

ORDINANCE 2020-07

AN ORDINANCE OF THE BOROUGH OF CHESTER, MORRIS COUNTY, STATE OF NEW JERSEY, AMENDING THE CODE OF THE BOROUGH OF CHESTER, CHAPTER 201 (SOLID WASTE), SECTION 201-13 (SOLID WASTE), PARAGRAPH A, OF THE BOROUGH CODE

WHEREAS, municipalities are empowered to make, amend, repeal, and enforce its ordinances pursuant to Statute (N.J.S.A. 40:48-1, et seq.); and

WHEREAS, municipalities are required by Statute to follow specific procedures for the passage of ordinances (N.J.S.A. 40:49-2 et seq.); and

WHEREAS, the Borough of Chester is vested with certain police powers to promote and protect safety and health; and

WHEREAS, pursuant to those powers the Borough of Chester has entered into a certain shared services agreement with Mount Olive Township for the provision of curbside residential solid waste pickup; and

WHEREAS, the Mayor and Borough Council wish to address the type of waste container that must be used for compatibility with the means of curbside residential solid waste pickup employed by Mount Olive Township, by way of amendment to the Borough Code, Part II, Chapter 201, Section 201-13, Paragraph A ;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Chester, County of Morris, State of New Jersey that the Borough Code is hereby amended and as follows:

SECTION 1. Part II (General Legislation), Chapter 201 (Solid Waste), Section 201-13(A) is hereby amended to read as follows:

§ 201-13 Collections.

- A. Residents receiving garbage collection services from the Borough shall dispose of solid waste by placing such solid waste in a single ninety-six gallon or a single sixty-five gallon container provided by the Borough as part of its automated trash collection program. Said container shall be placed at the street curb of the premises or edge of the pavement in front of the premises for pick up on the days prescribed by resolution from time to time. Replacement containers must be purchased from the Borough if it has containers available, or from the waste hauler if the Borough does not have containers available, unless the hauler acknowledges that it damaged a container and necessitated its replacement.

SECTION 2. If any Chapter, Article, Section or Subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction such decisions shall not affect the remaining portions of this Ordinance.

SECTION 3. All ordinances or rules or regulations of the Borough of Chester, which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect upon passage and publication according to law.

Dated: May 5, 2020

Janet Hoven, Mayor

Attest:

Denean Probasco, Municipal Clerk

NOTICE OF FINAL ADOPTION

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Chester, in the County of Morris, New Jersey, held on the 5th day of May, 2020, and the same came up for final passage at a remote meeting of said Borough Council on the 16th day of June, 2020 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law. By order of the Borough Council of the Borough of Chester, County of Morris and State of New Jersey.

Denean Probasco, RMC
Municipal Clerk
Borough of Chester