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Borough of Pompton Lakes, N.J.



Currently:
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ORDINANCE NO. 06-07

AN ORDINANCE OF THE BOROUGH OF POMPTON LAKES AMENDING CHAPTER 160 OF THE BOROUGH CODE, ENTITLED "SOLID WASTE COLLECTION", TO ADD A PROVISION REGARDING YARD WASTE COLLECTION.

WHEREAS, the Mayor and Council of the Borough of Pompton Lakes desire to amend Ordinance 160, to include a provision regarding yard waste collection, in order to comply with recent legislation which formalizes the manner in which municipalities must deal with storm water issues.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Chapter 160 of the Borough Code is amended to add the following:

160-8.

SECTION I. Purpose:

An Ordinance to establish a yard waste collection and disposal program in the Borough of Pompton Lakes, 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 storm water.
- 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 yard waste that is not containerized at the curb or along the street is only allowed during the seven days prior to a scheduled and announced collection, 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 the Pompton Lakes Department of Public Works.

SECTION V. Violations and Penalties

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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 \$100.

SECTION VI.

If any Article of this Ordinance or its application to any person or circumstances shall be adjudged invalid, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

This Ordinance is not meant to repeal any provisions of the Revised code of the Borough of Pompton Lakes other than those designated herein, but to add to its requirements, and all Ordinances or parts thereof inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency only.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

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