

**BOROUGH OF LODI
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE NO. 606-23

AN ORDINANCE TO ESTABLISH A YARD WASTE COLLECTION AND DISPOSAL PROGRAM IN THE BOROUGH OF LODI, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY.

BE IT ORDAINED by the Mayor and Council of the Borough of Lodi as follows:

SECTION I. 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 Ordinance 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 other 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.

SECTION II. Yard Waste Collection:

Sweeping, raking, blowing, or otherwise placing yard waste that is not containerized at the curb or along the street is not allowed at any time as non-containerized yard waste would have the tendency to enter the storm drain system. Containerized yard waste shall be placed at the curb (but not into the street) on the day prior to a scheduled and announced collection, if such a day shall be announced 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 immediately remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

SECTION III. Enforcement:

The provisions of this ordinance shall be enforced by the Police Department of the Borough of Lodi and such other persons as the Mayor and Council shall charge with enforcement authority.

SECTION IV. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not less than \$250 and not more than \$1,250.

SECTION V. 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 VI. Effective date:

This Ordinance shall be in full force and effect 10 days from and after its adoption and any publication as may be required by law.

MAY 15 2006

	AYE	NAY	ABSTAINED	ABSENT
5 J.C. PIPARO	✓			
B. McCASKEY	✓			
M M.N. SCHRIEKS	✓			
K. VISCANA	✓			
MAYOR PAPAROZZI	✓			

JUN 19 2006

	AYE	NAY	ABSTAINED	ABSENT
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B. McCASKEY	✓			
M M.N. SCHRIEKS	✓			
K. VISCANA	✓			
MAYOR PAPAROZZI	✓			