

## DRAFT CSC, Title 22. Environmental Protection & Preservation

### CHAPTER 3

#### Littering

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#### **§ 1301. Littering.**

It shall be unlawful for any person, establishment, corporation, or firm to throw, discard, scatter or abandon any waste materials, garbage or other debris in any form or substance upon any public road, street, easement, land or body of water other than a public dumping ground maintained by the Government of Chuuk or any or the municipalities of the State of Chuuk or subdivision thereof.

**Source:** CSL 191-33, § 1.

**Editor's note:** CSL 191-33 contained a repeal clause as follows:

Section 7. Repeal. Truk District Law No. 23-12, relating to littering is hereby repealed in its entirely.

#### **§ 1302. Definitions.**

"Littering" means dumping, throwing, placing, depositing, or leaving, or causing to be dumped, thrown, deposited, or left any refuse of any kind or any object or substance which tends to pollute, mar or deface, into or upon or about:

(1 a) Any public street, highway, alley, road, stream, watercourse, or by other body of water; or

(2 b) Any private property without the consent of the owner or occupant of such property.

Littering shall also mean any unpermitted writing, drawing, painting, engraving, on any wall, structure, building, vessel, vehicle or boat.

**Source:** CSL 191-33, § 2, modified.

#### **§ 1303. Business.**

Every business establishment shall place at a suitable location a sufficient number of receptacles to securely contain all garbage resulting from the operation of the business. Every business establishment shall be responsible for the proper removal and disposal of all such garbage and shall maintain the business premises at all times in a neat and orderly manner.

**Source:** CSL 191-33, § 3.

#### **§ 1304. Sanitary Public Dump Sites.**

The Environmental Protection Agency shall designate a sanitary public dump site or sites, authorized by the Government of the State of Chuuk and assist in the establishment of the same by the Department of Public Works, to adequately provide for the disposal of all garbage in Chuuk. The designation and establishment of such sites shall be made only after an environmental impact study on the sites is made to ensure that only minimal damage may be caused to the environment in Chuuk State. The Department of Public Works shall be responsible for the maintenance of the public dump sites in the state center.

**Source:** CSL 191-33, § 4.

### **§ 1305. Penalties and Enforcement.**

(1) Every person, establishment, corporation or firm who willfully violates Section 1301 of this Chapter Act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than 50 fifty dollars (\$50.00); PROVIDED, that for the conviction of a third or subsequent offense under this Subsection, the penalty shall be a fine of not more than 500 five hundred dollars (\$500.00).

(2) Every person, corporation, establishment or firm who willfully violates Section 1303 of this Chapter Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than 500 five hundred dollars (\$500.00).

(3) In enforcing the provision of this Section, the Division of Public Safety, including municipal law enforcement forces, may use any enforcement methods they see fit, which may include the citation system.

**Source:** CSL 191-33, § 5, modified.

### **§ 1306. Alternative Sentencing.**

In prescribing penalties for convictions under this Chapter Act, the Court shall, to the extent practicable, prescribe alternate sentencing in the form of clean-up programs and other public government activities in lieu of fines as prescribed by Section 1305 of this Act.

**Source:** CSL 191-33, § 6, modified.