

**BOROUGH OF SUSSEX
COUNTY OF SUSSEX
ORDINANCE NO. 2023-31**

AN ORDINANCE TO AMEND CHAPTER 15, ENTITLED “GARBAGE AND RECYCLING” OF THE CODE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY.

BE IT ORDAINED by the Borough Council of the Borough of Sussex in the County of Sussex, as follows:

SECTION 1. Section 15-1, entitled “Definitions” of Chapter 15, entitled “Garbage and Recycling” of the Code of the Borough of Sussex is amended to add the following definition:

CONTAINERIZED

Shall mean the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

PERSON

Shall mean any individual, corporation, company, partnership, firm, association, organization or a political subdivision of this State subject to municipal jurisdiction.

STREET

Shall mean any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

SECTION 2. “Recyclable Class and Definitions” of Section 15-1, entitled “Definitions” of Chapter 15, entitled “Garbage and Recycling” of the Code of the Borough of Sussex is amended to replace the following:

10. LEAVES AND BRUSH LEAVES

Shall mean brush and other yard trimmings, including grass clippings, from institutions, commercial or industrial sources.

WITH THE FOLLOWING:

10. YARD WASTE

Shall mean leaves, grass clippings, brush and other yard trimmings.

SECTION 3. Section 15-8, entitled “Collection of Recyclable Materials” of Chapter 15, entitled “Garbage and Recycling” is hereby amended to add Paragraph (c) which shall read as follows:

- c. For requirements regarding Yard Waste, see § 15-8.1

SECTION 4. Chapter 15, entitled “Garbage and Recycling” is hereby amended to add Section 15-8.1, entitled “Collection of Yard Waste” of which shall read as follows:

§ 15-8.1. Collection of Yard Waste.

- a. Containerized yard waste shall be placed only at the curb or along the street, shall only be allowed during the seven days prior to a scheduled and announced yard waste collection and shall not be placed closer than 10 feet from any storm drain inlet.
- b. If non-containerized yard waste is placed in a street, or if containerized yard waste is placed in a street more than seven days before a scheduled and announced yard waste collection, or if containerized yard waste is placed closer than 10 feet from any storm drain inlet, the person who generates or is responsible for placement of yard waste must immediately remove the yard waste from the street.
- c. The owner or occupant of any property, and any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste in the street, unless the yard waste is containerized, subject to the prohibitions set forth in paragraphs (a) and (b) of this Section.

SECTION 5. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. This Ordinance shall take effect after publication and passage according to law.

Attest:

Antoinette Smith, Borough Clerk

Edward Meyer, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance 2023-31 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on November 9, 2023 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on December 5, 2023 at Borough Hall, 2 Main Street, in the Borough of Sussex at 7:00 p.m. and via the internet, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force and effect according to law.

Antoinette Smith, RMC