

Ordinance Number 12-2023

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 12 Sanitation; Recycling, Section 2.9 Weeds, Shrubbery Clippings, Limbs, Branches and other Garden Waste; Collection to be Made by Public Works: Yard Waste Collection Program

NOW THEREFORE BE IT RESOLVED BY the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that section 2.9 Weeds, Shrubbery Clippings, Limbs, Branches and other Garden Waste; Collection to be Made by Public Works, changing the title to read “Yard Waste Collection Program” and replacing the section with the following information:

2.9 Purpose:

An ordinance to establish a yard waste collection and disposal program in **City of Lambertville**, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

2.10 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 shrubbery clippings.

2.11 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.

Beginning October 1 and ending December 31 of each year, leaves shall be placed in compostable/biodegradable bags and shall provide the public with notice of such requirement.

All weeds and similar growth clippings shall be placed in a container so that they may be easily emptied in the collector's vehicle.

Hedge and shrubbery clippings, tree trimmings and garden waste will be collected if tied in bundles not to exceed four feet in length and not to exceed two feet in diameter. The total volume placed at the curb for one day's pick up with not exceed 10 bundles and must be placed so that they will not spill out in the gutter, street or sidewalks.

Grass Clippings: The City does not take grass clippings.

The City will not remove and/or chip trees.

The Convenience Center is located within the Department of Public Works and will be open on a scheduled basis for residents of Lambertville to drop off leaves, shrubbery clippings, tree trimmings and garden waste. The schedule will be updated annually and posted to the City's website and bulletin board at City Hall.

2.12 Enforcement:

The provisions of this ordinance shall be enforced by **Police Department.**

2.13. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance upon conviction, shall be liable to the penalty stated in Chapter 1 Section 1-5.

2.14. 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.

2.15. 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.

INTRODUCTION AND FIRST READING: April 20, 2023

PUBLIC HEARING AND SECOND READING: May 18, 2023

Note: Yellow Highlights represent new language as recommended by NJDEP for the MS4 Tier A Permit.