

**AN ORDINANCE TO SUPPLEMENT CHAPTER 12,
SEWERS AND WATER, BY CREATING ARTICLE
7, ESTABLISHING A YARD WASTE COLLECTION
AND DISPOSAL PROGRAM OF THE MUNICIPAL
CODE OF THE CITY OF PLAINFIELD,
NEW JERSEY, 1971**

MC 2007 - 10

SECTION 1. Purpose:

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

SECTION 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.

SECTION 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.

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SECTION 4. Enforcement:

The provisions of this ordinance shall be enforced by the Division of Inspections of the City of Plainfield.

SECTION 5. 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 to exceed \$500 for each offense.

SECTION 6. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be 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 7. Effective date:

This Ordinance shall take effect after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or on override of a mayoral veto by the council, whichever is applicable in accordance with law, unless a resolution is adopted pursuant to N.J.S.A. 40:69a-181(b) declaring an emergency and providing that this ordinance shall take effect at an earlier date.

FIRST READING

JULY 18, 2007