwise, including but not limited to any public highway public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley.
- B.** No person shall operate a motor vehicle on any highway or a boat on any waters in such a manner or condition that the contents can blow or fall out of such vehicle or boat.
- C.** No person shall dispose of litter in such a manner that the litter may be carried away or deposited by the elements upon any parts of said public or private property or waters.
- D.** If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed or permitted the act of disposing.
- E.** When litter disposed in violation of the Section is discovered to contain any article of articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.

SEC. 15-005.06 ADVERTISEMENT SIGNS IN PARISH RIGHT-OF-WAYS

This article shall be known and may be cited as “St. Tammany Parish Advertising Signs on Rights-of-Way”.

SEC. 15-005.07 DEFINITIONS:

Parish shall mean the jurisdictional boundaries of the Parish of St. Tammany and all its waterways.

Political sign shall mean any sign urging the election or defeat of any candidate seeking any political office, or urging the passage or defeat of any ballot measure.

Real Estate sign shall mean any temporary sign pertaining to the sale, lease or rental of land or buildings, which is erected or displayed on the lot or parcel to which it applies.

Right-of-Way shall mean any portion of ground dedicated to the Parish for public use as a street or other use.

Sign shall mean a medium of communication, including its structure and component parts, which is used or intended to be used to attract attention to its subject matter or location usually for advertising purposes.

Sign owner shall mean that person who owns a sign and/or is responsible for a sign. In those cases in which an owner cannot be determined; the owner of the subject being advertised shall be deemed the owner of the sign.

Snipe sign shall mean a sign which is tacked, nailed, posted, pasted, glued or otherwise attached to poles, stakes, or to other like objects.

SEC. 15-005.08 GENERAL PROHIBITION:

The erection, installation, maintaining or otherwise placing or permitting to remain upon any Parish highway, right-of-way, including the shoulder, bank, and outer or far side thereof, street, roadway, emergency lane, median, of any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, is prohibited, except insofar as specifically excepted according to provisions made in this ordinance.

SEC. 15-005.13 PROCEDURES FOR REMOVAL OF STRUCTURES, SIGNS, OBSTACLES, OBJECTS, DEPOSITS/THINGS WITHIN RIGHT-OF-WAY:

1. Apparent Value: When structures, signs, obstacles, etc., are of a permanent nature with significant value, the sign owner will be notified by certified mail to remove it within five (5) days. When items do not have significant value but do retain some apparent value, the owner shall be notified orally to remove it within five (5) days. All signs of significant or apparent value will be marked with a NOTICE OF VIOLATION at the time of owner notification. If the owner is unknown or cannot be found, a NOTICE OF VIOLATION shall be affixed to the object setting forth that it must be removed within five (5) days from the date specified. Failure to remove within the specified period of time serves as forfeiture of all rights thereto and the Parish Government may remove the object for its own use, and dispose of it in any way deemed necessary. The owner and any other person responsible therefore remains liable for any damages to the public property or expenditures of public funds resulting from the installation or removal of such items.

(amended by Ord. No. 03-0615, adopted 02/06/2003)

2. No Apparent Value: Structures, signs, obstacles, etc. that have no apparent value will be summarily removed and destroyed or disposed of in the most cost effective manner available. Items in this category are wooden stake signs, small cardboard signs, light paper signs, signs nailed to utility poles, snipe signs, signs deemed to be a traffic hazard or obstacle to right-of-way maintenance.

3. Political, Real Estate, or Similar Type Signs: Political, real estate, or similar type signs shall not be located within the public right-of-way. Large signs (i.e. plywood with 2 by 4 supports, or signs that exceed 4 square feet in surface area) will be marked with a NOTICE OF VIOLATION and removed after five (5) days. The ultimate disposition of political, real estate, or similar type signs will be provided in paragraph two (2) above.
(amended by Ord. No. 03-0615, adopted 02/06/2003)

4. Potential Traffic Hazard or Obstacle to Maintenance: Any structure, sign, headwall, obstacle, object, deposit, or thing which is potentially hazardous or interferes with road or structure maintenance because of its location or type of construction will be removed as provided for in paragraph two (2) above.

SEC. 15-005.14 REMOVAL and DISPOSAL:

Any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, or any other sign as defined in the foregoing sections, considered to be of no apparent value or potential traffic hazard or obstacle to maintenance is subject to immediate removal and disposal by the Department of Permits and Regulatory, Department of Planning, Code Enforcement/Violations officers, Department of Environmental Services, Litter Abatement, St. Tammany Parish Constables, as soon as possible after either of those departments and/or officials is made aware of the location of such signs on public property or within the right-of-way.

SEC. 15-005.15 LITTER VIOLATION:

Any violation of the aforementioned Sections shall be considered a violation of the Parish Code of Ordinances and is subject to the civil and criminal procedures provided therein.

