

TOWNSHIP OF ROCHELLE PARK

ORDINANCE NO. #1200-24

AN ORDINANCE TO AMEND CHAPTER 112 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK AND, SPECIFICALLY, TO AMEND SECTION 112-6 ENTITLED “STORAGE OF WASTE; COLLECTION” AND SECTION 112-8 ENTITLED “VIOLATIONS AND PENALTIES.”

WHEREAS, Chapter 112 of the Code of the Township of Rochelle Park controls and regulates garbage, rubbish and refuse within the Township; and

WHEREAS, Section 112-6 of the Township Code entitled “Storage of Waste; Collection” regulates the way in which waste must be stored at a property within the Township; and

WHEREAS, Section 112-8 of the Township Code entitled “Violations and Penalties” states the penalties for violations regarding the way waste must be stored at a property within the Township; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to revise the above referenced sections to address the placement of waste being stored on properties within the Township; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ROCHELLE PARK, COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

SECTION ONE:

Section 112-6 is amended to add the following new section:

Section 112-6 N. All residential rubbish, trash, garbage, tree trimmings and similar materials and their containers, must be stored in the rear yard of the property or the side yard of the property when not placed out for collection. In addition, all residential rubbish, trash, garbage, tree trimmings and similar materials and their containers must be stored and placed out for collection in a manner that does not present a nuisance to the public.

Section 112-8 is amended as follows:

- A. For the first offense in any calendar year, by a fine of \$50.
- B. For the second offense in any calendar year, by a fine of \$100.

- C. For the third offense in any calendar year, by a fine of between \$200 and \$350. A court appearance shall be mandatory for a third offense.
- D. For the fourth offense, by a fine up to \$1,000, and/or imprisonment for a term not exceeding 90 days, or any combination thereof. A court appearance shall be mandatory for a fourth offense.

SECTION TWO. **Repealer:**

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION THREE: **Severability:**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION FOUR: **Effective Date:**

This Ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.

ATTEST:

ANNEMARIE WELLS
Acting Municipal Clerk
