

Ordinance of the City of Paterson, N.J.

No. 1st Reading No. ... 05-073

Date NOVEMBER 9, 2005

No. 1 Public Hearing
(2nd Rdg. & Final Passage)

Date to Mayor

Date Returned

Date Submitted to
Council

Division

TITLE:

Factual Contents Certified to By

Manuel Lopez
Title

5/11/05
Date

ORDINANCE ENACTING CHAPTER 151 CONTAINERIZED YARD WASTE

Approved As To Form and Legality
on Basis of Facts Set Forth

Vera Ames-Garnes
CORPORATION COUNSEL

Date

COUNCILPERSON VERA AMES-GARNES Introduced the Following Ordinance:

§151-1. Purpose:

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

§151-2. 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.

- 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.

§151-3. Prohibited Conduct:

Except as set forth in Chapter 150, 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.

§151-4. Enforcement:

The provisions of this ordinance shall be enforced by the Department of Public Works.

§151-5. Violations and Penalties:

Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine not to exceed \$1,250.00.

**ORDINANCE ENACTING CHAPTER 151
CONTAINERIZED YARD WASTE**

PAGE 2 of 2

§151-6. 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.

§151-7. 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.

F:\documents\Ordinances\Ordinance-Improper Disposal of Waste-SEC-04-05-05-SEC-bpcdoc.doc

SECONDED BY COUNCILPERSON . ASLON . GOOW, . SR.

Do Not Use Space Below This Line

RECORD OF COUNCIL VOTE ON FINAL PASSAGE	AYE	NAY	ABSTAIN	ABSENT
1. AMES-GARNES, VERADENE	X			
2. DAVIS, ANTHONY	X			
3. DIXON, JESSIE M.	X			
4. GOOW, ASLON	X			
5. MCKOY, WILLIAM C.	X			
6. MORRIS, KENNETH	X			
7. ROONEY, THOMAS C.	X			
8. ROSADO, JERRY LUIS	X			
9. TORRES, JUAN	X			

Adopted on first reading at a meeting of the Council of the City of Paterson, N.J., on Adopted on second and final reading after hearing on NOVEMBER . 9 . . 2005

Approved
Rejected By JOSE "JOEY" TORRES, Mayor Reconsidered
By Council JANE E. WILLIAMS-WARREN, City Clerk
Date NOVEMBER 9, 2005 Over
Ride Vote Nay

KENNETH M. MORRIS, JR., Council President
This Ordinance when adopted must remain in the custody of the City Clerk. Certified copies are available.
USE REVERSE SIDE FOR POSTPONEMENT AND RECONSIDERATION DATA