(Ord. No. 02-0551, adopted 10/10/2002; amended by Ord. No. 03-0615, adopted 02/06/2003)

ST. TAMMANY PARISH ORDINANCES & FINES

- 1. -- SEC. 15-001.05 Commercial Littering (Civil)**
- 2. -- SEC. 15-001.06 Simple Littering (Civil)**
- 3. -- SEC. 15-005.06 Advertisement Signs in Right of Ways**
- 4. – SEC. 15-002.00 Obstruction of Ditches & Waterways**
- 5. -- SEC. 9-036.00 Solid Waste Hauler License Required
(Operating without a license)**
- 6. – SEC. 9-015.00 Solid Waste Hauler Application & Fees
(All non-compliance violations regarding application)**
- 7. – SEC. 9-016.00 Solid Waste Hauler License Conditions (All curfew
and expired license violations)**
- 8. -- SEC. 9-028.00 Solid Waste Burning Prohibited
(Parish wide illegal burning)**
- 9. – SEC. 9-037.10 Disposal by Burning Prohibited
(Garbage District #1)**
- 10. – SEC. 9-038.00 Solid Waste Hauler Equipment and
Operation Requirements
(All vehicle violations)**
 - SEC. 9-038.00 (A) Leak-Proof & Cover with Canvas or Mesh Material**
 - SEC. 9-038.00 (C) Business Name & Phone Number**
 - SEC. 9-038.00 (E) Storage of Waste within a Vehicle longer than 48-Hours**
- 11. – SEC. 9-052.00 Unauthorized Dumping**
- 12. – SEC. 9-037.09 Unauthorized Use of Bulk Waste Containers**

- 13. – SEC. 15-001.03 Intentional Littering (Criminal)**
- 14. – SEC. 15-001.04 Gross Littering (Criminal)**
- 15. – SEC. 23-950.11 Septage License & Vehicles**
(All septage hauler violations)
- 16. – SEC. 15-005.10 Temporary Sign Permit Required (Civil)**
- 17. – SEC. 14-002.00 (b) Junk, Trash and Debris (Civil)**
- 18. – SEC. 14-002.00 (c) Verment, Rodent, Rats (Civil)**
- 19. – SEC. 9-27.00 Transfer of Solid Waste Prohibited**
- 20. – SEC. 7-0210 Signs Requiring a Permit**
(Temporary Signs)
- 21. – SEC. 7-0208 Vehicle & Trailer Signs Prohibited**
- 22. – SEC. 7-0214 (11) Portable Signs Prohibited**
(Human Billboard Signs)
- 23. – SEC. 7-0214 (19) Signs Blocking Visibility on R.O.W.'s**
- 24. – SEC. 15-001.12 Bottles & Glass Containers Prohibited**
(Public Beach, Park, Playground, Campground)
- 25. – SEC. 14-018.00 Nuisance Vehicles Parked on ROW**
(Vehicles Parked on Private Property)

LEGAL DEPARTMENT PENALTY FEE SCHEDULE

Litter Prohibited (Sign Violation) **SEC. 15-005.06**

(1-2) Sign Violation	\$100.00
(3-4) Sign Violation	\$150.00
(5-6) Sign Violation	\$200.00
(7-8) Sign Violation	\$250.00

Plus Court / Investigation Costs **\$65.00**

Commerical Littering - Civil **SEC. 15-001.05**

(1) Litter Violation	\$250.00
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Plus Court / Investigation Costs **\$65.00**

Simple Littering Prohibited - Civil **SEC. 15-001.06**

(1) Litter Violation	\$100.00
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Plus Court / Investigation Costs **\$65.00**

Intentional Littering - Criminal

SEC. 15-001.03

(1) Litter Violation

\$250.00

Plus Court / Investigation Costs

\$65.00

Gross Littering - Criminal

SEC. 15-001.04

(1) Litter Violation

\$500.00

Plus Court / Investigation Costs

\$65.00

Intentional Littering - Cigarettes, etc. - Criminal

(1) Litter Violation

\$300.00

Plus Court / Investigation Costs

\$65.00

DIVISION 5. - LITTER ABATEMENT

Sec. 34-200. - Simple littering prohibited; civil penalties; disbursement of costs.

