

## **CONTAINERIZED YARD WASTE**

**Section 5.** There is hereby created a new section 3-24 entitled "Containerized Yard Waste" which reads as follows:

### **3-24 CONTAINERIZED YARD WASTE**

#### **3-24.1 Purpose.**

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

#### **3-24.2 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 payment, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- d. Yard Waste - means leaves and grass clippings.

#### **3-24.4 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.

### **3-24.5 Enforcement.**

The provisions of this ordinance shall be endorsed by the Code Enforcement Officer, the Borough Police Department and the Sanitation Officer.

### **3-24.6 Violations and Penalties.**

Any person who violates the provisions of this section shall, upon conviction, be liable to the penalties stated in §1-5 of this Code.