

EXPLANATION: This Ordinance regulates the placement of yard waste within the public roadways throughout the Borough in compliance with NJDEP requirements.

**BOROUGH OF FAR HILLS
ORDINANCE NO. 2023-21**

**AN ORDINANCE ESTABLISHING REGULATIONS OF YARD
WASTE THROUGHOUT THE BOROUGH OF FAR HILLS**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Far Hills, in the County of Somerset and State of New Jersey as follows:

Section 1. The following requirements and regulations shall be established in the Borough of Far Hills:

YARD WASTE

Article I Purpose.

An Ordinance establishing regulations on yard waste at the curb or along streets in the Borough of Far Hills, containerized or otherwise, so as to protect public health, safety, and welfare, and to prescribe penalties for the failure to comply.

Article II 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 Ordinance 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 grass clippings.

Article III Yard Waste Collection.

a. Sweeping, raking, blowing or otherwise placing yard waste at the curb or along the street is prohibited. Any temporary placement of containerized yard waste at the curb or along the street shall not be placed closer than 10 feet from any storm drain inlet. 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.

b. 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.

Article IV Enforcement.

This Ordinance shall be enforced by the Police Department, Zoning Officer, and/or Construction Code Enforcement Official or designated representative of the Borough of Far Hills.

Article V Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to the general penalty provisions of the Borough of Far Hills.

Section 2. If any article, section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Far Hills, the provisions hereof shall be determined to govern, and the inconsistencies of the prior ordinance are hereby repealed. All other parts, portions and provisions of the Ordinances of the Borough of Far Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 4. Within five (5) days after its adoption by the Council, this Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40A:60-5(d). If the Mayor fails to return


this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 5. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40A:60-5(d); and (3) publication in accordance with the laws of the State of New Jersey.


Introduced: November 13, 2023
Published: November 16, 2023
Adopted: November 27, 2023
Published: November 30, 2023

ATTEST:

BOROUGH OF FAR HILLS



Dorothy S. Hicks
Borough Clerk

By: 

Kevin P. Welsh
Mayor