- (a) No person shall dispose or permit the disposal of litter upon any public property or private property located within the areas of the parish, or in or on the waters of the parish, whether from a motor vehicle or otherwise, including, but not limited to any public rights-of-way, public park, campground, forest land, recreational area, trailer park, street, the premises of any public, local, state or federal agency or political subdivision, or alley except when such property is designated by the parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose. The term "permit" as used in this section is synonymous with the inference referenced in subsections (d) and (d)(l) herein. For purposes of this division, "motor vehicle:" shall have the meaning ascribed to it in La. R.S. 32:1.
- (b) No person shall operate a boat or motor vehicle on any public or private property in such a manner or condition that the contents can blow or fall out of such vehicle or boat.
- (c) No person shall dispose of litter in such a manner that the litter may be carried away or deposited by the elements upon any parts of said public or private property.
- (d) If the litter disposed of is from a motor vehicle, except a bus or large passenger vehicle or a school bus, all as defined by La. R.S. 32:1, there shall be an inference that the driver of the motor vehicle disposed of the litter unless the driver can prove that another person disposed of the litter in accordance with the following:
 - (1) Except as provided in subsection (d)(2) of this section, when the identity of the driver of the motor vehicle is not known, there shall be an inference that the owner of the motor vehicle was the driver of the motor vehicle and the owner shall be solely liable for litter fines, fees and costs for the disposal of litter from the motor vehicle, unless the owner can prove that the motor vehicle was operated by another person at the time of the violation or that another person disposed of the litter.
 - (2) An owner of a motor vehicle who is engaged in the business of renting or leasing motor vehicles under written rental or leasing agreements (lessor) shall not be liable for litter fines, fees or costs pursuant to subsection (d)(l) of this section if, within 30 days after receiving the citation, the owner provides, in affidavit form, the true name, address, and driver's license number with the state of issuance of the lessee at the time of the offense described in the citation, or provides a true copy of the lease or rental agreement to the law enforcement agency issuing the citation.
 - (3) If the lessor complies with the above provision of subsection (d)(2) of this section, the lessee shall be cited for the litter violation.
 - (4) A lessor who fails to comply with the provisions of subsection (d)(2) of this section shall be treated as any other owner and shall be solely liable for litter fines, fees and costs for the disposal of litter from the motor vehicle.
 - (5) If an owner of a motor vehicle receives a citation during the period where the motor vehicle was reported to the police department as having been stolen, such citation shall be dismissed by the prosecutor.

- (6) An owner or driver who pays litter fines, fees or costs pursuant to subsection (d) of this section shall have the right to recover same from the person who committed the act of littering by filing a civil suit outside the regulations contained in this division.
- (e) When litter disposed in violation of this section is discovered to contain any article or articles, including, but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this section.
- (f) Whoever violates the provisions of this section shall be cited by means of a citation, summons, or other means provided by law and shall be subject to the following fines, fees and costs:
- (1) For a first violation, the offender shall be assessed a \$75.00 fine or shall be given the opportunity to perform up to eight hours of community service in a court-approved litter abatement work program in lieu of the \$75.00 fine. The offender shall also be assessed a \$15.00 administrative fee if the offender chooses to mail in the assessed fine. The offender shall also have the option of requesting a hearing and paying special court costs under subsection (g)(3) of this section.
 - (2) For a second and each subsequent violation, the offender shall be assessed a \$500.00 fine or shall be given the opportunity to perform up to 16 hours of community service in a court-approved litter abatement work program in lieu of the \$500.00 fine. For a second and each subsequent violation, it shall be mandatory that the alleged offender appear in the court exercising jurisdiction; there shall be no option of mailing in the assessed fine.
 - (3) For each violation, if a hearing is requested or required, the offender shall pay special court costs of \$100.00 which shall be disbursed and payable as set forth in section 34-205 of the Code. Court costs shall be paid whether the offender is assessed a fine or performs community service.
- (g) A person may be found liable and fined under this section, although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court exercising jurisdiction establishes that the defendant has committed the offense.
- (h) For the purposes of this section, each occurrence involving a distinct and identifiable item of litter shall constitute a separate violation.
- (i) In addition to penalties otherwise provided, a person held liable under this section shall:
- (1) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this section.
 - (2) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
- (j) *Exception.* Notwithstanding any provision to the contrary, this section shall not apply to any activity by persons owning or operating duly licensed commercial vehicles engaged in the collection and transportation of solid waste, construction, or demolition debris or wood waste, in the course of servicing scheduled pickup routes or en route to an authorized pickup station, transfer station, or disposal facility. To qualify for the exemption provided for in this subsection, the commercial vehicle shall be covered at all times, except during loading and unloading, in a manner that prevents rain from reaching the waste, prevents waste from falling or blowing from the vehicle, and ensures that leachate from the waste is not discharged from the vehicle during transportation.
- (Ord. No. O-082-2006, § 4, 5-2-06; Ord. No. O-039-2007, § 3, 3-6-07; Ord. No. O-235-2014, § 3, 12-2-14)

Editor's note— Ord. No. O-235-2014, § 3, adopted Dec. 2, 2014, changed the title of § 34-200 from "Littering prohibited; civil penalties, disbursement of costs" to read as set out herein.

Sec. 34-200.1. - Commercial littering prohibited; civil penalties; indemnification: special court costs.

