

# **BOROUGH OF HAMBURG**

## **Containerized Yard Waste**

### **Ordinance No. 11-2023**

#### **Containerized Yard Waste**

##### **SECTION I. Purpose:**

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

##### **SECTION II. 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.

##### **SECTION III. Prohibited Conduct:**

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.

##### **SECTION IV. Enforcement:**

The provisions of this ordinance shall be enforced by **Property Maintenance**.

##### **SECTION V. Violations and Penalties:**

For violation of any provision of this ordinance the maximum penalty shall be as provided in Chapter 1, Article III, Section 1-17, and 1-18, of the code of the Borough of Hamburg.

**SECTION VI. Repealer:**

Any ordinance or part thereof inconsistent with any provision of this ordinance is hereby repealed.

**SECTION VII. 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.

**SECTION VIII. 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.

ALL OF WHICH IS ADOPTED this 6th day of September, 2023, by the Borough of Hamburg.

**CERTIFICATION**

NOTICE is hereby given that the above ordinance was introduced and passed on first reading of a meeting of the Mayor and Council of the Borough of Hamburg, held on August 7, 2023 at 7 pm and will be considered for a final passage at a regular meeting of the Mayor and Council to be held on September 6, 2023 at 7 pm or as soon thereafter as same can be considered, in the Municipal Building, 16 Walkill Avenue, Hamburg, New Jersey at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk, Municipal Building, 16 Walkill Avenue, Hamburg, New Jersey and is available for public inspection during regular business hours. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the members of the general public who request the same.



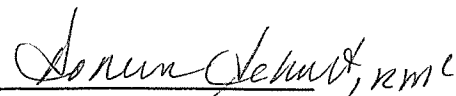
Doreen Schott, RMC  
Municipal Clerk

**STATEMENT**

The above ordinance was duly adopted by a roll call vote at the September 6, 2023 Regular Meeting of the Hamburg Mayor and Council.

Roll Call:

Ayes: Burd, Oehler, Endres, Law, Haig, Sena  
Nays: none  
Abstain: none  
Absent: none



Doreen Schott, RMC