

LEGAL NOTICE
BOROUGH OF RINGWOOD
COUNTY OF PASSAIC
NEW JERSEY

Ordinance No. 2016-#08

AN ORDINANCE TO AMEND CHAPTER
3 - POLICE REGULATIONS, ARTICLE 3-1
LITTER CONTROL OF THE REVISED
ORDINANCES OF THE BOROUGH OF
RINGWOOD IN ITS ENTIRETY

NOTICE is hereby given that the above ordinance was adopted at the Business Meeting of the Municipal Council of the Borough of Ringwood, in the County of Passaic, New Jersey held at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, New Jersey on Thursday, November 17, 2016 shall become effective twenty (20) days from the date of passage.

BY THE ORDER OF THE MUNICIPAL COUNCIL

KELLEY HALEWICZ, RMC
BOROUGH CLERK

11: Sunday, November 27, 2016
Fees: \$
The Trends

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LITTER CONTROL OF THE REVISED
ORDINANCES OF THE BOROUGH OF
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NOTICE is hereby given that the ordinance published herewith was introduced and passed first reading at a Business Meeting of the Municipal Council of the Borough of Ringwood, in the County of Passaic, New Jersey held at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, New Jersey on Tuesday, October 18, 2016, and will be considered for final passage at a Business Meeting of said Municipal Council of the Borough of Ringwood to be held on Thursday, November 17, 2016 at 8:00 pm, or as soon thereafter as same can be considered, at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, New Jersey, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning same. 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 same.

KELLEY HALEWICZ, RMC
BOROUGH CLERK

11: Sunday, October 23, 2016
Fees: \$
The Suburban Trends

BE IT ORDAINED by the Municipal Council of the Borough of Ringwood, County of Passaic and State of New Jersey, that Chapter 3, Article 3-1 Litter Control, of the Revised Ordinances of the Borough of Ringwood is amended to provide as follows:

3-1 LITTER CONTROL

3-1.1 Prohibition of Littering

A. Purpose. An ordinance to establish requirements to control littering in The Borough of Ringwood so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

B. Definitions and word usage.

1. 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 director.
2. As used in this chapter, the following terms shall have the meanings indicated:

Borough
The Borough of Ringwood.

Commercial HandBill

Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copy of any matter of literature which:

- a. Advertises for sale of any merchandise, product commodity or thing.
- b. Directs attention to any business or mercantile or commercial establishments or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales.
- c. Directs attention to or advertise any meeting, theatrical performance, exhibition or event of any kind for which an admission fee is charged for the purpose of private gain or profit.
- d. While containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed

or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

Garbage

Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Litter

Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

Litter Receptacle

A container suitable for the depositing of litter.

Noncommercial Handbill

Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill.

Person

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

Public Place

Any streets, sidewalks, alleys, or other public ways and any and all public parks, squares, spaces, grounds and buildings.

Refuse

All putrescible solid wastes (except body wastes), including garbage, street cleanings and dead animals.

Rubbish

Nonputrescible solid or liquid wastes consisting of both combustible and noncombustible wastes, such as papers, wrappings, cigarettes, cardboard, tin cans, glass, bedding, crockery, gasoline, oil or other chemical wastes, abandoned automobiles, dismantled automobiles and parts thereof, scrap, metal, junk, machinery, solid market and industrial wastes, building materials and similar materials.

Vehicle

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

C. Prohibited Acts and Regulated Activities

1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this chapter, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

3-1.2 Use of Litter Receptacles

Litter receptacles and their servicing are required at the following public places which exist in the municipality, including: sidewalks used by pedestrians in active retail commercially zoned area, such that at a minimum there shall be no single linear quarter-mile without a receptacle; buildings held out for use by the public, including schools, government buildings, and railroad and bus stations; parks; drive-in restaurants; all street vendor locations; self-service refreshment areas; construction sites; gasoline service station islands; shopping centers; parking lots; campgrounds and trailer parks; marinas, boat moorage and fueling stations; boat launching areas; public and private piers operated for public use; beaches and bathing areas; and at special events to which the public invited, including sporting events, parades, carnivals, circuses and festivals. The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing the receptacles such that adequate containerization is available.

The aforesaid proprietors or sponsors shall also be responsible for providing and servicing recycling receptacles which shall be located immediately next to the required litter receptacles. A separate container shall be provided for cans and bottles and a separate container for the paper. The container shall be clearly marked and identified. (Ord. 1992-10 3/24/92)

3-1.3 Illegal Dumping

It shall be unlawful for any person to discard or dump along any street or road, on or off any right-of-way, any household or commercial solid waste, litter, rubbish, refuse, junk vehicle, or vehicle parts, rubber tires, appliances, furniture, or private property, except by written consent of the owner of said property, in any place not specifically designated for the purpose of solid waste storage or disposal.

