

### **13-3 YARD WASTE.**

#### **13-3.1 Purpose.**

The purpose of this section is to establish requirements for the proper handling of **yard waste** in the Borough of Haworth, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. This section is adopted in accordance with the New Jersey Municipal Stormwater Regulation Program, in order to implement the Best Management Practices required by the Tier A. Municipal Stormwater General Permit issued to the Borough of Haworth by the New Jersey Department of Environmental Protection. (Ord. No. 917 § 1)

#### **13-3.2 Definitions.**

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section 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* shall mean 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.  
(Ord. No. 917 § 1)

#### **13-3.3 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 section. (Ord. No. 917 § 1)

#### **13-3.4 Enforcement.**

The provisions of this section shall be enforced by the Haworth Police Department. (Ord. No. 917 § 1)

#### **13-3.5 Violations and Penalty.**

Any person(s) who continues to be in violation of the provisions of this section, after being duly notified, shall, upon conviction thereof, be punished for a first offense by a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars, as determined by the Municipal Court Judge. For a second or subsequent offense, a fine of not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) dollars, shall be imposed. A separate offense shall be deemed committed on each day during, or on which, a violation occurs or continues. (Ord. No. 917 § 1)

## **13-4 YARD WASTE COLLECTION AND DISPOSAL PROGRAM.**

### **13-4.1 Purpose.**

The purpose of this section is to establish a **yard waste** collection and disposal program in the Borough of Haworth, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. This section is adopted in accordance with the New Jersey Municipal Stormwater Regulation Program, in order to implement the Best Management Practices required by the Tier A. Municipal Stormwater General Permit issued to the Borough of Haworth by the New Jersey Department of Environmental Protection. (Ord. No. 918 § 1)

### **13-4.2 Definitions.**

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section 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* shall mean 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.  
(Ord. No. 918 § 1)

### **13-4.3 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 ten (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 section. 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 section. (Ord. No. 918 § 1)

### **13-4.4 Enforcement.**

The provisions of this section shall be enforced by the Haworth Police Department. (Ord. No. 918 § 1)

### **13-4.5 Violations and Penalty.**

Any person(s) who continues to be in violation of the provisions of this section, after being duly notified, shall, upon conviction thereof, be punished for a first offense by a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars, as determined by the Municipal Court

Judge. For a second or subsequent offense, a fine of not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) dollars, shall be imposed. A separate offense shall be deemed committed on each day during, or on which, a violation occurs or continues. (Ord. No. 918 § 1)