

(i) Such property is designated by the State or by any of its agencies or political subdivisions for the disposal of such litter, and such person is authorized by the proper public authority to use such property; OR

(ii) Such litter is placed into a litter receptacle or container installed on such property[;

(iii) Such person is the owner or tenant in lawful possession of such property; or has first obtained consent of the owner or tenant in lawful possession, or unless the act is done under the personal direction of said owner or tenant, all in a manner consistent with the public welfare].

(e) Any person violating the provisions of subsection (d) of this section [is guilty of a misdemeanor and upon conviction thereof] shall be punished [by] AS FOLLOWS:

(1) A PERSON WHO DUMPS LITTER IN VIOLATION OF SUBSECTION (D) OF THIS SECTION IN AN AMOUNT NOT EXCEEDING ~~45~~ 100 POUNDS IN WEIGHT OR 27 CUBIC FEET IN VOLUME AND NOT FOR COMMERCIAL PURPOSES IS GUILTY OF A MISDEMEANOR AND IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000, or by imprisonment for not more than 30 days, or both [such fine and imprisonment, or, in lieu thereof,

(2) In the sound discretion of any court in which conviction is obtained, any such person may be directed by the judge of such court to pick up and remove from any public street or highway or public or private right-of-way, or public beach or public park, or, with prior permission of the legal owner or tenant in lawful possession of such property, any private property upon which it has been established by competent evidence that he has deposited litter, any and all litter deposited thereon by anyone prior to the date of execution of sentence but if,

(3) The violation of a provision of subsection (d) of this section also constitutes a violation of another article of this Code which imposes a more severe punishment, then that punishment may also be imposed].

(2) A PERSON WHO DUMPS LITTER IN VIOLATION OF SUBSECTION (D) OF THIS SECTION IN AN AMOUNT EXCEEDING ~~45~~ 100 POUNDS IN WEIGHT OR 27 CUBIC FEET IN VOLUME, BUT NOT EXCEEDING 500 POUNDS IN WEIGHT OR ~~400~~ 216 CUBIC FEET IN VOLUME AND NOT FOR COMMERCIAL PURPOSES IS GUILTY OF A MISDEMEANOR AND SUBJECT TO A FINE OF NOT MORE THAN ~~\$25,000~~ \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH.

(3) A PERSON WHO DUMPS LITTER IN VIOLATION OF SUBSECTION (D) OF THIS SECTION IN AN AMOUNT EXCEEDING 500 POUNDS IN WEIGHT OR ~~400~~ 216 CUBIC FEET IN VOLUME OR IN ANY QUANTITY FOR COMMERCIAL PURPOSES IS GUILTY OF A ~~FELONY~~ MISDEMEANOR AND SUBJECT TO A FINE OF NOT MORE THAN ~~\$100,000~~ \$25,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH.

(4) IN ADDITION TO THE SENTENCES PROVIDED BY THIS SUBSECTION, A COURT MAY ORDER THE VIOLATOR TO:

(I) REMOVE OR RENDER HARMLESS THE LITTER DUMPED IN VIOLATION OF THIS SECTION;