

Part 27
Litter on Public and Private Lands and Waterways

76-10-2701 Destructive or injurious materials on parks, recreation areas, waterways, or other public or private lands -- Enforcement officers -- Litter receptacles required.

- (1) A person may not throw, deposit, or discard, or permit to be dropped, thrown, deposited, or discarded on any park, recreation area, or other public or private land, or waterway, any glass bottle, glass, nails, tacks, wire, cans, barbed wire, boards, trash or garbage, paper or paper products, or any other substance which would or could mar or impair the scenic aspect or beauty of the land in the state whether under private, state, county, municipal, or federal ownership without the permission of the owner or person having control or custody of the land.
- (2) A person who drops, throws, deposits, or discards, or permits to be dropped, thrown, deposited, or discarded, on any park, recreation area, or other public or private land or waterway any destructive, injurious, or unsightly material shall:
 - (a) immediately remove the material or cause it to be removed; and
 - (b) deposit the material in a receptacle designed to receive the material.
- (3) A person distributing commercial handbills, leaflets, or other advertising shall take whatever measures are reasonably necessary to keep the material from littering public or private property.
- (4) A person removing a wrecked or damaged vehicle from a park, recreation area, or other public or private land shall remove any glass or other injurious substance dropped from the vehicle in the park, recreation area, or other public or private land.
- (5) A person in charge of a construction or demolition site shall take reasonable steps to prevent the accumulation of litter at the construction or demolition site.
- (6) A law enforcement officer as defined in Section 53-13-103, within the law enforcement officer's jurisdiction:
 - (a) shall enforce the provisions of this section;
 - (b) may issue citations to a person who violates any of the provisions of this section; and
 - (c) may serve and execute all warrants, citations, and other processes issued by any court in enforcing this section.
- (7) An operator of a park, campground, trailer park, drive-in restaurant, gasoline service station, shopping center, grocery store parking lot, tavern parking lot, parking lots of industrial firms, marina, boat launching area, boat moorage and fueling station, public and private pier, beach, and bathing area shall maintain sufficient litter receptacles on the premises to accommodate the litter that accumulates.
- (8) A municipality within its corporate limits and a county outside of incorporated municipalities may enact local ordinances to carry out the provisions of this section.

Enacted by Chapter 22, 2008 General Session

76-10-2702 Penalty for littering on a park, recreation area, waterway, or other public or private land.

- (1) A person who violates any of the provisions of Section 76-10-2701 is guilty of a class C misdemeanor and shall be fined not less than \$100 for each violation.
- (2) The sentencing judge may require that the offender devote at least four hours in cleaning up:
 - (a) litter caused by the offender; and
 - (b) existing litter from a safe area designated by the sentencing judge.

Enacted by Chapter 22, 2008 General Session