

*Borough of Berlin, NJ
Friday, July 20, 2018*

Chapter 278. Solid Waste

Article IV. Containerized Yard Waste

[Adopted 4-7-2005 by Ord. No. 2005-7]

§ 278-19. Purpose.

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

§ 278-20. Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article 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

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

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

STREET

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 of pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

YARD WASTE

Leaves and grass clippings.

§ 278-21. 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 said yard waste from the street or said party shall be deemed in violation of this article.

§ 278-22. Enforcement.

This article shall be enforced by the Police Department and/or other municipal officials of the Borough of Berlin.

§ 278-23. Violations and penalties.

Any person, entity or corporation who shall violate any of the provisions of this article shall, upon conviction thereof, before the Municipal Court of the Borough of Berlin, be subject to a fine not exceeding \$500 or imprisonment in the county jail for a term not exceeding 90 days, or both, in the discretion of the Municipal Court Judge before whom such defendant shall be convicted. A separate offense may be deemed committed on each day that a violation occurs or continues.