- (a) No person shall dispose or permit the disposal of litter resulting from industrial, commercial, mining, or agricultural operations in which the person has a financial interest upon any public property or private property located within the parish, or in or on the waters of the parish, whether from a motor vehicle or otherwise, including, but not limited to any public rights-of-way, public park, campground, forest land, recreational area, trailer park, street, the premises of any public, local, state or federal agency or political subdivision, or alley except when such property is designated by the parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose. The term "permit" as used in this section is synonymous with the inference referenced in subsection (c) herein. For purposes of this division, "motor vehicle" shall have the meaning ascribed to it in La. R.S. 32:1.
- (b) No person shall operate any truck or other vehicle on any public street or highway located within the parish in such a manner or condition that litter resulting from industrial, commercial, mining, or agricultural operations in which the person is involved can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.
- (c) (1) If the litter is disposed of from a motor vehicle, boat, or conveyance except a bus or large passenger vehicle or a school bus, all as defined by R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed the act of disposing.
- (2) When litter disposed in violation of this section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this section.
- (d) A person shall be jointly and severally liable for the actions of its agents, officers, and directors for any violation of this section by any agent, officer, or director in the course and scope of his employment or duties.
- (e) The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
- (f) Any person found liable under the provisions of this section shall:
- (1) Pay a civil penalty of \$100.00. The offending person may mail in the fine for the first violation if such person so chooses. The offending person shall also be assessed a \$15.00 administrative fee if the offending person chooses to mail in the assessed fine for the first violation. For a second and each subsequent violation, it shall be mandatory that the alleged offending person appear in the court exercising jurisdiction; there shall be no option of mailing in the assessed fine.
- (2) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this section.
- (3) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
- (4) Pay for the cleanup of the litter unlawfully discarded by the defendant.
- (g) Any person found liable under the provisions of this section shall pay special court costs of \$50.00 in lieu of other costs of court which shall be disbursed and payable as set forth in section 34-205 of the Code.
- (h) A person may be held liable and fined under this section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

(i) For the purposes of this section each occurrence shall constitute a separate violation.

(Ord. No. O-235-2014, § 3, 12-2-14)

Sec. 34-201. - Community service litter abatement work program and indemnification.

- (a) A "Court approved community service litter abatement program" currently exists in Lafayette Parish, through the city-parish consolidated government.
- (b) Any person who participates in the city-parish consolidated government community service litter abatement work program shall have no cause of action for damages against the city-parish consolidated government or the entity conducting the program or supervising his participation therein, nor against any employee or agent of the city-parish consolidated government or such entity, for any injury or loss suffered by him during or arising out of his participation in the program, unless the injury or loss was caused by the intentional or grossly negligent act or omission of the city-parish consolidated government or entity or its employee or agent. Neither the city-parish consolidated government nor the entity shall be liable for any injury caused by the individual participating in the program unless the gross negligence or intentional act of the city-parish consolidated government or the entity or their employee or agent was a substantial factor in causing the injury. No provision hereof shall negate the requirement to provide an offender with necessary medical treatment as statutorily required.

(Ord. No. O-082-2006, § 4, 5-2-06)

Sec. 34-202. - Legal enforcement; penalties; payment by mail.

- (a) Alleged first time offenders may plead guilty and pay the applicable fine and associated fee by mail; however, if the offender fails to pay the fine and associated fee by mail in advance of adjudication and fails to appear at the time and date indicated on the citation for the litter violation hearing, the court exercising jurisdiction may impose an additional fine or penalty in an amount not to exceed the amount of the fine or penalty for the original violation.
- (b) Whenever an alleged offender fails to pay the applicable fine and associated fee or fails to appear before the judicial officer at the place and time specified in a citation or summons, the judicial officer of the court exercising jurisdiction shall immediately notify the alleged offender by certified mail that:
- (1) The judicial officer has taken judicial notice of his failure to appear at the hearing on the date and time listed on the citation or summons and has found him in contempt of court and his failure to appear shall subject him to additional penalties, fines or time in jail.
 - (2) The failure to pay all outstanding fines and fees within 15 days from receipt of the notice shall subject him to another finding of contempt of court and subject him to additional penalties, fines or time in jail.

(Ord. No. O-082-2006, § 4, 5-2-06)

Sec. 34-203. - Citations; unlawful acts; records; failure to pay or appear; procedures.

- (a) Whenever any person has allegedly violated any provision of this division in the presence of a law enforcement officer, the law enforcement officer shall take the person's name, address, and driver's license number, and if the violation occurs from a motor vehicle, the license number of the motor vehicle, and if the violation occurs from a boat, the Louisiana Registered Boat Number, and shall issue a citation or summons or otherwise notify the offender in writing that he must appear in court at a time and place to be specified in such citation or summons.

