

**ORDINANCE  
TOWNSHIP OF FRANKLIN**

**ESTABLISHING REQUIREMENTS FOR A YARD WASTE COLLECTION AND  
DISPOSAL PROGRAM IN THE TOWNSHIP OF FRANKLIN**

0-13-06 Revised

**WHEREAS**, the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey, desires to adopt an Ordinance establishing requirements for a yard waste collection and disposal program in the Township of Franklin, County of Gloucester, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply; and

**WHEREAS**, the Township Committee of the Township of Franklin finds that it is in the interest of all residents that the individual composting of Yard Waste by private property owners serves to benefit the Township through lower collection and disposal costs and serves to promote and enhance the environment of the Township through the return of nutrients to the soil; and

**WHEREAS**, for those property owners who are not able or willing to compost Yard Waste on site, the Township's collection program provides for the beneficial re-use of Yard Waste in an environmentally sound manner; and

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Franklin, County of Gloucester:

**SECTION I. Purpose:**

An ordinance to establish a yard waste collection and disposal program in the Township of Franklin, County of Gloucester, 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.
- d. Yard Waste – means leaves, but not grass clippings. ~~—and grass clippings.~~

**SECTION III. Yard Waste Collection**

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized 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 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 ordinance. 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.

**SECTION IV. Enforcement:**

The provisions of this ordinance shall be enforced by the Township of Franklin Police Department.

**SECTION V. 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 \$250.00.

**SECTION VI. Severability:**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be 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 take effect immediately upon passage and publication in accordance with the Laws of the State of New Jersey.

ATTEST:

TOWNSHIP OF FRANKLIN

  
CAROL COULBOURN, CLERK

  
DAVID FERRUCCI, MAYOR

**CERTIFICATION**

I, CAROL COULBOURN, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the Township of Franklin held on Tuesday, Oct 10, 2006, and thereafter duly advertised in the legal newspaper of the Township at least ten (10) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on Nov 14, 2006, at which time any person interested therein will be given an opportunity to be heard.

  
CAROL COULBOURN, CLERK