

TOWNSHIP OF DOWNE  
COUNTY OF CUMBERLAND, STATE OF NEW JERSEY

ORDINANCE NO. 2023-12

**AN ORDINANCE TO ESTABLISH A YARD WASTE COLLECTION AND DISPOSAL  
PROGRAM FOR THE TOWNSHIP OF DOWNE**

**SECTION I. Purpose:**

An ordinance to establish a yard waste collection and disposal program in the Township of Downe, 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. 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.

**SECTION IV. Enforcement:**

The provisions of this ordinance shall be enforced by Downe Township Code Enforcement Officer.

**SECTION V. Violations and Penalties:**

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 \$1,000.00.

**SECTION VI. Severability:**


Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be independent section, subsection, sentence, clause and phrase, and the finding

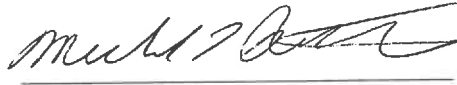
or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**SECTION VII. Effective date:**

This Ordinance shall take effect immediately after final adoption and publication as required by law.

ATTEST:

  
Nadine E. Lockley, Municipal Clerk

  
Michael L. Rothman, Mayor

STATE OF NEW JERSEY :  
: ss  
COUNTY OF CUMBERLAND :

Please take notice that the above Ordinance was adopted after a Public Hearing at a meeting of the Downe Township Committee on the 11th day of December, 2023 at the Downe Township Municipal Building in Newport, New Jersey.

ATTEST

  
Nadine E. Lockley, Municipal Clerk



**TOWNSHIP OF DOWNE  
CUMBERLAND COUNTY, NEW JERSEY  
RECORD FOR ORDINANCE # 2023-12**

**Introduce Ordinance on First Reading**

**Motion: CAMPBELL**

**Second: BYRNE**

Introduce Ordinance / First Reading Date: November 13, 2023  
 Ordinance Published: November 17, 2023  
 Ordinance Posted: November 13, 2023  
 Public Hearing / Second Reading Date: December 11, 2023

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Jordan, L.	X			
Byrne, S.	X			
Rothman, M.	X			
Bart, E.				X
Campbell, R.	X			

**Adoption of Ordinance**

**Motion: CAMPBELL**

**Second: BYRNE**

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Jordan, L.	X			
Byrne, S.	X			
Rothman, M.	X			
Bart, E.	X			
Campbell, R.	X			

Final Adoption Date: December 11, 2023  
 Notice of Final Passage Published: December 19, 2023  
 Notice of Final Passage Posted: December 11, 2023

December 11, 2023  
Date

Nadine E. Lockley  
Nadine E. Lockley, Municipal Clerk