

**BOROUGH OF WEST PATERSON
COUNTY OF PASSAIC, STATE OF NEW JERSEY**

ORDINANCE NO. 07-13

AN ORDINANCE REQUIRING LANDSCAPE CONTRACTORS AND OTHER CONTRACTORS WHO DESIRE TO USE THE MUNICIPAL RECYCLING CENTER TO OBTAIN A LICENSE AND PAY USAGE FEES.

WHEREAS, the Borough of West Paterson seeks to adopt the following amendments to Ordinance No. 07-07

BE IT ORDAINED, by the Mayor and council of the Borough of West Paterson as follows:

1. Definition

Landscapers shall be defined as any person, partnership or corporation engaged in for profit business of landscaping, and shall not include casual employment of minors or family members.

2. License: Application:

(a) No person shall engage in the business of landscaping without first obtaining a license therefore; and

(b) Every applicant for a license under this chapter shall sign an application on forms furnished by the Borough Administrator.

3. License Fee: Identification:

The License Fee shall be \$25 for the first truck and \$5 for each additional truck thereafter per calendar year and no part of said fee shall be pro-rated for any part of the year. Payment of the fee the Administrator shall issue and identification badge or sticker for the calendar year for which the application was filed, which shall be affixed to the vehicle visibly displayed.

4. Disposal Fee

Licensed landscapers may dispose of grass clippings at the Municipal Recycling Center. The fee schedule for grass clipping disposal is \$20.00 per cubic yard. Grass clipping disposal fees are paid by voucher coupons at the Recycling Center. Five dollar (\$20.00) voucher coupons shall be purchased in advance at the Administrator's office in the Municipal Building located at 5 Brophy Lane in West Paterson.

5. Penalties:

Any person who violates any provision of this article shall, upon conviction thereof, be subject to a fine not exceeding \$1,000.00 or by imprisonment for a term not exceeding ninety (90) days or both, and to community service up to 90 hours.

6. Removal of Landscaping Debris and Lawn Clippings:

All landscapers shall provide for the removal of grass clippings and other landscaping debris, excluding leaves, and shall not leave or deposit said debris at the curbside or any other site in the Borough of West Paterson. Any landscaper who causes said grass clippings or landscape debris to remain on the site or entry into the Borough storm water sewer drainage systems, or curbside anywhere in the Borough of West Paterson shall forfeit his license to conduct business anywhere in the Borough of West Paterson and shall also be subject to the penalties provided in this Ordinance.

7. Leaf Collection:

Leaves shall be deposited at curbside only and only in biodegradable bags the day before the scheduled leaf collection.

8. Dumping:

All grass clippings must be dumped from one cubic yard containers. Landscapers shall not dump grass clippings from any vehicle.

9. Removal of Grass:

Removal of any grass clippings left on the ground is the sole responsibility of the contractor. The contractor's obligation to remove grass left on the ground is subject to periodic inspection and a fine may be assessed if appropriate.

10. Enforcement:

Enforcement shall be by the West Paterson Police Department, the Department of Public Works Superintendent or his/her designee.

11. Consistency:

All ordinances or parts of ordinances inconsistent herein are hereby repealed as to such inconsistencies.

12. Validity:

If any section, subsection, paragraph, sentence, clause or word of this ordinance shall be adjudged invalid by a Court of competent jurisdiction, then such invalidity shall not effect the validity of the remaining portions of this ordinance.

DATE INTRODUCED: July 18, 2007

DATE ADOPTED: August 15, 2007