- (b) Whenever any person has allegedly violated any provision of this division in the presence of any other individual, that individual shall take, if possible, the location of the incident, the type of litter, and if applicable, the vehicle license plate number, the vehicle color and body type, the vehicle year, make and model, any other vehicle identifier, and shall submit said information to a law enforcement officer, justice of the peace, or constable. If the law enforcement officer, justice of the peace or constable has reasonable grounds to believe a person has committed an offense of littering under any provision of this division, the law enforcement officer, justice of the peace or constable shall issue a citation or summons or otherwise notify the offender in writing that he must appear in court at a time and place to be specified in such citation or summons.
 - (c) If applicable, the citation or summons shall indicate that the alleged violator may admit liability and, in lieu of appearing in court, make the payment of the applicable fines, penalties, and costs to the appropriate court or agency by mail. The law enforcement officer shall provide, in writing, the date by which the payment must be received and the name and phone number of the court or agency having jurisdiction over the alleged offense. The citation or summons shall state the amounts of the applicable fines, penalties, and costs, payable to the appropriate agency.
 - (d) Each law enforcement officer upon issuing a citation or summons to an alleged violator of any provision of this division shall deposit the original citation or summons or a copy of the same with a court having jurisdiction over the alleged offense.
 - (e) Upon the deposit of the original citation or summons, or a copy of the same with a court having jurisdiction over the alleged offense, the original citation or summons or a copy of the same shall be disposed of only by trial in a court of proper jurisdiction or any other official action by a judge of the court, including payment of the appropriate fines, penalties, and costs to that court by the person to whom such citation or summons has been issued.
 - (f) It shall be unlawful for any law enforcement officer or any other officer or public employee to dispose of a litter citation or summons or copies thereof or of the record of the issuance of the citation or summons in a manner other than as required herein.
 - (g) The chief administrative officer of each law enforcement agency in the parish shall require all officers under his supervision to return to him a copy of every litter citation or summons which was issued by the officer for the violation of a litter law or ordinance, and in addition shall require the return of all copies of every litter citation or summons which has been spoiled or upon which an entry has been made without having issued the citation or summons to the alleged offender.
 - (h) The chief administrative officer shall also maintain or cause to be maintained in connection with every litter citation or summons issued by an officer under his supervision a record of the disposition of the charge by the court in which the original or a copy of the litter citation or summons was deposited.
 - (i) Nothing herein shall be construed as prohibiting or interfering with the authority of a district attorney or other prosecuting attorney to dismiss a litter citation or summons or litter charge by entry of a nolle prosequi.
- (Ord. No. O-082-2006, § 4, 5-2-06; Ord. No. O-039-2007, § 4, 3-6-07; Ord. No. O-235-2014, § 3, 12-2-14)

Sec. 34-204. - Jurisdiction and procedure—Justice of the peace; constable; city court; district court; summary proceeding.

- (a) A litter violation may be brought in any justice of the peace court or Lafayette City Court which has jurisdiction over such matter. Lafayette District Court shall have concurrent jurisdiction with any justice of the peace court or Lafayette City Court over all litter violations. In addition, a constable may

issue summons and serve subpoenas anywhere in the parish all in accordance with La. R.S. 13:2586. When the justice of the peace exercises his jurisdiction to adjudicate litter violations, prosecution of such litter violations shall be in accordance with La. R.S. 13:2587.1.

- (b) An action brought pursuant to this division shall be tried as a summary proceeding pursuant to La. C.C.P. art. 2591 et seq.
- (c) A justice of the peace who hears a matter involving a litter violation shall be compensated for time spent handling such matters, as follows:
 - (1) A justice of the peace shall be paid \$100.00 for each justice court session held for the purpose of hearing violations of this division.
 - (2) In addition to the fee paid under subsection (c)(1) of this section, a justice of the peace shall be paid \$10.00 for each litter violation case heard, regardless of the outcome of the hearing.
- (d) A constable shall be paid \$25.00 for each citation or summons issued pursuant to sections 34-200 and 34-200.1.

(Ord. No. O-082-2006, § 4, 5-2-06; Ord. No. O-039-2007, § 5, 3-6-07; Ord. No. O-235-2014, § 3, 12-2-14)

Editor's note— Ord. No. O-235-2014, § 3 adopted Dec. 2, 2014, changed the title of § 34-204 from "Jurisdiction and procedure—Justice of the peace; constable" to read as set out herein.

Sec. 34-205. - Distribution of special costs; establishment of a litter control section.

All special court costs, shall be collected and distributed, as follows:

- (1) Twenty-five percent shall be payable to the law enforcement agency issuing the citation, if such agency issues the citation; otherwise, 25 percent shall be payable to the public works department, environmental quality division for the litter program as described in subsection (4).
- (2) (a) Twenty-five percent shall be payable to the sheriff of the parish, the parish governing authority, or the municipality where the violation occurred.
 - (b) However, when the law is enforced by a justice of the peace court, then 25 percent shall be payable to the parish governing authority for reimbursement of expenses incurred by the justice of the peace court and for payment for time spent by such justice of the peace for handling such matters in accordance with subsection 34-204(c) of the Code.
- (3) Twenty-five percent shall be payable to the office of the district attorney or if prosecuted in a justice of the peace court or city court, then to the parish governing authority for reimbursement of expenses incurred by the constable and for payment for time spent by such constable for handling such matters in accordance with subsection 34-204(d) of the Code or to the municipality for expenses incurred by the municipality or the time and expenses incurred by the municipal prosecuting attorney, as the case may be.
- (4) Twenty-five percent shall be payable to the public works department, environmental quality division for the purpose of encouraging, organizing, and coordinating volunteer local anti-littering campaigns, to pay expenses for litter clean up, collection, enforcement, prosecution, education and prevention, and to purchase and operate equipment in connection therewith.

(Ord. No. O-082-2006, § 4, 5-2-06; Ord. No. O-039-2007, § 6, 3-6-07; Ord. No. O-235-2014, § 3, 12-2-14)

Editor's note— Ord. No. O-235-2014, § 3 adopted Dec. 2, 2014, changed the title of § 34-205 from "Distribution of fines and establishment of a litter control section" to read as set out herein.

