

ORDINANCE NO. 2006 - #9

**AN ORDINANCE TO SUPPLEMENT
CHAPTER 28 RECYCLING, OF THE
REVISED ORDINANCES OF THE BOROUGH
OF RINGWOOD TO PROVIDE
REGULATIONS REGARDING THE YARD
WASTE COLLECTION PROGRAM**

BE IT ORDAINED by the Municipal Council of the Borough of Ringwood, County of Passaic and State of New Jersey, that Chapter 28, Recycling, of the Revised Ordinances of the Borough of Ringwood is amended and supplemented to provide for the following additional regulations:

SECTION 1. The Revised Ordinances of the Borough of Ringwood, Chapter 28, is hereby amended and supplemented by the addition of the following new Article 3: “Yard Waste Collection Program” to provide as follows:

**Article 3
Yard Waste Collection Program**

28-3.1	Purpose
28-3.2	Definitions
28-3.3	Prohibited Conduct
28-3.4	Enforcement
28-3.5	Violations and Penalties
28-3.6	Severability
28-3.7	Effective Date

28-3.1 Purpose

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

28-3.2 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 right-of-way, including 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.

28-3.3 Prohibited Conduct

- a. 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 on the street unless it is in the shoulder of the street and either removed within three (3) days or containerized and removed within seven (7) days. The property owner or occupant shall be responsible for yard waste placed on the street fronting their property.
- b. Yard waste shall not be placed closer than ten (10) feet from any storm drain inlet.
- c. Yard waste shall not be placed or allowed to remain in a Borough drainage easement adversely affecting the free flow of stormwater on any privately-owned property.
- d. Yard waste shall not be deposited into any open waters in the Borough of Ringwood.

28-3.4 Enforcement

The provisions of this ordinance shall be enforced by the police department, code enforcement officer and/or the recycling coordinator of the Borough of Ringwood.

28-3.5 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 \$2,000.00.

28-3.6 Severability

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be 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.

28-3.7 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.

Introduced: March 7, 2006

Adopted: March 21, 2006

Attest:

JOANNE ATLAS, MAYOR

KELLEY A. ROHDE, RMC
Borough Clerk