

ORDINANCE 2012-14

**AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING PART II OF THE CODIFIED ORDINANCES
OF THE TOWNSHIP OF BARNEGAT ENTITLED "GENERAL
LEGISLATION" TO AMEND SECTION 70E ENTITLED
"CONTAINERIZED YARD WASTE"**

BE IT ORDAINED BY the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 2. Definitions:

Section 2d. Yard Waste shall be deleted in its entirety and replaced with the following.

Section 2d. Yard Waste – means brush clippings, garden clippings, acorns and ornamental grass.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of Barnegat on first reading at a meeting held on the 2nd day of April, 2012. The Ordinance shall be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 23rd day of April, 2012, at 6:30 PM or as soon thereafter as the matter may be reached, at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.


Sharon L. Auer
Acting Municipal Clerk

Township of Barnegat

COUNTY OF OCEAN



900 WEST BAY AVENUE
BARNEGAT, NEW JERSEY 08005-1298
Email: clerk@barnegat.net

MUNICIPAL OFFICES: (609) 698-0080
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Visit Our Website: www.barnegat.net

April 23, 2012

CERTIFICATION

I, Sharon L. Auer, Acting Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance namely, Ordinance #2012-14 entitled An Ordinance Amending and Supplementing the General Code Book Section 2 Entitled "Definitions" was introduced and passed on the 2nd day of April, 2012 and finally adopted after Public Hearing at their regular meeting held on the 23rd day of April, 2012 in the Municipal Court Room, 900 West Bay Avenue, Barnegat, NJ and will take effect 20 days after publication in the Township newspaper.



Sharon L. Auer, Acting Municipal Clerk

AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING PART II OF THE CODIFIED ORDINANCES OF
THE TOWNSHIP OF BARNEGAT ENTITLED "GENERAL
LEGISLATION" TO INCLUDE A NEW SECTION 70E
ENTITLED "CONTAINERIZED YARD WASTE"

BE IT ORDAINED BY the Township Committee of the Township of
Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 1. Purpose: An ordinance to establish requirements for the
proper handling of yard waste in the Township of Barnegat, so as to protect
public health, safety and welfare, and to prescribe penalties for the failure to
comply.

SECTION 2. 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 Section 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.

SECTION 3. 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 4. Enforcement: The provisions of this Section shall be enforced by the Police Department and the Board of Health of the Township of Barnegat.

SECTION 5. 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 One Hundred Fifty Dollars (\$150.00).

SECTION 6. Repealer: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. Severability: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 8. Effective Date: This ordinance takes effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of Barnegat on first reading at meeting held on the 4th day of **April, 2005**. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 18th day of **April, 2005**, at **6:30 p.m.**, or as soon thereafter as the matter may be reached, at the Municipal

Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.


VERONICA JASINA, Municipal Clerk

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731

JJD/cdf[Barnegat.Ordinances.2005-GL#15089]

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Township of Barnegat

COUNTY OF OCEAN

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The Beacon

THURSDAY, APRIL 5, 2012

TOWNSHIP OF BARNEGAT

NOTICE IS HEREBY GIVEN that Ordinance 2012-13 - An Ordinance of the Township of Barnegat, County of Ocean, State of New Jersey amending Chapter 55, Land Use, in particular Section 55-181.2 entitled "Division 2: West of Parkway" of the code of the Township of Barnegat and repealing any and all other ordinances inconsistent herewith was introduced and passed on first reading at the regular meeting of the Barnegat Township Committee held on the 2nd day of April, 2012, and will be considered for second reading and final passage at a regular meeting of the Barnegat Township Committee on the 21st day of May, 2012 at 6:30pm at the Municipal Complex, 900 West Bay Ave, Barnegat, NJ.

NOTICE IS HEREBY GIVEN that Ordinance 2012-14 - An Ordinance of the Township of Barnegat County of Ocean, State of New Jersey amending Chapter 70E entitled "Containerized Yard Waste of the General Code of the Township of Barnegat and repealing any and all other ordinances inconsistent herewith, was introduced and passed on first reading at the regular meeting of the Barnegat Township Committee held on the 2nd day of April, 2012, and will be considered for second reading and final passage at a regular meeting of the Barnegat Township Committee on the 23rd day of April, 2012 at 6:30 pm at the Municipal Complex, 900 West Bay Ave, Barnegat, NJ.

NOTICE IS HEREBY GIVEN that Ordinance 2012-15 - An Ordinance of the Township of Barnegat County of Ocean, State of New Jersey amending Chapter 70F entitled "Containerized Yard Waste of the General Code of the Township of Barnegat and repealing any and all other ordinances inconsistent herewith was introduced and passed on first reading at the regular meeting of the Barnegat Township Committee held on the 2nd day of April, 2012, and will be considered for second reading and final passage at a regular meeting of the Barnegat Township Committee on the 23rd day of April, 2012 at 6:30 pm at the Municipal Complex, 900 West Bay Ave, Barnegat, NJ. (\$27.56) 520845

*Original
filed w/ 2012-13*

Township of Barnegat

COUNTY OF OCEAN

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BARNEGAT, NEW JERSEY 08005-1298
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Thursday, April 26, 2012

CALL CLASSIFIED TOLL FREE 1-(877) 735-SELL (7355)

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TOWNSHIP OF BARNEGAT

NOTICE IS HEREBY GIVEN that Ordinance 2012-14: An Ordinance of the Township of Barnegat, County of Ocean, State of New Jersey amending Part II of the Codified Ordinances of the Township of Barnegat entitled "General Legislation" to amend Section 70E, entitled "Containerized Yard Waste" was introduced and passed on first reading at the regular meeting of the Barnegat Township Committee held on the 2nd day of April, 2012, and final passage at the regular meeting of the Barnegat Township Committee on the 23rd day of April, 2012 at 6:30pm at the Municipal Complex, 900 West Bay Ave, Barnegat, NJ.

NOTICE IS HEREBY GIVEN that Ordinance 2012-15: An Ordinance of the Township of Barnegat, County of Ocean, State of New Jersey amending Part II of the Codified Ordinances entitled "General Legislation" to amend Section 70F, entitled "Containerized Yard Waste" was introduced and passed on first reading at the regular meeting of the Barnegat Township Committee held on the 2nd day of April, 2012, and final passage at the regular meeting of the Barnegat Township Committee on the 23rd day of April, 2012 at 6:30 pm at the Municipal Complex, 900 West Bay Ave, Barnegat, NJ.

(517.68) 540205