

**AN ORDINACE TO AMEND SECTION 59-23 (Leaves) OF CHAPTER 59 (Garbage, Rubbish and Refuse) OF THE CODE OF THE BOROUGH OF WESTVILLE.**

**WHEREAS**, from time to time it becomes necessary for the Mayor and Council of the Borough of Westville to establish and/or amend Ordinances; and

**WHEREAS**, Mayor and Council have deemed appropriate to amend the existing Garbage, Rubbish and Refuse Ordinance Chapter 59 concerning yard waste so as to establish a yard waste collection and disposal program in the Borough of Westville, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply; and

**NOW, THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Westville, in the County of Gloucester and State of New Jersey, as follows:

**I.** Section 59-23 of Chapter 59 (Garbage, Rubbish and Refuse) of the Code of the Borough of Westville is renamed Yard Waste Containerization and Collection Program and is amended as follows:

**A. Definitions.** For the purpose of this Section, the following terms, phrases, words and/or 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.

1. **CONTANERIZED** – shall mean the placement of yard waste in a trashcan, 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.
2. **PERSON** – shall mean any individual, corporation, company, partnership, firm, association or political subdivision of this State subject to municipal jurisdiction.
3. **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.
4. **YARD WASTE** – shall mean brush, leaves and grass clippings.

**B. 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 ten 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 Section. 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 Section.

**C. Enforcement.** The provisions of this Ordinance shall be enforced by the Borough of Westville Police Department and/or the Code Enforcement Officer of the Borough of Westville.

**D. Violations and Penalties.** Any person(s) who is found to be in violation of provisions of this Ordinance shall be subject to a fine pursuant to Section 59-31.

**II.** If any parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

**III.** All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 59 not inconsistent herewith are ratified and confirmed.

**IV.** This Ordinance shall become effective immediately upon its final passage and publication required by law.

INTRODUCED: 4/13/05  
ADOPTED: 4/27/05 **BOROUGH OF WESTVILLE**

BY: WILLIAM C. PACKER, III, Mayor

ATTEST:  
Richard M. Burr  
RICHARD M. BURR, Clerk  
(SEAL)

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