

WAUPACA COUNTY CODE OF ORDINANCES

Chapter 29

Roadside Littering

29.01 DEFINITIONS:

- A. **Roadside Ditches.** Roadside ditches are hereby defined as and including any Federal, State, County or local road right-of-way located within the boundary (County lines) of Waupaca County.
- B. **Litter(ing).** Litter(ing) is hereby defined as depositing, discarding, tossing or otherwise leaving matter or material with the intent of permanently disposing of said material.
- C. **Public Use Property.** Public use property is defined as any wayside, boat landing or other parcel, section or strip of land generally utilized by the public for recreational, parking or other purposes.

29.02 VIOLATIONS

- A. Any individual, company or entity which leaves litter in roadside ditches within Waupaca County or fails to place litter in a proper waste receptacle on public use property shall be in violation of this Ordinance.
- B. Any individual, company or entity which is found to be in violation of this Ordinance shall, at the Waupaca County Sheriff's Department's discretion, be issued a citation.
 - 1. Each day that litter is found which is traceable to a specific individual or entity shall be considered a separate and distinct violation.

29.03 PENALTIES

- A. **First Offense.** Any defendant cited for a violation of this Ordinance and convicted for such violation shall be fined an amount not to exceed \$200.00 or imprisoned for thirty (30) days or both.
- B. **Second and Subsequent Offenses.** For each additional violation for which the defendant is cited and subsequently convicted, the defendant shall be fined an amount not less than \$200.00 nor more than \$500.00 or imprisoned for not more than sixty (60) days or both.

29.04 INCORPORATION

Ordinance No. 29 does hereby incorporate by reference Ordinance No. 27 "Citation Authority Enactment". Where questions regarding procedural problems involving enforcement of Ordinance No. 29 and forfeiture or defaults regarding Ordinance No. 29 occur, Ordinance No. 27 and the procedures outlined therein are controlling.