

## **Ordinance #12-5 – Yard Waste Collection Program**

### **12-5 SECTION 1. Purpose:**

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

### **12-5 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 inconstant 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 biodegradable bags only 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.

### **12-5 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 (7) 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.

**12-5 SECTION IV. Enforcement:**

The provisions of this ordinance shall be enforced by the **Municipal Officials** of the **Borough of Victory Gardens**.

**12-5 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 \$ 1,250.00.

**12-5 SECTION VI. Severability:**

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

**12-5 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.

ALL OF WHICH IS ADOPTED this 27<sup>th</sup> day of Sept, 2005, by the **Borough of Victory Gardens**.

**BOROUGH OF VICTORY GARDENS**

Nanette Courtine  
Nanette Courtine, Mayor

ATTEST:

Deborah Evans  
Deborah Evans, Borough Clerk

**INTRODUCED:**

I hereby certify that the above is a true copy of the ordinance passed by the Mayor and Council of the Borough of Victory Gardens, Morris County, at a regular meeting held on the day of Sept 27<sup>th</sup>, 2005.

Deborah Evans  
Deborah Evans, Borough Clerk

**ADOPTED:** 9/27/05

Introduced: 8/23/05