

CHAPTER XV STREETS, SIDEWALKS AND SANITATION

15-7 YARD WASTE COLLECTION AND DISPOSAL PROGRAM.

15-7.1 Purpose.

The purpose of this section is to establish a yard waste collection and disposal program in the Borough of Tinton Falls, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. (Ord. #05-1168, §1)

15-7.2 Definitions.

For the purpose of this section, 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.

Containerized shall mean the placement of yard waste for storage in a trash can, bucket, biodegradable bag or other vessel pursuant to regulations issued by the Department of Public Works, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

Person shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Street shall mean 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.

Yard waste shall mean leaves, pine needles, brush and branch and tree limbs.
(Ord. #05-1168, §2)

15-7.3 Yard Waste Collection.

- a. *Branches, Brush and Bulk Tree Limbs.* Branches, brush and bulk tree limbs will be collected throughout the year if deposited at the street curb if one exists or adjacent to, but not on, the street pavement if there is no curb. Branches, brush and bulk tree limbs may be placed at the curb in reasonable piles beginning the Saturday before the scheduled and announced collection. During the announced leaf collection days, branches, brush and bulk tree limbs may not be placed out for collection. Brush, branch and bulk tree limbs may not be placed closer than ten (10') feet from any storm drain.
- b. *Leaves and Pine Needles.* Sweeping, raking or otherwise placing yard waste 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 ten (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 section. 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 section. (Ord. #05-1168, §3)

15-7.4 Enforcement.

The provisions of this section shall be enforced by complaint signed by a member of the Department of Public Works, Code Enforcement or Public Safety of the Borough of Tinton Falls. (Ord. #05-1168, §4)

15-7.5 Violations and Penalties.

Any person, firm or corporation who violates or neglects to comply with any provision of this section or any rule, regulation or directive promulgated pursuant thereto shall be liable, upon conviction, to the penalty stated in Chapter I, Section 1-5 et seq. (Ord. #05-1168, §5)

15-7.6 Borough Hold Harmless.

Property owners, and their agents, lessees, tenants or other occupants who place materials not in accordance with this section shall hold harmless and indemnify from any and all losses the Borough of Tinton Falls, its employees, and agents for all costs, direct and indirect which are attributable in the sole discretion of the Borough, for materials collected which were placed for collection in violation of the terms of this section. (Ord. #05-1168, §6)

15-7.7 Prohibited Materials.

The following items are prohibited from being placed for collection:

- a. Grass clippings.
 - b. Tree trunks larger than six (6") inches in diameter.
 - c. Tree stumps of any size.
 - c. Branches longer than five (5') feet in length.
 - d. Yard waste commingled with refuse or litter.
- (Ord. #05-1168, §7)