ORDINANCE - 2005-30

AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 195 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED "SOLID WASTE"

BE IT ORDAINED by the Township Committee of the Township of Colts Neck, County of Monmouth, State of New Jersey as follows: (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~).

1. That Section 195-1 of Article I "Recycling" in Chapter 195 "Solid Waste" is hereby amended and supplement in the following parts only:

§ 195-1I To provide for recycling of brush and leaves, the Township will schedule appropriate collection and/or chipping of leaves and brush at curbside for subsequent use as groundcover or mulch within the Township or elsewhere. See Article II "Yard Waste Collection Program" in this Chapter for additional requirements.

2. That Chapter 195 "Solid Waste" of The Code of the Township of Colts Neck is herby amended and supplemented to establish a new Article II entitled "Yard Waste Collection Program" as follows:

ARTICLE II
Yard Waste Collection Program

§195-8 Purpose:

To establish a yard waste collection and disposal program in the Township of Colts Neck, so as to protect pubic health, safety and welfare and to prescribe penalties for the failure to comply.

195-9 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 Article 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, paring areas, and other areas within the street lines.

d. Yard Waste – means leaves and brush

§ 195-10 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.

§ 195-11 Enforcement:

This Article shall be enforced by the Police Department and/or Code Enforcement Officer of the Township of Colts Neck.

§ 195-12 Violations and penalties:

Unless otherwise specified herein, for a violation of any provision of this Article, the maximum penalty, upon conviction thereof, shall be a find not exceeding $1,000.00 or community service not exceeding 90 days, or any combination thereof.

3. Severability. If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

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

5. Inconsistent ordinance. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

6. This ordinance shall take effect immediately upon passage, publication and filing according to law.

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of the Township of Colts Neck on the 21st day of December, 2005

Benjamin T. Forester, Mayor

Robert Bowden, Township Clerk

ORDINANCE READING	DATE
1ST READING BY TITLE:	November 30, 2005
2ND READING BY TITLE:	December 21, 2005

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
Motion To Approve		X			
Motion Seconded			X		
Approve	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					