

Introduced: 06/13/2023
Public Hearing: 07/11/2023
Adopted: 07/11/2023

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 15-2023**

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON
COUNTY, NEW JERSEY CREATING TITLE 12, STREETS, SIDEWALKS AND
PUBLIC PLACES, CHAPTER 12.30, YARD WASTE, OF THE TOWNSHIP
CODE OF ORDINANCES**

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has determined that yard waste presents significant pollution hazards to streams and waterways, including those located in the Township of Tewksbury (the "Township"); and

WHEREAS, in August 2022, NJDEP re-classified 101 municipalities, including the Township, from MS4 Permit Program Tier B to Tier A; and

WHEREAS, the Township Committee finds and declares that in order to comply with the Tier A MS4 Permit Program requirement, it is necessary to regulate yard waste and require that the same be containerized.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, as follows:

SECTION 1. Title 12, Streets Sidewalk and Public Places, Chapter 12.30, Yard Waste, of the Township Code of Ordinances is hereby created as follows:

12.30.010 – Purpose.

To establish requirements for the proper handling of yard waste in the Township of Tewksbury, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

12.30.020- Definitions.

The following terms, phrases, words and their derivations shall have the meanings stated herein.

- 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.

12.30.030 – Yard Waste.

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 in the street any yard waste, unless the yard waste is containerized. Placement of yard waste that is not containerized at the curb or along the street shall be permitted only within 7 days of a scheduled yard waste collection. Yard waste shall not be placed within 10 feet of any storm drain inlet.

12.30.040 – Enforcement.

The provisions of this chapter may be enforced by any officer of the Township of Tewksbury.

12.30.050 – Violations and Penalties.

Any person who is found to be in violation of the provisions of this chapter shall be subject to the penalties set forth in the General Penalty Chapter of this code.

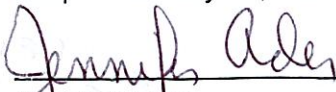
SECTION 2. All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

SECTION 4. All Ordinances or parts of Ordinances of the Township of Tewksbury heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

I HEREBY CERTIFY the above to be a true copy of an Ordinance introduced by the Township Committee of the Township of Tewksbury at a duly convened meeting held on June 13, 2023 and adopted on July 11, 2023.



Jennifer Ader
Township Clerk