

Effective 5/7/2025

Part 18
Litter and Recycling Violations

76-9-1801 Definitions.

Reserved.

Enacted by Chapter 173, 2025 General Session

76-9-1802 Unlawful littering on land or waterway.

- (1)
 - (a) As used in this section, "litter" includes a glass bottle, glass, a nail, tack, wire, can, barbed wire, board, trash or garbage, paper or paper products, or any other substance that would or could mar or impair the scenic aspect or beauty of the land.
 - (b) Terms defined in Sections 76-1-101.5 and 76-9-1801 apply to this section.
- (2) An actor commits unlawful littering on land or waterway if the actor drops, throws, deposits, or discards, or permits to be dropped, thrown, deposited, or discarded, litter in a park, recreation area, or other public or private land, or waterway, without the permission of the owner or person having control or custody of the land or waterway.
- (3)
 - (a) A violation of Subsection (2) is a class C misdemeanor and subject to a minimum fine of \$100 for each violation.
 - (b) The court may require the actor to participate in at least four hours of cleaning up:
 - (i) litter caused by the actor's offense; and
 - (ii) existing litter from a safe area designated by the court.
- (4) A municipality within the municipality's corporate limits and a county outside of incorporated municipalities may enact local ordinances to carry out the provisions of this section.

Renumbered and Amended by Chapter 173, 2025 General Session

76-9-1803 Unlawful failure to prevent advertising materials from becoming litter.

- (1) Terms defined in Sections 76-1-101.5 and 76-9-1801 apply to this section.
- (2) An actor commits unlawful failure to prevent advertising materials from becoming litter if the actor:
 - (a) distributes commercial handbills, leaflets, or other advertising materials; and
 - (b) fails to take measures that are reasonably necessary to keep the commercial handbills, leaflets, or other advertising materials from littering public or private property.
- (3)
 - (a) A violation of Subsection (2) is a class C misdemeanor and subject to a minimum fine of \$100 for each violation.
 - (b) The court may require the actor to participate in at least four hours of cleaning up:
 - (i) litter caused by the actor's offense; and
 - (ii) existing litter from a safe area designated by the court.
- (4) A municipality within the municipality's corporate limits and a county outside of incorporated municipalities may enact local ordinances to carry out the provisions of this section.

Enacted by Chapter 173, 2025 General Session

76-9-1804 Unlawful failure to remove injurious substance while removing a vehicle.

- (1) Terms defined in Sections 76-1-101.5 and 76-9-1801 apply to this section.
- (2) An actor commits unlawful failure to remove injurious substance while removing a vehicle if the actor:
 - (a) removes a wrecked or damaged vehicle from a park, recreation area, or other public or private land; and
 - (b) fails to remove glass or other injurious substance dropped from the vehicle in the park, recreation area, or other private or public land.
- (3)
 - (a) A violation of Subsection (2) is a class C misdemeanor and subject to a minimum fine of \$100 for each violation.
 - (b) The court may require the actor to participate in at least four hours of cleaning up:
 - (i) the glass or other injurious substance dropped from the vehicle; and
 - (ii) existing litter from a safe area designated by the court.
- (4) A municipality within the municipality's corporate limits and a county outside of incorporated municipalities may enact local ordinances to carry out the provisions of this section.

Enacted by Chapter 173, 2025 General Session

76-9-1805 Unlawful failure to prevent accumulation of litter at a construction or demolition site.

- (1) Terms defined in Sections 76-1-101.5 and 76-9-1801 apply to this section.
- (2) An actor commits unlawful failure to prevent accumulation of litter at a construction or demolition site if the actor:
 - (a) is in charge of a construction or demolition site; and
 - (b) fails to take reasonable steps to prevent the accumulation of litter at the construction or demolition site.
- (3)
 - (a) A violation of Subsection (2) is a class C misdemeanor and subject to a minimum fine of \$100 for each violation.
 - (b) The court may require the actor to participate in at least four hours of cleaning up:
 - (i) the litter caused by the actor's offense; and
 - (ii) existing litter from a safe area designated by the court.
- (4) A municipality within the municipality's corporate limits and a county outside of incorporated municipalities may enact local ordinances to carry out the provisions of this section.

Enacted by Chapter 173, 2025 General Session

76-9-1806 Unlawful failure to provide sufficient litter receptacles.

- (1) Terms defined in Sections 76-1-101.5 and 76-9-1801 apply to this section.
- (2) An actor commits unlawful failure to provide sufficient litter receptacles if the actor:
 - (a) is an operator of a park, campground, trailer park, drive-in restaurant, gasoline service station, shopping center, grocery store parking lot, tavern parking lot, parking lot of an industrial firm, marina, boat launching area, boat moorage and fueling station, public or private pier, beach, or bathing area; and
 - (b) fails to maintain sufficient litter receptacles on the premises to accommodate the litter that accumulates on the premises.

- (3)
 - (a) A violation of Subsection (2) is a class C misdemeanor and subject to a minimum fine of \$100 for each violation.
 - (b) The court may require the actor to participate in at least four hours of cleaning up:
 - (i) the litter caused by the actor's offense; and
 - (ii) existing litter from a safe area designated by the court.
- (4) A municipality within the municipality's corporate limits and a county outside of incorporated municipalities may enact local ordinances to carry out the provisions of this section.

Enacted by Chapter 173, 2025 General Session

76-9-1807 Unlawful misuse of a recycling bin.

- (1)
 - (a) As used in this section:
 - (i) "Recycling" means the process of collecting materials diverted from the waste stream for reuse.
 - (ii) "Recycling bin" means any receptacle made available to the public by a governmental entity or private business for the collection of any source-separated item for recycling purposes.
 - (b) Terms defined in Sections 76-1-101.5 and 76-9-1801 apply to this section.
- (2) An actor commits unlawful misuse of a recycling bin if:
 - (a) the actor places a prohibited item or substance in a recycling bin; and
 - (b) the recycling bin is posted with the following information printed legibly in basic English:
 - (i) a descriptive list of the items that may be deposited in the recycling bin, entitled in boldface capital letters: "ITEMS YOU MAY DEPOSIT IN THIS RECYCLING BIN:";
 - (ii) at the end of the list in Subsection (2)(b)(i), the following statement in boldface capital letters: "REMOVING FROM THIS BIN ANY ITEM THAT IS LISTED ABOVE AND THAT YOU DID NOT PLACE IN THE CONTAINER IS THE CRIMINAL OFFENSE OF THEFT, PUNISHABLE BY LAW.";
 - (iii) the following statement in boldface capital letters: "DEPOSIT OF ANY OTHER ITEM IN THIS RECYCLING BIN IS AGAINST THE LAW.";
 - (iv) the following statement in boldface capital letters, posted on the recycling collection container in close proximity to the other notices required under Subsection (2)(b): "PLACING ANY ITEM OR SUBSTANCE IN THIS RECYCLING BIN OTHER THAN THOSE ALLOWED IN THE LIST POSTED ON THIS BIN IS AN INFRACTION, PUNISHABLE BY A MAXIMUM FINE OF \$750."; and
 - (v) the name and telephone number of the entity that owns the recycling bin or is responsible for its placement and maintenance.
- (3) A violation of Subsection (2) is an infraction.

Renumbered and Amended by Chapter 173, 2025 General Session