

3-1.12 Containerized Yard Waste.

- a. *Purpose.* For the proper handling of yard waste in the Borough of Moonachie, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- b. *Definitions.* The following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this subsection 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 shall mean 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 storm water.

Person shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Street shall mean 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 shall mean leaves and grass clippings.

- c. *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 subsection.
- d. *Enforcement.* The provisions of this subsection shall be enforced by Moonachie Police Department and/or other designated Moonachie Borough Official.
- e. *Violations and Penalties.* Any person(s) who is found to be in violation of the provisions of this subsection shall be subject to a fine not to exceed one thousand (\$1,000.00) dollars.
(Ord. #2005-11)

3-1.13 Yard Waste Collection Program.

- a. *Purpose.* The purpose of this subsection is to establish a yard waste collection and disposal program in the Borough of Moonachie, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- b. *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 ten (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 subsection. 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 subsection.
- c. *Enforcement.* The provisions of this subsection shall be enforced by the Moonachie Police Department and/or other Municipal Officials of the Borough of Moonachie.
- d. *Violations and Penalties.* Any person(s) who is found to be in violation of the provisions of this subsection shall be subject to a fine not to exceed one thousand (\$1,000.00) dollars.
(Ord. #2005-11)