

ORDINANCE 328-24

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 17-3 entitled Yard Waste Collection Program added as follows:

SECTION 1. Chapter 17 is amended as follows:

§ 17-3 YARD WASTE COLLECTION PROGRAM.

§ 17-3.1 Purpose.

An ordinance to establish a yard waste collection and disposal program in the Township of Upper Freehold, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 17-3.2 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.

§ 17-3.3 Yard Waste Collection.

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

§ 17-3.4 Enforcement.

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

§ 17-3.5 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.

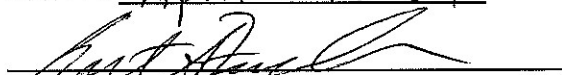
Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

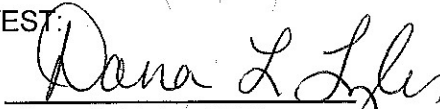
SECTION 5. EFFECTIVE DATE.

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