

ORDINANCE 2022-28

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 296 ENTITLED "STREETS AND SIDEWALKS" AND ADDING ARTICLE VIII ENTITLED "YARD WASTE"

WHEREAS, the Township of Mansfield, County of Warren, State of New Jersey finds it necessary to establish requirements for the proper handling of yard waste in the Township of Mansfield so as to protect public health, safety, and welfare, and to prescribe penalties for the failure to comply.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

Section 1. 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 2. 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.

Section 3. Enforcement

The provisions of this ordinance shall be enforced by Mansfield Township Police Department and the Township Zoning Officer.

Section 4. Violations and Penalties

Violations of the provisions of this article shall be punishable as provided in § 1-17 of the Code of the Township of Mansfield

Section 5. Severability

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an 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 6. Effective Date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

CERTIFICATION

I certify that the foregoing is a true copy of an Ordinance duly adopted by the Township Committee held on this date.



Monica Orlando, Acting Township Clerk

Adopted, First Reading: *November 9, 2022*
Publication Date:

Adopted, Second Reading:
Publication Date:

Introduction: November 9, 2022

Committee	Motion	Second	Yeas	Nays	Abstain	Absent
Mr. Farino		X	X			
Mr. Hayes	X		X			
Mr. McGuiness			X			
Mrs. Mora Dillon			X			
Mayor Watters						X

Adoption: November 22, 2022

Committee	Motion	Second	Yeas	Nays	Abstain	Absent
Mr. Farino						
Mr. Hayes						
Mr. McGuiness						
Mrs. Mora Dillon						
Mayor Watters						