

TOWNSHIP OF NORTH BERGEN
HUDSON COUNTY, NEW JERSEY

AN ORDINANCE TO ESTABLISH YARD WASTE CONTROL FOR THE
TOWNSHIP OF NORTH BERGEN

WHEREAS, the Township of North Bergen has been issued a General Stormwater Permit by the New Jersey Department of Environmental Protection Agency, which requires the establishment and adoption of a Yard Waste control ordinance for the Township; and

WHEREAS, the Ordinance shall require the use of containers for yard waste; and

WHEREAS, the Board of Commissioners wishes to adopt said Ordinance as required by the stormwater permit and applicable laws and regulations.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NORTH BERGEN that:

SECTION I. Purpose:

An ordinance to establish a yard waste collection and disposal program in, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

d. Yard Waste – means leaves and grass clippings.

SECTION III. Yard Waste Collection

Sweeping, raking, blowing or otherwise placing leaves that are not containerized at the curb or along the street is only allowed from September 15th through December 15th and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

SECTION IV. Enforcement:

The provisions of this ordinance shall be enforced by Health Department and Department of Public Works.

SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$250.00

SECTION VI. Separability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: September 14, 2005

Published: Sept. 17, 2005 & October 3, 2005

Adopted: Sept. 28, 2005

Attest: Carol Ann Fontana
Township Clerk

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| <u>Commissioner Cabrera</u> | <u>Absent</u> |
| <u>Commissioner Ferraro</u> | <u>Yes</u> |
| <u>Commissioner Gargiulo</u> | <u>Yes</u> |
| <u>Commissioner Pascual</u> | <u>Yes</u> |
| <u>Mayor Sacco</u> | <u>Yes</u> |