Secs. 34-206—34-230. - Reserved.

Sec. 86-35. - Littering from a motor vehicle.

- (a) For purposes of this section, "litter," shall have the meaning ascribed to it in chapter 34, "Environment," article II, "Nuisances," division 1, "Generally," section 34-31, "Definitions," of the Code. Further, for purposes of this section, "motor vehicle," shall have the meaning ascribed to it in La. R.S. 32:1.
- (b) It shall be unlawful for the operator of a motor vehicle to dispose or permit the disposal of litter upon any public street or highway located within the parish except when such property is designated by the parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such public street or highway for such purpose. The term "permit" as used in this section is synonymous with the inference referenced in subsection (d) herein.
- (c) A traffic violation for littering may be brought in Lafayette City Court, and Lafayette District Court shall have concurrent jurisdiction with Lafayette City Court over all litter violations.
- (d)
 - (1) If the litter is disposed of from a motor vehicle, boat, or conveyance except a bus or large passenger vehicle or a school bus, all as defined by R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed the act of disposing.
 - (2) When litter disposed in violation of this section is discovered to contain any article or articles, including, but not limited to, letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this section.
- (e) Whoever violates this section, excluding the littering of cigarettes, cigarette butts, cigars, cigarillos, or cigar or cigarillo tips, shall be fined in accordance with the following schedule:
 - (1) For a first conviction of the offense or plea of nolo contendere, the fine shall be \$250.00.
 - (2) For a second conviction of the offense or plea of nolo contendere, the fine shall be \$500.00. The second offense must occur within ten years of the first offense for this provision to apply.
 - (3) For a third and all subsequent convictions of the offense or pleas of nolo contendere, the fine shall be \$500.00 and not less than three days nor more than 30 days in jail, without the possibility of home incarceration. The third or subsequent offense must occur within ten years of the prior offense(s) for this provision to apply.
- (f) Whoever violates the provisions of this section by the disposal of cigarettes, cigarette butts, cigars, cigarillos, or cigar or cigarillo tips from a motor vehicle shall:
 - (1) Upon first conviction, be fined no greater than \$300.00 and sentenced to serve no greater than eight hours of community service in a litter abatement work program as approved by the court.
 - (2) Upon second conviction, be fined no greater than \$750.00 and sentenced to serve no greater than 16 hours of community service in a litter abatement work program as approved by the court. The second offense must occur within ten years of the first offense for this provision to apply.
 - (3) Upon third or subsequent conviction, be fined no greater than \$1,000.00, have his motor vehicle driver's license suspended for one year, and be sentenced to serve no greater than 80 hours of community service in a litter abatement work program as approved by the court, or all or any

combination of the penalties provided by this subsection. The third or subsequent offense must occur within ten years of the prior offense(s) for this provision to apply.

- (g) Court costs shall be assessed in addition to the fines authorized by this section.
- (h) Any person charged with a first offense may pay the assessed fine to the appropriate agency within the time specified in the citation upon entering a plea of guilty or nolo contendere and upon waiving appearance in court, or shall have the option of entering a plea of not guilty and shall be entitled to a trial as authorized by law. The payment of a fine to the appropriate agency shall be deemed an acknowledgement of conviction of the alleged offense. The appropriate agency, upon accepting the fine, shall issue a receipt to the violator acknowledging payment thereof. Further, if a person mails in his/her fine on a first offense instead of making a court appearance, he/she shall be assessed a \$15.00 administrative fee and execute a waiver of his/her rights to Boykinization in the form and substance prescribed by the court of appropriate jurisdiction and remains subject to the enhanced penalties for subsequent violations.
- (i) As to any person charged with a second or subsequent offense, it shall be mandatory that the alleged offender appear in the court exercising jurisdiction; there shall be no option of mailing in the assessed fine.

(Ord. No. O-236-2014, § 3, 12-2-14)

ARTICLE III. - CRIMES AND OFFENSES IN THE PARISH

Sec. 62-121. - Territorial applicability.

The provisions of this article shall apply only in the parish which shall have the meaning ascribed to it in section 34-31 of the Code defined as that area within the corporate limits of the Lafayette City-Parish Consolidated Government.

(Ord. No. O-237-2014, § 2, 12-2-14)

Sec. 62-122. - Intentional littering prohibited.

