

**CITY OF RIVERVIEW
ORDINANCE NO. 695**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
FOR THE CITY OF RIVERVIEW BY THE REPEAL AND
READOPTION OF SECTIONS 46-101 THROUGH 46-108,
ARTICLE IV, "LITTER" IN CHAPTER 46 "SOLID WASTE"
TO PROVIDE ADDITIONAL TERMS AND CLARIFICATION
FOR LITTER.**

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendments: That Sections 46-101 through 46-108 of Article IV "Litter" in Chapter 46, "Solid Waste" be repealed and readopted to hereafter read as follows:

Chapter 46 Solid Waste
Article IV. Litter

Sec. 46-101. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. Unchanged.
2. Unchanged.
3. *Front Door* means a door to any residential structure on private property that faces a street or private street or, if no door faces a street or private street, then the door to the structure that is nearest to a street or private street.
4. *Lawn Extension* means the portion of any street right-of-way that is not paved or intended for traffic.
5. *Solicited Printed Matter* means any printed matter that is delivered to any person or private property with the express invitation or permission in writing or otherwise, of the person or an owner, occupant, or lessee of the private property.
6. *Unsolicited Printed Matter* means any printed matter that is delivered to any person or private property without the express invitation or permission, in writing or otherwise, of the person, or an owner, occupant, or lessee of the private property.

Sec. 46-102. – Violation and penalty. Unchanged.

Sec. 46-103. – Prohibition generally.

- (a) It shall be unlawful for any person knowingly, without the consent of the public authority having supervision of public property or the owner of private property, to dump, deposit, place, throw or leave or cause or permit the dumping depositing, placing throwing or leaving of litter on any public or private property or water other than property designated and set aside for such purposes.
- (b) Solicited Printed Matter
 - (1) Except as otherwise provided in this section, no person shall cause solicited printed matter to be thrown or deposited upon any sidewalk, street, portion of the street commonly referred to as the lawn extension, public park or other public place.
 - (2) It shall not be unlawful for a person to:
 - a. Deposit solicited printed matter into a receptacle that is attached to a mailbox post or support but separate from the mailbox and that is located in that portion of the street commonly referred to as the lawn extension.
 - b. Deposit solicited printed material into a receptacle on the sidewalk into which the person is authorized to deposit it to make copies available to the public and which is lawfully located on the sidewalk.
 - c. Hand out or distribute solicited printed matter to any person willing to accept it.
 - d. Cause solicited printed matter to be thrown or deposited upon that portion of private property that is not a sidewalk, street, or lawn extension if the delivery of the printed matter is made pursuant to an express invitation or permission for delivery.
- (c) Unsolicited Printed Matter
 - (1) No person shall cause unsolicited printed matter to be deposited upon any private property except by:
 - a. Placing and securing it on the porch nearest the front door, or
 - b. Attaching it securely to the front door, or
 - c. Putting it through a mail slot on the front door, or
 - d. Putting it between the exterior front door and the interior front door, or
 - e. Handing it personally to the owner, occupant, or lessee of the private property.
 - (2) No person shall cause unsolicited printed matter to be thrown or deposited upon any sidewalk, street, the portion of the street commonly referred to as the lawn extension, public park or other public place.
 - (3) No person shall cause unsolicited printed matter to be placed upon, attached to, or hung from a mailbox or any apparatus that supports the mailbox.
 - (4) It shall not be unlawful for a person to:

- a. Deposit unsolicited printed matter into a receptacle on the sidewalk into which the person is authorized to deposit it and which is lawfully located on the sidewalk.
 - b. Hand out or distribute unsolicited printed matter to any person willing to accept it.
 - c. Throw or deposit unsolicited printed matter in or upon any vehicle.
- (d) Rebuttal Presumption. When solicited or unsolicited printed matter is in a location where it is prohibited, a rebuttable presumption arises that the person who published or distributed it or on whose behalf it is published or distributed caused it to be thrown or deposited there.

Sec. 46-104. – Removal of accident debris from roadway. Unchanged.

Sec. 46-105. – Falling into path of vehicles. Unchanged.

Sec. 46-106. – Posting of notice and maintenance of receptacles by public authorities.
Unchanged.

Sec. 46-107. – Duty of business owners. Unchanged.

Sec. 46-108. – Junk accumulation. Unchanged.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-8 of the Code of Ordinances of the City of Riverview, unless a different penalty is expressly provided in this ordinance.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentence, phrases or portions of the Ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Riverview inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on August 21, 2017, shall be given a second reading on September 5, 2017, shall be adopted on September 5, 2017, and shall be published and become effective upon publication. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk's office.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Riverview this 5th day of September, 2017.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the City Council of the City of Riverview at a regular meeting held on September 5, 2017.

Cynthia M. Hutchison, City Clerk