

# Ordinance of the City of Paterson, N.J.

No. . . . . 1st Reading No. . 05-077 . . . . .

Date . NOVEMBER 9, 2005 . . . . .

No. . . . . 5 . . . . . Public Hearing  
(2nd Rdg. & Final Passage)

Date to Mayor . . . . .

Date Returned . . . . .

Division . . . . .

Date Submitted to . . . . .

Council . . . . .

TITLE:

Factual Contents Certified to By

*Maurice Lopez*  
Title

5/11/05  
Date

**ORDINANCE AMENDING §427-21 AND  
ESTABLISHING AND ENACTING CHAPTER  
150 REGARDING YARD WASTE  
COLLECTION PROGRAM**

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

.....  
CORPORATION COUNSEL

.....  
Date

COUNCILPERSON . . YERA AMES-GARNES . . . . . Introduced the Following Ordinance:

**§427-21. Recycling of leaves, newspapers, glass and metal containers and aluminum beverage cans; oil reclamation.**

- A. All owners, lessees or occupants of dwelling units, commercial and industrial establishments and public and private institutions shall dispose of solid waste and separate designated recyclable materials in accordance with this section.
  - (1) Leaves. Leaves may be recycled by composting on the property of the owner, lessee or occupant or by placing them [at the curbside on designated days in accordance with applicable regulations.] in accordance with the provisions of Chapter 150 and 151.
  - (2) Same.
  - (3) Same.
  - (4) Same.
  - (5) Same.
- B. Same.
- C. Same.

**§150-1. Establishing Yard Waste:**

An ordinance to establish a yard waste collection and disposal program in the City of Paterson, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**§150-2. 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 as prescribed by the City of Paterson recycling Ordinance, 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, parking, 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.

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**§150-3. 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 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 ordinance. 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 ordinance.

**§150-4. Enforcement:**

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

**§150-5. Violations and Penalty:**

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 \$1,250.00.

**§150-6. 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.

**§150-7. 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.

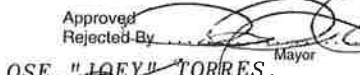
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SECONDED BY COUNCILPERSON ASLON GOOW, SR, .....

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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 By:  Mayor  
 Reconsidered By Council: ..... Date: .....  
 Over Ride Vote:  Aye  Nay  
 OSE "JOEY" TORRES, Council President  
 KENNETH M. MORRIS, JR. Council President  
 JANE E. WILLIAMS-WARREN, City Clerk  
 This Ordinance when adopted must remain in the custody of the City Clerk. Certified copies are available.  
 Form 6 USE REVERSE SIDE FOR POSTPONEMENT AND RECONSIDERATION DATA