- (a) Litter defined. For purposes of this article, litter shall mean all waste material except as provided and defined in R.S. 30:2173(2) abandoned on the property of another, whether or not it is reusable, functional or operable, including, but not limited to any portion of a tobacco product, cigar butts, cigarette butts, disposable packages, containers, rubbish, cans, bottles, refuse, garbage, trash, debris, paper products, glass, metal, packing materials, plastic products, synthetic ropes, fishing nets, garbage bags, dunnage, dead animals, shopping carts, furniture or appliances, automotive parts, including, but not limited to, tires, batteries and engines, trailers, boats, and boating accessories, tools and equipment, and building materials, roofing nails or other discarded materials of any kind and description. While being used for or distributed in accordance with their intended uses, litter shall not include political pamphlets, handbills, religious tracts and newspapers, and other similar printed materials, the unsolicited distribution of which is protected by the Constitution of the United States or the Constitution of Louisiana. Litter shall not include agricultural products that are being transported from the harvest or collection site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicles. Litter shall also not include recyclable cardboard being transported in compressed bundles to processing facilities. "Agricultural product" as used in this definition means all crops, livestock, poultry, and forestry, and all aquacultural, floracultural, horticultural, silvicultural, and viticultural products.
- (b) Intentional littering. No person shall intentionally dispose or permit the disposal of litter upon any public place in the parish, upon private property in the parish not owned by him, or in or on the waters of the parish, whether from a vehicle or otherwise, including, but not limited to any public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, the premises of any public, local, state or federal agency, political subdivision, road, street, or alley, except when such property is designated by the parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.
- (c) The term "permit" as used in this section is synonymous with the inference referenced in subsection (g) herein. For purposes of this section, "motor vehicle" shall have the meaning ascribed to it in La. R.S. 32:1.
- (d) Penalties. Whoever violates the provisions of this section shall:
- (1) Upon first conviction, be fined no greater than \$250.00 and sentenced to serve no greater than eight hours of community service in a litter abatement work program as approved by the court.
 - (2) Upon second conviction, be fined no greater than \$500.00 and sentenced to serve no greater than 16 hours of community service in a litter abatement work program as approved by the court. The second offense must occur within ten years of the first offense for this provision to

apply.

- (3) Upon third or subsequent conviction, be fined no greater than \$750.00, have his motor vehicle driver's license suspended for one year, and be sentenced to serve no greater than 80 hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided by this subsection. The third or subsequent offense must occur within ten years of the prior offense(s) for this provision to apply.
- (e) Whoever violates the provisions of this section by the intentional disposal or permitting the disposal of cigarettes, cigarette butts, cigars, cigarillos, or cigar or cigarillo tips from a motor vehicle shall:
- (1) Upon first conviction, be fined no greater than \$300.00 and sentenced to serve no greater than eight hours of community service in a litter abatement work program as approved by the court.
 - (2) Upon second conviction, be fined no greater than \$700.00 and sentenced to serve no greater than 16 hours of community service in a litter abatement work program as approved by the court. The second offense must occur within ten years of the first offense for this provision to apply.
 - (3) Upon third or subsequent conviction, be fined no greater than \$1,000.00, have his motor vehicle driver's license suspended for one year, and be sentenced to serve no greater than 80 hours of community service in a litter abatement work program as approved by the court, or all or any combination of the penalties provided by this subsection. The third or subsequent offense must occur within ten years of the prior offense(s) for this provision to apply.
- (f) (1) Any person charged with a first offense may pay the assessed fine to the appropriate agency within the time specified in the citation upon entering a plea of guilty or nolo contendere and upon waiving appearance in court, or shall have the option of entering a plea of not guilty and shall be entitled to a trial as authorized by law. The payment of a fine to the appropriate agency shall be deemed an acknowledgement of conviction of the alleged offense. The appropriate agency, upon accepting the fine, shall issue a receipt to the violator acknowledging payment thereof. Further, if a person mails in his/her fine on a first offense instead of making a court appearance, he/she shall be assessed a \$15.00 administrative fee in addition to the fine and execute a waiver of his/her rights to boykinization in the form and substance prescribed by the court of appropriate jurisdiction and remains subject to the enhanced penalties for subsequent violations.
- (2) As to any person charged with a second or subsequent offense, it shall be mandatory that the alleged offender appear in the court exercising jurisdiction; there shall be no option of mailing in the assessed fine.
- (g) (1) If the litter is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.
- (2) When litter disposed in violation of this section is discovered to contain any article or articles, including, but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this section.
- (h) Whoever violates the provisions of this section shall pay special court costs of \$100.00 in lieu of other costs of court and the special court costs shall be disbursed as follows:

- (1) Twenty-five percent shall be payable to the law enforcement agency issuing the citation, if such agency issues the citation; otherwise, 25 percent shall be payable to the public works department, environmental quality division for the litter program as described in subsection (4).
 - (2) Twenty-five percent shall be payable to the sheriff of the parish, the parish governing authority, or the municipality where the violation occurred.
 - (3) Twenty-five percent shall be payable to the office of the district attorney or if prosecuted in city court, then to the municipality for expenses incurred by the municipality or the time and expenses incurred by the municipal prosecuting attorney, as the case may be.
 - (4) Twenty-five percent shall be payable to the public works department, environmental quality division for the purpose of encouraging, organizing, and coordinating volunteer local anti-littering campaigns, to pay expenses for litter clean up, collection, enforcement, prosecution, education and prevention, and to purchase and operate equipment in connection therewith.
- (i) A person may be found guilty and fined under this section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
 - (j) For the purposes of this section, each occurrence shall constitute a separate violation.
 - (k) In addition to penalties otherwise provided, a person convicted under this section shall:
 - (1) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this section.
 - (2) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
 - (l) Exception. Notwithstanding any provision to the contrary, this section shall not apply to any activity by persons owning or operating duly licensed commercial vehicles engaged in the collection and transportation of solid waste, construction, or demolition debris or wood waste, in the course of servicing scheduled pickup routes or en route to an authorized pickup station, transfer station, or disposal facility. To qualify for the exemption provided for in this subsection, the commercial vehicle shall be covered at all times, except during loading and unloading, in a manner that prevents rain from reaching the waste, prevents waste from falling or blowing from the vehicle, and ensures that leachate from the waste is not discharged from the vehicle during transportation.

