

BOROUGH OF GARWOOD

ORDINANCE NO. 05-17

AN ORDINANCE TO AMEND CHAPTER 99 (HEALTH AND SANITATION) OF THE CODE OF THE BOROUGH OF GARWOOD TO ESTABLISH A YARD WASTE COLLECTION AND DISPOSAL PROGRAM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF GARWOOD:

SECTION 1. Chapter 99 (Health and Sanitation) of the Code of the Borough of Garwood is hereby amended by enacting Article VII A (Yard Waste Collection Program) as follows:

**ARTICLE VII A
YARD WASTE COLLECTION PROGRAM**

§99-40.1. Purpose.

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

§99-40.2. 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 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.

§99-40.3. 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.

§99-40.4. Enforcement.

The provisions of this ordinance shall be enforced by the Police Department, Department of Public Works and Board of Health of the Borough of Garwood.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

SECTION 4. This ordinance shall take effect upon final passage and publication in accordance with law.

INTRODUCED: MAY 24, 2005

ADOPTED: June 14, 2005

APPROVED:

DENNIS J. McCARTHY, Mayor

ATTEST:

CHRISTINA M. ARIEMMA, Municipal Clerk

RECORDED VOTE	INTRODUCTION	ADOPTED
COUNCIL PRESIDENT TUCKER	AYE	AYE
COUNCILMAN DeFILIPPO	AYE	AYE
COUNCILMAN LOMBARDO	AYE	ABSENT
COUNCILMAN MITCHELL	AYE	AYE
COUNCILMAN SCHADEWALD	AYE	AYE
COUNCILWOMAN VILLAGGIO	AYE	AYE