

§ 20-3. YARD WASTE.

§ 20-3.1. Regulations for Collection. [Ord. No. 05-27-OAB §§ 1-5]

- a. Purpose. The purpose of this subsection is to establish a yard waste collection and disposal program in Township of Berkeley so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- b. Definitions. For the purpose of this subsection, 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 stormwater.

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. **Yard Waste Collection; Containerization.** 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.** This subsection shall be enforced by the Berkeley Township Police Department, Ocean County Board of Health, Berkeley Township Code Enforcement Officer and the Berkeley Township Animal Control Officer.
- e. **Violations and Penalty.** Any person who or which violates any provision of this subsection shall, upon conviction, be liable to the penalty stated in Chapter 1, Section 1-5.

§ 20-3.2. Yard Waste Collection and Disposal Program. [Ord. No. 05-33-OAB §§ 1-5]

- a. Purpose. The purpose of this subsection is to establish a yard waste collection and disposal program in the Township of Berkeley, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- b. Definitions. For the purpose of this subsection, 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 stormwater.

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 any other areas within the street lines.

YARD WASTE — Shall mean leaves and grass clippings.

- c. **Yard Waste Collection.** In the event the Township permits the sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street, it shall only be allowed during the seven 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 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.
- d. **Enforcement.** This subsection shall be enforced by the Berkeley Township Police Department, Ocean County Board of Health, Berkeley Township Code Enforcement Officer and the Berkeley Township Animal Control Officer.
- e. **Violations and Penalty.** Any person who or which violates any provision of this subsection shall, upon conviction, be liable to the penalty stated in Chapter 1, Section 1-5.