(Ord. No. O-237-2014, § 2, 12-2-14)

Sec. 62-123. - Gross littering prohibited.

- (a) No person shall intentionally dispose or permit the disposal of any large items, including, but not limited to, household or office furniture or appliances, automotive parts, including, but not limited to tires and engines, trailers, boats and boating accessories, tools and equipment, building materials, roofing nails, and bags or boxes of household or office garbage or refuse upon any public place in the parish, upon private property in the parish not owned by him, or in or on the waters of the parish, whether from a vehicle or otherwise, including, but not limited to any public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, the premises of any public, local, state or federal agency or political subdivision, road, street, or alley, except when such property is designated by the parish or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.
- (b) No person shall intentionally dispose or permit the disposal of anything over a bridge or onto the space of any pathway for vehicular or pedestrian travel in the parish so as to have the potential to cause bodily harm to a person or to endanger public safety or that actually causes such bodily harm.

- (c) The term "permit" as used in this section is synonymous with the inference referenced in subsection (d) herein. For purposes of this section, "motor vehicle" shall have the meaning ascribed to it in La. R.S. 32:1.
- (d) (1) If an item described in subsections (a) or (b) is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by La. R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the item. If such item was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.
- (2) When an item disposed in violation of this section is discovered to contain any article or articles, including, but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this section.
- (e) The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
- (f) Penalties for violation of subsection (a). Whoever violates the provisions of subsection (a) shall:
- (1) Upon first conviction, be fined not less than \$200.00 nor more than \$500.00 and sentenced to serve not more than eight hours of community service in a litter abatement work program as approved by the court.
- (2) Upon second conviction, an offender shall be fined not less than \$500.00 nor more than \$750.00 and sentenced to serve not more than 24 hours of community service in a litter abatement work program as approved by the court. The second offense must occur within ten years of the first offense for this provision to apply.
- (3) Upon third or subsequent conviction, an offender shall be fined no greater than \$1,000.00, may have his motor vehicle driver's license suspended for one year, may be imprisoned for not more than 30 days, or sentenced to serve not less than 48 and not more than 100 hours in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties. The third or subsequent offense must occur within ten years of the prior offense(s) for this provision to apply.
- (4) The judge may require an individual convicted of a violation of subsection (a) to remove litter from public rights-of-way, public playgrounds, public parks, or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this section.
- (g) Penalties for violation of subsection (b). Whoever violates the provisions of subsection (b) shall:
- (1) Upon first conviction, be fined not less than \$500.00 and sentenced to serve not more than 16 hours of community service in a litter abatement work program as approved by the court.
- (2) Upon second conviction, an offender shall be fined not less than \$750.00 and sentenced to serve not more than 48 hours of community service in a litter abatement work program as approved by the court. The second offense must occur within ten years of the first offense for this provision to apply.
- (3) Upon third or subsequent conviction, an offender shall be fined no greater than \$1,000.00, may have his motor vehicle driver's license suspended for one year, may be imprisoned for not more than 30 days, or sentenced to serve not less than 80 hours in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties. The third or subsequent offense(s) must occur within ten years of the prior offense for this provision to apply.

- (4) The judge may require an individual convicted of a violation of subsection (b) to remove litter from public rights-of-way, public playgrounds, public parks, or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this section.
- (h) (1) Any person charged with a first offense may pay the assessed fine to the appropriate agency within the time specified in the citation upon entering a plea of guilty or nolo contendere and upon waiving appearance in court, or shall have the option of entering a plea of not guilty and shall be entitled to a trial as authorized by law. The payment of a fine to the appropriate agency shall be deemed an acknowledgement of conviction of the alleged offense. The appropriate agency, upon accepting the fine, shall issue a receipt to the violator acknowledging payment thereof. Further, if a person mails in his/her fine on a first offense instead of making a court appearance, he/she shall be assessed a \$15.00 administrative fee in addition to the fine and execute a waiver of his/her rights to boykinization in the form and substance prescribed by the court of appropriate jurisdiction and remains subject to the enhanced penalties for subsequent violations.
- (2) As to any person charged with a second or subsequent offense, it shall be mandatory that the alleged offender appear in the court exercising jurisdiction; there shall be no option of mailing in the assessed fine.
- (i) A person may be found guilty and fined under this section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- (j) For the purposes of this section, each occurrence shall constitute a separate violation.
- (k) In addition to penalties otherwise provided, a person convicted under this section shall:
 - (1) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this section.
 - (2) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.

(Ord. No. O-237-2014, § 2, 12-2-14)



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