

**ORDINANCE NO. 505**

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PROPER HANDLING OF YARD  
WASTE IN THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY,  
AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.**

BE IT ORDAINED, by the Mayor and Council of the Borough of Mantoloking,  
Ocean County, New Jersey, as follows:

**SECTION 1. PURPOSE:**

An Ordinance to establish requirements for the proper handling of yard waste in the Borough of Mantoloking, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**SECTION 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 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 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.

**SECTION III. 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 IV. ENFORCEMENT:**

The provisions of this Ordinance shall be enforced by the Police Department of the Borough of Mantoloking,

**SECTION V. VIOLATIONS AND PENALTIES:**

Any person who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not less than \$25.00 or more than \$100.00.

**SECTION VI. 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.

**SECTION VII. 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.

**CERTIFICATION**

I, Irene H. Ryan, Clerk of the Borough of Mantoloking, County of Ocean, New Jersey, hereby certify the following attachment to be a true copy of Ordinance No. 505 as adopted by the Borough Council of the Borough of Mantoloking, New Jersey, at a Regular Meeting held in the Borough Hall at 8:00 p.m. on the 21<sup>st</sup> day of February, 2006 at which time a quorum was present.

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Irene H. Ryan, R.M.C.  
Clerk, Borough of Mantoloking