

What is Litter?

Under the Arizona Status Section 13-1603.

Criminal littering or polluting: Classification:

A. A person commits littering or polluting if such person without lawful authority does any of the following:

1. Throws, places, drops or permits to be dropped on public property or property of another which is not a lawful dump. Any litter, destructive or injurious material which he does not immediately remove.
2. Discharges or permits to be discharged any sewage, oil products or other harmful substances into any waters or onto any shorelines within the state.
3. Dumps any earth, soil, stones, ores or minerals on any land.

B. Criminal littering or polluting is punished as follows:

1. A class 6 felony if a knowing violation of subsection A in which the amount of litter or other prohibited material or substance exceeds three hundred pounds in weight or one hundred cubic feet in volume or is done in any quantity for a commercial purpose.
2. A class 1 misdemeanor if the act is not punishable under paragraph 1 of this subsection and involves placing any destructive or injurious material on or within fifty feet of a highway, beach or shoreline of any body of water used by the public.
3. A class 2 misdemeanor if not punishable under paragraph 1 or 2 of this subsection.

What is a littering offense in the Town of Prescott Valley?

According to Article 9-4 Removal of Litter

In this article, unless the context requires otherwise:

A. "Litter" means any rubbish, trash, weeds or other accumulation of filth or debris or dilapidated structures which constitute a hazard to public health and safety. "Litter" is "garbage". "refuse". "Trash" (as defined in this chapter), and all other waste material which, if throw or deposit as herein prohibited, tends to create a danger to public health, safety and welfare.

B. "Private premises" means any dwelling, house, building, or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps or vestibules belonging or appurtenant to such dwelling, house, building or other structures.

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

D. "Property" includes buildings, grounds, lots and tracts of land.

E. "Structures" includes buildings, improvements and other structures that are constructed or placed on land.

(Ord.No. 117, Enacted. 09/05/85; Ord.No. 158, Enacted, 8/27/87; Ord.No.178. Ren&Amd, 05/26/88, 5/04/010, 9-09-030; Ord.No. 396, Amended, 08/08/96)

Section 9-04-020 Litter on Private or Public Property

Any person, firm, or corporation placing litter as defined herein upon any private or public property, whether or not owned or under the control of that person, firm, or corporation, is guilty of a class 1 misdemeanor or a civil violation. In addition to any fine or penalty which may be imposed for violation of any provision of this section, such person, firm, or corporation shall be liable for all costs which may be assessed pursuant to this Article for removing, abating, or enjoining said litter. The owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any public place.

(Ord.No.8, Enacted, 06/28/79;Ord.No.117, Enacted, 09/05/85;Ord.No.158, Enacted,08/27/87;Ord. No.178, Rem&Amd, 05/26/88,11-01-090; 5-04-020&90;Ord.No. 9-09-040,100,110&130;Ord.No. 396,Amended, 08/08/96)