3-1.4 Storage of Household Solid Waste

It shall be unlawful for any residential property owner to store or permit storage of any bulky household waste, including household appliances, furniture and mattresses, in areas zoned residential, except in a fully enclosed structure or during days designated for the collection of bulky items.

3-1.5 Storage of Tires

It shall be unlawful for any residential property owner to store or permit storage of tires in areas zoned residential, except in a fully enclosed structure or on days designated for collection of tires

3-1.6 Storage of Vehicles

It shall be unlawful for any residential property owner to park or permit the parking of any vehicle on his or her residential lawn.

3-1.7 Inoperable Vehicles

It shall be unlawful for any person to keep or permit the keeping on streets, vacant lots and residential lawns except in a fully enclosed structure, any motor vehicle, trailer or semitrailer which is (a) missing tires, wheels, engine, or any essential parts; or (b) which displays extensive body damage or deterioration; or (c) which does not display a current, valid state license; or (d) which is disassembled or partially disassembled.

3-1.8 Uncovered Vehicles

It shall be unlawful for any vehicle to be driven, moved, stopped or parked, on any highway unless such a vehicle is constructed or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Any person operating a vehicle from which any glass or objects have fallen or escaped, which could cause an obstruction, damage a vehicle, or otherwise endanger travelers or public property, shall immediately cause the public property to be cleaned of all glass or objects and shall pay costs therefore.

3--1.9 Construction Sites

It shall be unlawful for any owner, agent, or contractor in charge of construction of or demolition site to permit the accumulation of litter before, during or after completion of any construction or demolition project. It shall be the duty of the owner, agent, or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or non-flyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage or refuse.

3-1.10 Open and Overflowing Waste Disposal Bins

It shall be unlawful for any residential or commercial property owner to permit open or overflowing waste disposal bins on his or her property.

3-1.11 Commercial Establishments and Residences - Sweeping into Streets

It shall be the duty of the owner, lessee, tenant, occupant or person in charge of any structure to keep and cause to be kept the sidewalk and curb abutting the building or structure free from obstruction or nuisances of every kind, and to keep sidewalks, areaways, backyards, courts and alleys free from litter and other offensive material.

No person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. Every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter. All sweepings shall be collected and property containerized for disposal.

Depositing Handbills on Vehicles Prohibited (if added would change numbering)

It shall be unlawful for any person to throw, place or deposit any commercial or noncommercial handbill in or upon any vehicle; provided however, that it shall not be unlawful in any public place for a person to hand out or distribute without charge to any receiver thereof a noncommercial handbill to any occupant of a vehicle who is willing to accept it.

Litter Thrown from Vehicles

No person, while a driver or passenger in a vehicle shall throw or deposit litter upon any street or other public place or upon private property within the Borough.

Litter Falling from Trucks

No person shall drive or move any truck or other vehicle within the Borough unless such vehicle is so constructed or loaded as to prevent any load or contents of litter from being blown or deposited upon any street, alley or other public or private place. Nor shall any person drive or move any vehicle or truck within the Borough, the wheels or tires of which carry onto or deposit in any street, alley or other public place mud, dirt, sticky substances or foreign matter of any kind.

3-1.12 Penalties and Enforcement [Violations and Penalties]

Any person who violates any provision of this Ordinance shall, upon conviction thereof, be punished by a fine not exceeding \$2,000 and/or for a period of community service not to exceed 90 days. If any violation is of a continuing nature, each day during which it continues constitutes a separate and distinct offense.

This ordinance shall be enforced by the Police Department and/or the Code Enforcement Officer of the Borough of Ringwood.

- A. In the event that the owner, occupant, tenant, agent of the owner, tenant or occupant or possessor of private property or lands shall refuse or neglect to abate or remedy the condition which constitutes a violation of this Ordinance, the Borough may cause the condition to be abated and remedied. Upon the removal of any materials prohibited to be stored or abandoned on lands by this Ordinance by or under the direction of the Police Department, Building Inspector, Borough Manager, Sanitarian, Health Officer, Zoning Officer or any other person designated by the Borough Council, in cases where the owner, occupant, tenant or agent shall refuse or neglect to remove the same within five (5) days of receiving a notice of violation, such officer shall cause the cost to be charge against said properties and owners for services rendered by Borough crews pursuant to N.J.S.A. 40:48-2.12f. Costs incurred shall be levied against said properties and

shall constitute a lien upon said properties. The same shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers as in the same manner as a lien for delinquent real estate taxes. In addition to the costs associated with abatement of debris/litter, a charge of 15% of the total cost shall be imposed as an administrative charge.

- B. The amounts to be billed shall be equivalent to the cost of the services rendered by either the Borough employees or the person contracted by the Borough to perform these services, or both.

3-1.13 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.

3-1.14 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.