

ORDINANCE

O-13-2023

BOROUGH OF NORTH CALDWELL, ESSEX COUNTY, NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 77 OF THE CODE OF THE BOROUGH OF NORTH CALDWELL REGARDING THE PLACEMENT OF RECEPTACLES AND MATERIALS AT CURBSIDE

WHEREAS, The Governing Body of the Borough of North Caldwell has determined that it is in the best interest of the citizens of the Borough of North Caldwell to create and maintain consistency in property maintenance regarding trash collection concerning placement and times at which receptacles may be placed at and retrieved from curbside pursuant to the Code of the Borough of North Caldwell.

NOW, THEREFORE, MAY IT BE ORDAINED by the Mayor and Council of the Borough of North Caldwell, County of Essex, State of New Jersey as follows:

1. Section 77-7A(1) *Garbage and/or refuse* shall be replaced with:

Section 77-7A(1) *Garbage and/or refuse.*

(a) No refuse, bulk waste, recyclable materials, bagged leaves or other materials which now or in the future may be mandated for curbside collection by the township or other solid waste collector under contract with the township may be placed at curbside for collection earlier than 4:00 p.m. of the day before the scheduled collection day, nor shall the garbage and/or refuse receptacle be permitted to remain in public view beyond 11:30 p.m. of the day collected. All materials placed at the curb for collection shall be located behind the curb or paved edge of the street toward the residence and shall not be placed on the paved portion of the street.

(b) Placement of receptacles at curbside; penalty: No receptacles or materials should be placed at curbside prior to 4:00 p.m. of the day before the scheduled collection day, nor shall the receptacle be permitted to remain in public view beyond 11:30 p.m. of the day collected.

(b) Any person who fails to comply with the aforesaid provision shall be subject to a fine not to exceed \$50. Each and every day that a violation continues shall be considered a separate offense.

(c) Persons who are permanently incapacitated with financial hardship may request, in writing, direct assistance from the Borough of North Caldwell for alternate means of collection of solid waste materials for up to sixty (60) calendar days. All requests are subject to reasonable review and consideration by the Borough Administrator.

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph,

subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

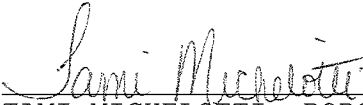
4. This ordinance shall take effect immediately upon passage and publication in accordance with law.

INTRODUCED: July 18, 2023
PUBLIC HEARING: August 15, 2023
ADOPTED: August 15, 2023

Moved By: Councilman Atlas
Seconded By: Councilman Kessler

COUNCIL MEMBER	YES	NO	ABSTAIN	ABSENT	COUNCIL MEMBER	YES	NO	ABSTAIN	ABSENT
ATLAS	X				REES	X			
FLORIA-CALLORI	X				TILTON	X			
KESSLER	X				WEINSTEIN	X			

ATTEST:


TAMI MICHELOTTI, BOROUGH CLERK

APPROVED:


JOSHUA H. RAYMOND, MAYOR