

**BOROUGH OF WEST PATERSON
ORDINANCE 06-11**

***AN ORDINANCE DESIGNATED WITHIN CHAPTER XXIII OF THE
ORDINANCES OF THE BOROUGH OF WEST PATERSON
WHICH SHALL BE KNOWN AS “STATE OF NEW JERSEY, DEPARTMENT OF
ENVIORMENTAL PROTECTION, STORMWATER COMPLIANCE”***

CONTAINERIZED YARD WASTE

SECTION I. Purpose:

An ordinance to establish requirements for the proper handling of yard waste in the Borough of West Paterson, 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 discretionary.

- 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. Prohibited Conduct:

The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste in the street. Yard waste is to be placed in Bio-degradable bags at curb line no earlier than forty-eight (48) hours to scheduled pickup, and shall not be placed closer than ten (10) feet from any storm drain inlet. If yard waste is not properly placed at the curb line, the party responsible for placement of yard waste must remove the yard waste from the area or said party shall be deemed in violation of this ordinance.

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SECTION IV. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to an to be an independent section, subsection, sentence, clause and phrase, and 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 V. Enforcement:

This ordinance shall be enforced by either or all of the following, Police Dept., Code Enforcement and/or Dept. of Public Works of the Borough of West Paterson.

SECTION VI. Penalties:

Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine not to exceed \$300.00.

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.

INTRODOUCED: October 18, 2006

ADOPTED: November 22, 2006