

ORDINANCE # 2024-13

**AN ORDINANCE TO AMMEND PART II, GENERAL LEGISLATION, CHAPTER 259, SOLID WASTE,
TO ESTABALISH ARTICLE III, "YARD WASTE"**

WHEREAS, on December 1, 2022, the New Jersey Department of Environmental Protection issued a Final Stormwater Discharge Master General Permit Renewal (Permit Number NJ0141852) in accordance with N.J.A.C. 7:14A; and as part of the above referenced permit renewal the Township of Allamuchy was reassigned to Tier A under N.J.A.C. 7:14a-25.3(a)1; and the requirements of the above referenced permit for municipalities assigned to Tier A includes a requirement to adopt certain community-wide ordinances; and the Township is required to adopt and enforce an ordinance that prohibits placing non-containerized yard wastes into the street and prohibits placing non-containerized yard waste at the curb or along the street within 10 feet of any storm drain inlet and no sooner than seven (7) days prior to a scheduled and announced collection; and the NJDEP has created a model Yard Waste ordinance for adoption by municipalities to comply with the permit requirements; and the Township Council seeks to adopt the model Yard Waste Ordinance in order to satisfy the conditions of the NJDEP MS4 permit.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Allamuchy, Country of Warren, State of New Jersey as follows:

Section I

Chapter 259, Solid Waste, of the General Legislation is hereby amended by adding thereto a new Article III, entitled "Yard Waste", to meet the requirements of the NJPDES MS4 Permit.

§259-17 Purpose.

Establishing proper management of residential yard waste in Allamuchy Township to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

§259-18 Definitions.

For this Article, the following terms, phrases, words, and their derivations, shall have the meanings stated herein unless their use in the text of this Code clearly demonstrates a different meaning. When consistent with the context, words used in the present tense includes 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

The placement of yard waste in a trash can, bucket, bag, or other container to prevent yard waste from spilling or blowing out into the street and contaminating stormwater.

PERSON

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

STREET

An improved or unimproved public road in a city or town which includes driving lanes, shoulders, gutters, curbs, sidewalks, and parking areas.

YARD WASTE

Loose leaves and grass clippings.

§259-19 Regulated Activities.

- A. No person shall sweep, rake, blow, or otherwise place yard waste into the street unless it is for a scheduled collection.
- B. For non-containerized (loose) yard waste collection:
 - (1) Placement of loose yard waste must be at least ten (10) feet away from any storm drain inlet and no sooner than seven (7) days prior to a scheduled and announced collection.
- C. For containerized yard waste collection:
 - (1) Yard waste shall be placed in an appropriate container at the curb or along the street for collection.

Placement of such yard waste on the street at any other time or in any other manner is a violation of this Chapter. If such placement of yard waste occurs, the person responsible for placement of the yard waste shall be in violation of this Chapter and must remove the yard waste immediately.

§259-20 Enforcement.

This Article shall be enforced by the Health Official, Zoning Officer, and Superintendent/Supervisor of the Public Works Department, and/or the Township Zoning Officer. Enforcement shall commence upon the effective date of this Article.

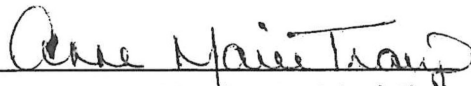
§259-21 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall, upon conviction, be liable to the general penalty in Chapter 1, Article II, General Penalty, of the Township Code.


Section II

1. All ordinances or part of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.
2. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.
3. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

ATTEST:

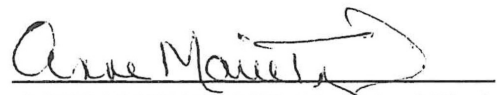

ANNE MARIE TRACY, Municipal Clerk

TOWNSHIP OF ALLAMUCHY


ROSEMARY TUOHY, Mayor

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Allamuchy Township Mayor and Council held on March 27, 2024 and will be considered for final reading and adoption at the meeting of the Allamuchy Township Mayor and Council to be held on April 24, 2024 at 6:30 P.M. at the Municipal Building, 292 Alphano Road, Allamuchy, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance.


ANNE MARIE TRACY, Municipal Clerk

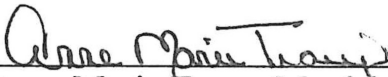
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WASTE, TO ESTABLISH ARTICLE III, "YARD WASTE"**


Take notice, the foregoing Ordinance was introduced and passed on first reading by the Township Council of the Township of Allamuchy on March 27, 2024 at a meeting of said Council held at Allamuchy Town Hall, Allamuchy, New Jersey and was given further consideration and finally passed at a meeting of the Allamuchy Township Council held April 24, 2024 at Allamuchy Town Hall, Allamuchy, N.J.

This Ordinance shall take effect twenty days after final passage and publication in accordance with law.

ATTEST:



Anne Marie Tracy, Municipal Clerk



Rosemary Tuohy, Mayor