§2269-A. Litter receptacles; selection and placement

1. Procure, place and maintain litter receptacles. A person who owns or operates an establishment or public place in which litter receptacles are required by this chapter shall procure, place and maintain receptacles at the person's own expense in accordance with this chapter.
[PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. Required placement. Litter receptacles as defined in section 2263 must be placed at all public places or establishments that serve the public, including, but not limited to: campgrounds, trailer parks, drive-in restaurants, gasoline service stations, parking lots, shopping centers, grocery store parking lots, parking lots of major industrial firms, marinas, boat launching areas, boat moorage and fueling stations, beaches and bathing areas, school grounds and business district sidewalks. The number of receptacles required is as follows:

A. For a campground or trailer park for transient habitation, one receptacle at each public rest room facility; [PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. For a drive-in restaurant, parking lot, shopping center, grocery store parking lot or parking lot of a major industrial firm, one receptacle, plus one additional receptacle for each 200 parking spaces in excess of 50 spaces; [PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. For a gasoline service station, one receptacle per gasoline pump island; [PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

D. For a marina, boat launching area or boat moorage and fueling station, one receptacle at each location; [PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

E. For a beach or bathing area, one receptacle at each public rest room facility; [PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

F. For school grounds, one receptacle at each playground area and one at each school bus loading zone; and [PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

G. For business district sidewalks, one receptacle per 1,000 feet of sidewalk curbing. [PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

3. Exception; remote forest campsites. Remote forest campsites operated by the Department of Agriculture, Conservation and Forestry pursuant to Title 12, chapter 220, subchapter 2, are not considered public places or establishments that serve the public if they are designated as "carry-in and carry-out" sites from which users are expected to remove litter and other material upon their departure.
[PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF); PL 2011, c. 657, Pt. W, §5 (REV).]

4. Penalties. A person who operates a business of a type described in this section commits a civil violation for which a fine of $10 for each violation may be adjudged if that person:

A. Fails to place the litter receptacles on the premises in the numbers required; or [PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. Fails to comply within 10 days of being notified by registered letter by the Department of Agriculture, Conservation and Forestry that that person is in violation. [PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF); PL 2011, c. 657, Pt. W, §5 (REV).]

Each day a violation continues is a separate offense.
[PL 2003, c. 452, Pt. I, §42 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF); PL 2011, c. 657, Pt. W, §5 (REV).]

SECTION HISTORY

PL 2003, c. 452, §I42 (NEW). PL 2003, c. 452, §X2 (AFF). PL 2011, c. 657, Pt. W, §5 (REV).

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