



TOWNSHIP OF WINFIELD -ORD. # 472
COUNTY OF UNION, STATE OF NEW JERSEY
AN ORDINANCE REGULATING THE PLACEMENT, HANDLING & COLLECTION
OF YARD WASTE TO PROTECT PUBLIC HEALTH, SAFETY, & WELFARE

SECTION I. Purpose:

The purpose of this Ordinance is to establish uniform requirements for the preparation, placement, collection, and disposal of yard waste within the Township of Winfield, in order to protect public health, safety, and welfare; prevent yard waste from entering stormwater systems; comply with applicable New Jersey Department of Environmental Protection (NJDEP) stormwater regulations; and prescribe penalties for violations.

SECTION II. 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 - The placement of yard waste in a trash can, bucket, bag, or other durable vessel that prevents the yard waste from spilling, blowing, or being washed into the street or into stormwater conveyance systems.
- b. Person - Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street - 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 - Leaves and grass clippings.
- e. Loose Yard waste - Leaves and grass clippings that are not containerized.

SECTION III. General Rules for Yard Waste:

- A. General Prohibition
Except as provided in Section IV below, no person shall sweep, rake, blow, pile, or otherwise place loose yard waste in any street or upon any portion of the public right-of-way. All yard waste placed for disposal at any time other than the permitted leaf-collection period must be containerized.
- B. Responsibility for Violation
If loose yard waste is placed in the street in violation of this Ordinance, the owner, occupant, or landscaping contractor responsible for the placement shall promptly remove such waste. Failure to do so constitutes a violation.

SECTION IV. Seasonal Leaf Collection Exception

- A. Limited Exception
Loose yard waste may be placed at the curb only during the seven (7) days immediately preceding a scheduled and publicly announced leaf collection and/or during weekends of the months of October, November and December.
- B. Storm Drain Protection Requirement
Loose yard waste placed pursuant to this section shall not be located within ten (10) feet of any storm drain inlet.
- C. Prohibited Conduct Outside the Authorized Period
Loose yard waste placed at the curb or in the street at any time other than the permitted seven-day collection window is strictly prohibited and constitutes a violation.

SECTION V. Enforcement:

The provisions of this ordinance shall be enforced by the Township of Winfield and its designated agents.

SECTION VI. Violations and Penalties

Any person found to be in violation of any provision of this Ordinance shall be subject to:

- A. A fine of not less than one hundred dollars (\$100) for the first offense; and
- B. A fine for any subsequent offense not to exceed one thousand dollars (\$1,000).

Each day a violation continues shall constitute a separate and distinct offense.

SECTION VII. Severability

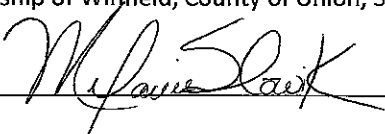
If any section, subsection, clause, or phrase of this Ordinance is found to be unconstitutional, invalid, or unenforceable, such portion shall be deemed severable, and all remaining portions shall remain in full force and effect.

SECTION VIII. Repealer

Ordinance Nos. 367 and 368 are hereby repealed in their entirety. All other prior ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are likewise repealed, only to the extent of such inconsistency.

SECTION IX. Effective Date

This Ordinance shall take effect upon final passage and publication as required by law.

INTRODUCTION						COMMITTEE MEMBER	FINAL ADOPTION					
Moved	Second	Aye	Nay	Absent	NP		Moved	Second	Aye	Nay	Absent	NP
X		X				ADAM D. KOOMER	X		X			
	X	X				JOSEPH P. BYRNE		X	X			
		X				MAYOR ROBERT F. REILLY			X			
						I hereby certify the above ordinance was adopted by the Township Committee of the Township of Winfield, County of Union, State of New Jersey on the aforementioned date.						
						 Melanie Slowik, Acting Township Clerk						