

## **ORDINANCE #2024-5**

### **“AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE PROPER HANDLING OF YARD WASTE IN THE TOWNSHIP OF UPPER PITTSBORO”**

#### **Section I. Purpose:**

An ordinance to establish requirements for the proper handling of yard waste in the Township of Upper Pittsgrove, 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 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 onto 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, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of 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 Public Works Department.

#### **Section V. Violations and Penalties:**

Any person(s) who is found in violation of the provisions of this ordinance shall be subject to a fine not to exceed one hundred dollars (\$100).

#### **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 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.

**Dated: April 9, 2024**

**BY: Edward J. Meschi**

**ATTEST: Linda R. Stephens, RMC  
Township Clerk**

**NOTICE is hereby given that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Upper Pittsgrove in the County of Salem and State of New Jersey on the 9<sup>th</sup> day of April, 2024 and will be considered for final passage after a public hearing to be held by said Township Committee at Township Hall, Pole Tavern, New Jersey on the 14<sup>th</sup> day of May, 2024 at 7:00P.M.**

**Linda R. Stephens, RMC  
Township Clerk**