

TOWNSHIP OF ROCHELLE PARK

ORDINANCE NO. #1201-24

AN ORDINANCE TO AMEND CHAPTER 112 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK AND, SPECIFICALLY, TO AMEND SECTION 112-16 ENTITLED “RECEPTACLE REQUIREMENTS; TIME OF PLACEMENT” AND SECTION 112-18 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 112-16 of the Township Code entitled “Receptacle Requirements; Time of Placement” regulates the way in which recyclables must be stored at a property within the Township; and

WHEREAS, Section 112-18 of the Township Code entitled “Violations and Penalties” states the penalties for violations regarding the way recyclables 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 sections to address the placement of recyclables 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 112-16 A is deleted and replaced with the following:

Section 112-16 A. General. All receptacles required herein shall be supplied by the occupant and/or owner of the premises, and all recyclable material receptacles must be stored on the side or rear yard of the property when not placed out for collection. In addition, recyclable material receptacles must be stored and placed out for collection in a manner that does not present a nuisance to the public. The occupant and/or owner shall keep all receptacles clean and in condition for safe handling. Recyclable materials shall be placed between the curb and sidewalk in containers or bundles for collection. Recyclable materials including containers or bundles shall not be placed at the curb for collection prior to 6:00 p.m. on the day preceding

collection, nor shall any containers or bundles be left at the curb beyond 8:00 p.m. of the day of collection.

Section 112-18 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 112-19 is deleted.

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
