

Chapter 70E**CONTAINERIZED YARD WASTE****§ 70E-1. Purpose.****§ 70E-2. Definitions.****§ 70E-3. Prohibited conduct.****§ 70E-4. Enforcement.****§ 70E-5. Violations and penalties.**

[HISTORY: Adopted by the Township Committee of the Township of Barnegat 4-18-05 as Ord. No. 2005-25. Amendments noted where applicable.]

Be it ordained by the Township Committee of the Township of Barnegat, in the County of Ocean and State of New Jersey, as follows:

§ 70E-1. Purpose.

An ordinance to establish requirements for the proper handling of yard waste in the Township of Barnegat, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 70E-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.

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 — Leaves.

§ 70E-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 yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

§ 70E-4. Enforcement.

The provisions of this chapter shall be enforced by the Police Department and the Board of Health of the Township of Barnegat.

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§ 70E-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 one hundred fifty dollars (\$150.).

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7-18-05