

**ORDINANCE NO. 06-20  
BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

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**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT  
THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD,  
CHAPTER XIV  
"STREETS, SIDEWALKS AND SANITATION,"  
MORE SPECIFICALLY, THE CREATION OF  
SECTION 14-12, "CONTAINERIZED YARD WASTE"**

**WHEREAS**, the Borough of North Plainfield seeks to create and establish uniform rules for the proper handling of yard waste so as to minimize the impact of such waste blowing out into the street or coming into contact with stormwater; and,

**WHEREAS**, it is in the best interest of the community to establish a containerized yard waste program so as to protect public health, safety and welfare within the Borough of North Plainfield.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that Section 14-12 of the Code of the Borough of North Plainfield entitled, "Containerized Yard Waste" is created as follows:

**SECTION I. 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 II. 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 is 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 III. Enforcement:**

This ordinance shall be enforced by the Police Department and/or other Municipal Officials of the Borough of North Plainfield.

#### **SECTION IV. 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 \$1,250.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that:

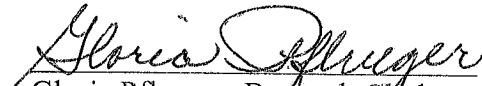
1. All ordinances or portions of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.


3. This Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the mayor as provided by law or an override of a mayoral veto by the council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to N.J.S.A. 40:69A-181(b), declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED: July 10, 2006  
PASSED: July 10, 2006  
PUBLISHED: July 14, 2006  
ADOPTED: August 14, 2006  
ROLL CALL: AYES: Giordano, Hitchcock, Jones, Righetti,  
Singleterry, Stabile, Rudy  
NAYS: None  
ABSTAIN: None  
ABSENT: None

APPROVED BY THE MAYOR: August 18, 2006  
ATTEST:

  
Gloria Pflueger, Borough Clerk

  
Nathan Rudy, Council President

  
Janice Allen, Mayor