

ORDINANCE 327-24

AN ORDINANCE OF THE TOWNSHIP OF UPPER FREEHOLD AMENDING CHAPTER 17 SOLID WASTE MANAGEMENT, OF THE MUNICIPAL CODE OF THE TOWNSHIP OF UPPER FREEHOLD.

BE IT HEREBY ORDAINED by the Township Committee of the Township of Upper Freehold that Chapter 17, of the Municipal Code of the Township of Upper Freehold is hereby amended, with the following Section 17-2 entitled Containerized Yard Waste added as follows:

SECTION 1. Chapter 17 is amended as follows:

§ 17-2 CONTAINERIZED YARD WASTE.

§ 17-2.1 Purpose.

An ordinance to establish requirements for the proper handling of yard waste in the Township of Upper Freehold so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 17-2.2 Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Containerized – means 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.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street - means 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.
- d. Yard Waste – means leaves and grass clippings.

§ 17-2.3 Prohibited Conduct.

The owner or occupant of any property, or 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, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

§ 17-2.4 Enforcement.

The provisions of this ordinance shall be enforced by the Township of Upper Freehold Code Enforcement Officer.

§ 17-2.5 Violations and Penalties.

Any person who violates or fails to comply with any provision of this section or any rule or regulation promulgated pursuant thereto by resolution of the Township Committee to the penalty stated in Chapter 1, Section 1-5.

SECTION 2. REPEALER.

The remainder of all other sections and subsections of the aforementioned ordinances not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES.

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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 5. 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.

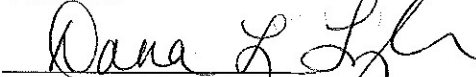
Approved on First Reading: February 1, 2024

Approved, Passed & Adopted: April 11, 2024

DATED: April 11, 2024


Dr. Robert A. Frascella, Mayor

ATTEST:


Dana L. Tyler, RMC
Municipal Clerk/Administrator