

**AN ORDINANCE OF THE COUNTY OF MIDDLESEX  
FOR LITTER CONTROL**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY, VIRGINIA, THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

**Dumping trash, companion animals, etc. on highway, right-of-way or private properties; penalty.**

A. It shall be unlawful for any person to dump or otherwise dispose of trash, garbage, refuse, litter, a companion animal for the purpose of disposal or other unsightly matter, on public property, including a public highway, right of way, property adjacent to such highway or right of way, or on private property without the written consent of the owner thereof or his agent.

B. When any person is arrested for a violation of this section and the matter alleged to have been illegally dumped or disposed of has been ejected from a motor vehicle or transported to the disposal site in a motor vehicle, the arresting officer may comply with the provisions of Section 46.2-936 in making such arrest.

When a violation of the provisions of this section has been observed by any person, and the matter illegally dumped or disposed of has been ejected or removed from a motor vehicle, the owner or operator of such motor vehicle shall be presumed to be the person ejecting or disposing of such matter. However, such presumption shall be rebutted by competent evidence.

C. Any person convicted of a violation of this section shall be guilty of a misdemeanor punishable by confinement in jail for not more than twelve (12) months and a fine of not less than \$250.00 or more than \$2,500.00, either or both.

In lieu of the imposition of confinement in jail, the court may order the defendant to perform community service in litter abatement activities.

Any fines collected under this section shall be paid to the Treasurer of Middlesex County.

D. The provisions of this section shall not apply to the lawful disposal of such matter in landfills.

E. This ordinance supersedes any prior litter ordinance and specifically replaces the litter ordinance of Middlesex County dated May 5, 1981.

Adopted by the Board of Supervisors of Middlesex County, Virginia, on the 18th day of December, 2012, as follows:

	YES	NO
WAYNE H. JESSIE, SR.	<u>  x  </u>	_____
CARLTON S. REVERE	<u>  x  </u>	_____
PETER W. MANSFIELD	<u>  x  </u>	_____
JOHN D. MILLER, JR.	<u>  x  </u>	_____
ELIZABETH HURD	<u>  x  </u>	_____

Authorized pursuant to Section 33.1-346 of the Code of Virginia, 1950, as amended.

A Copy Teste:

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Matthew L. Walker, Clerk