

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 887
HOUSE BILL 423

AN ACT TO REWRITE G.S. 14-399 RELATING TO THE CRIME OF LITTERING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-399 is rewritten to read as follows:

"§ 14-399. **Littering.** — (a) No person, firm, organization, private corporation, or governing body, agents or employees of any municipal corporation shall intentionally or recklessly throw, scatter, spill or place or intentionally or recklessly cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter upon any public property or private property not owned by him within this State or in the waters of this State including, but not limited to, any public highway, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street or alley except:

- (1) When such property is designated by the State or political subdivision thereof for the disposal of garbage and refuse, and such person is authorized to use such property for such purpose; or
- (2) Into a litter receptacle in such a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of such private or public property or waters.

(b) When litter is so blown, scattered, spilled, thrown or placed from a vehicle or watercraft, the operator thereof shall be presumed to have committed such offense.

(c) As used in this section, the word 'litter' shall be defined as any rubbish, waste material, cans, refuse, garbage, trash, debris, dead animals or discarded materials of every kind and description; the word 'vehicle' shall be defined as in G.S. 20-4.01(49); and the word 'watercraft' shall be defined as any boat or vessel used for transport upon or across the water.

(d) A violation of this section is a misdemeanor punishable by a fine of not more than two hundred dollars (\$200.00)."

Sec. 2. G.S. 14-134.1 is repealed.

Sec. 3. G.S. 20-188 is amended by adding the following at the end of the first paragraph:

"The State Highway Patrol shall enforce the provisions of G.S. 14-399."

Sec. 4. This act shall become effective July 1, 1977.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.