

BOROUGH OF ROCKLEIGH

ORDINANCE #2023-5

AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE PROPER HANDLING OF YARD WASTE AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the Mayor and Council of the Borough of Rockleigh, in the County of Bergen, and State of New Jersey as follows:

Section 1. Purpose.

This Ordinance is intended to establish requirements for the proper handling of yard waste so as to protect the public health, safety and welfare and to prescribe penalties for the failure to comply.

Section 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.

CONTAINERIZED

Shall mean 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.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

STREET

Shall mean 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.

YARD WASTE

Shall mean leaves and grass clippings.

Section 3. 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 4. Enforcement.

The provisions of this Ordinance shall be enforced by the Police Department providing police services to the Borough of Rockleigh and the Borough Board of Health.

Section 5. Penalties.

Any person who is convicted of violating any provisions of this Ordinance shall be subject to such fine and general penalty as set forth in §1-5, General Penalty, of the Code of the Borough of Rockleigh, within the discretion of the Municipal Court Judge.

Section 6. Severability.

If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such subject shall be rendered.

Section 7. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 8. Effective Date.

This Ordinance shall take effect after publication thereof and final passage as required by law.

JAMES PONTONE, Mayor

MARCELLA GIAMPICCOLO, RMC
Borough Clerk

Introduced: March 6, 2023
Adopted:
Approved: