

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3035**

AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 164, GARBAGE, RUBBISH AND REFUSE, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, improved sanitation storage standards are vital to the revitalization of the City of Garfield and the improvement of the quality of life of its residents; and

WHEREAS, the use of resources by certain establishments has had a financial impact to the City of Garfield and its residents; and

WHEREAS, the Governing Body of Garfield believes it is in the best interest of the City of Garfield to Amend Part II General Legislation, Chapter 164, of the Code of the City of Garfield;

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, as follows:

Section 1. The current text of City Ordinance that Part II, General Legislation, Chapter 164, Garbage, Rubbish and Refuse, Section 164-3, Storage and placement, is hereby amended as follows:

§ 164-3 Storage and placement.

- A.** Storage. Garbage, refuse, solid waste, recyclables or any other materials awaiting collection shall be deposited in a covered container(s) or receptacles in accordance with Chapter 201 of the City code, which shall be kept in an upright position and regularly disinfected.
- B.** Placement. Refuse receptacles shall not be stored in front or on side of buildings or houses between collections, except in a fully enclosed structure; or kept in such place or places out of public view and so as not to become a nuisance to the occupants of any dwelling.
- C.** Dumpsters. Any establishment requiring the use of dumpsters shall do so in accordance with Chapter 287, Article of the City Code.
- D.** Penalties. Each property owner who violates this section shall be subject to the following penalties:
 - 1. First offense: A \$150 fine, payable by mail or in person or online. Court appearance is not required.

2. Second offense within a twelve-month period: A \$250 fine, payable by mail or in person or online. Court appearance is not required.
3. Third offense within a twelve-month period: A fine of \$500 and a mandatory court appearance. The City Municipal Judge shall have the authority to sentence the offending party to not less than eight hours and no more than 30 hours of community service.
4. Fourth offense and each offense thereafter, within a twelve-month period: A fine of not less \$1,000 and not greater than \$2,000 and a mandatory court appearance. The City Municipal Judge shall have the authority to sentence the offending party to not less than 100 hours and no more than 200 hours of community service.

Section 2. Severability.

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

Section 3. 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.

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Introduced: April 30, 2024

Adopted: May 21, 2024

APPROVED: _____

Richard Rigoglioso, Mayor