

TOWNSHIP OF PEMBERTON
ORDINANCE NO. 10-2018

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON
AMENDING CHAPTER 81 OF THE CODE OF THE
TOWNSHIP OF PEMBERTON, ENTITLED 'YARD WASTE'

WHEREAS, the purpose of this ordinance is to amend Chapter 81 of the Code of the Township of Pemberton which established a yard waste collection and disposal program.

NOW, THEREFORE, IT IS ORDAINED that Chapter 81 of the Code of the Township of Pemberton is hereby amended solely, as follows:

- 1. Article I. Collection and Disposal Program is repealed in its entirety.**
- 2. Article II shall be re-designated as Article I, retitled "Collection and Disposal Program", and amended in its entirety, as follows:**

Section 81-1. Purpose.

This chapter establishes a yard waste collection and disposal program in the Township of Pemberton, sets forth requirements for the proper handling of yard waste and prohibited conduct to protect public health, safety and welfare, and prescribes penalties for the failure to comply.

Section 81-2. Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text 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.

CONTAINERIZED

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.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

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.

YARD WASTE

Grass clippings generated from grass cutting or dethatching lawns.

Section 81-3. 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, or permit another to sweep, rake, blow or otherwise place yard waste in or adjacent to the street unless the yard waste is containerize, and on dates and times designated by the Township as appropriate for disposal. The owner and/or occupant of the property and/or any other person performs the prohibited conduct shall be jointly and severally responsible under this chapter.

Section 81-4. Enforcement.

The provisions of this article shall be enforced by the Township of Pemberton Director of Community Development, Code Enforcement Officers of Pemberton Township, and the Pemberton Township Police Department.

Section 81-5. Violations and penalties.

Any person in violation of this article shall be issued a written notice to abate within ten (10) days of receipt of said notice for a first offense. The failure to abate within said notice period shall subject the person to the issuance of a summons for a violation of this chapter. Second and subsequent offenses within a period of one (1) year from a previous offense shall not require a notice to abate, and shall be subject to the issuance of a summons immediately.

3. Article III “Leaf and Brush Removal” shall be re-designated as Article II, and Sections 81-11 through 81-16 shall be renumbered as Sections 81-6 through 81-11.

IT IS FURTHER ORDAINED that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

IT IS FURTHER ORDAINED that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

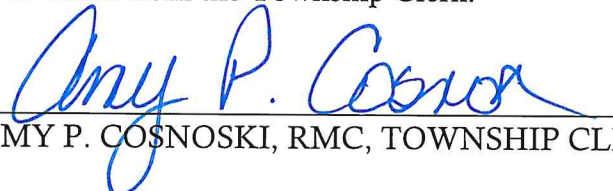
PEMBERTON TOWNSHIP COUNCIL

**TOWNSHIP OF PEMBERTON
NOTICE OF PUBLIC HEARING
ORDINANCE NO. 10 -2018**

**AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON
AMENDING CHAPTER 81 OF THE CODE OF THE
TOWNSHIP OF PEMBERTON, ENTITLED 'YARD WASTE'**

The foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on June 20, 2018 and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on July 11, 2018 at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, Pemberton, New Jersey, at 6:00 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST:



AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

**TOWNSHIP OF PEMBERTON
NOTICE OF FINAL PASSAGE
ORDINANCE NO. 10-2018**

**AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON
AMENDING CHAPTER 81 OF THE CODE OF THE
TOWNSHIP OF PEMBERTON, ENTITLED 'YARD WASTE'**

Notice is hereby given that Ordinance No. 10-2018 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on July 11, 2018. Said Ordinance shall take effect in accordance with law.

ATTEST:



AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR



DAVID A. PATRIARCA

DATE 8-16-2018 2018

ATTEST:



AMY P. COSNOSKI, RMC, TOWNSHIP CLERK