

BOROUGH OF POMPTON LAKES

AN ORDINANCE OF THE BOROUGH OF POMPTON LAKES, STATE OF NEW JERSEY, TO AMEND AND SUPPLEMENT CHAPTER 14 ENTITLED REFUSE AND RECYCLING, ARTICLE II OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES

WHEREAS, the Borough Council of the Borough of Pompton Lakes currently provides property tax relief to qualified seniors, veterans and disabled citizens and surviving spouses of said citizens, (“Citizenry”), pursuant to N.J.S.A. 54:4-3.30 et seq., N.J.S.A. 54:4-8.10 et seq. and N.J.S.A. 54:4-8.40 et seq. (“State Statutes”); and

WHEREAS, in an effort to further minimize the financial and physical burden placed on the Citizenry, the Borough wishes to permit Landscapers providing landscaping services to the Citizenry to enter the Recycling Center two times per month only during the period of April 15th through October 15th to deposit grass clippings from only those properties owned by the Citizenry within the Borough who meet the qualifications and receive written permission from the Borough; and

WHEREAS, the Citizenry who wish to take part in this program shall complete a Landscaper Grass Removal application and submit it to the Borough for review and consideration; and

WHEREAS, the Borough will evaluate applications for eligibility using the same criteria set forth in the State Statutes; and

WHEREAS, the Borough reserves the right to accept or reject said application based upon the Citizenry meeting or failing to meet the eligibility requirements as set forth in the State Statutes; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law.

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough in the County of Passaic and the State of New Jersey as follows:

SECTION 1. Article II, “Recycling Center,” Chapter 14 “Refuse and Recycling,” Section 2.2., “Usage; Penalty for Violations” is hereby amended and supplemented as follows to include a new subsection A (1):

Note: Additions are shown in **bold and underlined**

§ 14-2.2. Usage; Penalty for Violations.

A. The Recycling Center is open to Borough residents. Commercial establishments located in the Borough shall be permitted access to the Recycling Center. Residents wishing to dispose of their recyclable materials must present proof of residency, either through driver's license or some other form of identification, before they will be allowed access to the center.

(1) Use of Recycling Center by qualified seniors, veterans and disabled citizens and surviving spouses of said citizens (“Citizenry”):

Qualified residents that have completed a Landscaper Grass Removal Application and receive Borough’s approval based upon the criteria set forth in N.J.S.A. 54:4-3.30 et seq., 54:4-8.10 et seq. and N.J.S.A. 54:4-8.40 et seq. (“State Statutes”) shall receive written

authorization for Landscapers providing landscaping services to the applicant for property within the Borough to dispose of grass clippings at the Recycling Center two times per month during the period of April 15th through October 15th. Landscapers shall be required to provide a copy of the Borough's written approval prior to being able to dispose of said grass clippings.

The Citizenry who wishes to take part in this program shall complete a Landscaper Grass Removal application and submit it to the Borough for review and consideration.

The Borough will evaluate applications within a reasonable period to determine eligibility using the same criteria set forth in the State Statutes.

The Borough reserves the right to accept or reject said application based upon the Citizenry meeting or failing to meet the eligibility requirements as set forth in the State Statutes. The Borough will provide the Citizenry with written notification of its approval or denial of applications within a reasonable period. No Citizenry will be permitted to take part in this program unless and until it receives the Borough's written approval.

B. All recyclable materials shall be placed inside the Recycling Center. No recyclables shall be placed outside the gates of the Recycling Center. Any person or persons violating the provisions of this section shall, upon conviction thereof, be subject to a fine of \$500 and 15 days of community service, or by imprisonment for a term not exceeding 90 days, or both.

SECTION 2. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.

SECTION 3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

SECTION 4. This ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

NOTICE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the regular meeting of the Mayor and Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey held in the Municipal Building on the 22nd day of March, 2023, and the same came up for final passage at the regular meeting of the Mayor and Borough Council held on the 12th day of April, 2023 at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Borough of Pompton Lakes after approval by the Mayor or in accordance with law.

Approved:

Michael Serra, Mayor

Elizabeth Brandsness, Borough Clerk