

ORDINANCE 2023-4

AN ORDINANCE TO AMEND CHAPTER 120 OF THE CODE OF THE TOWNSHIP OF FRANKLIN ENTITLED, “STREETS AND SIDEWALKS”

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Warren, State of New Jersey, that Chapter 120 of the Code of the Township of Franklin entitled, “Streets and Sidewalks,” is hereby amended to add a new Article VI entitled, “Yard Waste” as follows:

SECTION I.

**ARTICLE VI
YARD WASTE**

§120-38. Purpose.

The purpose of this Ordinance is to prohibit the deposit of leaves and yard waste in public streets to protect the public health, safety and welfare and to comply with NJDEP Stormwater Regulations.

§120-39. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

PERSONS

All owners, whether individual, corporate or otherwise, of residential, commercial or institutional properties, excepting properties that are farmland assessed.

STREET

Any public street, avenue, boulevard, road, parkway, alley or other public right of way dedicated, accepted and/or maintained by the Township of Franklin, including the traveled roadway, paved or unpaved, shoulders, gutters, curbs, parking areas, and any other area within the road right of way that is improved.

YARD WASTE

Yard waste shall include grass clippings, leaves, brush, mulch, and any other vegetative material located in or upon privately owned and maintained property within the Township of Franklin.

§120-40. Yard waste prohibited in streets.

The sweeping, raking, blowing, or otherwise depositing of yard waste in any public street within the Township of Franklin is prohibited.

§120-41. Enforcement.

This Article shall be enforced by the Zoning Officer or other official designated by the Mayor and Township Committee.

§120-42. Violations and Penalties.

Any person violating this Article shall be subject to a minimum fine of \$100.00, and other penalties as set forth in the General Penalty Ordinance in the Code of the Township of Franklin, in the discretion of the Municipal Court Judge.

SECTION II. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable, and the remaining portions of this Ordinance shall remain in full force and effect.

SECTION III. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IV. This ordinance shall take effect twenty (20) days upon passage and publication as required by law.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Franklin in the County of Warren and State of New Jersey, held on July 3, 2023, and will be further considered for final passage after public hearing thereon at a regular meeting of said Township Committee on August 14, 2023.

Dated: August 14, 2023

Denise L. Becton

Denise L. Becton, Clerk

On motion by Mike Ferri and seconded by David Guth the aforementioned Ordinance **2023-4** be adopted as read. Final reading and adoption to take place on August 14, 2023, **at 7:00 p.m or near that hour.**

Roll Call Vote	Yes	No	Absent/Abstain	
Bonnie Butler	X			
Rich Herzer	X			
David Guth	X			
Mike Ferri	X			
Mike Toretta, Mayor	X	(5) Yes	(0) No	(0) Absent Motion carried

On motion by Committeeperson Mike Ferri and seconded by Bonnie Butler the aforementioned **Ordinance 2023-4 be adopted.**

Roll Call Vote	Yes	No	Absent/Abstain
Bonnie Butler	X		
David Guth	X		
Rich Herzer	X		
Michael Ferri	X		
Mike Toretta, Mayor	X	(5) Yes (0) No	(0) Absent Motion carried

CERTIFICATION

I, Denise L. Becton, Registered Municipal Clerk of the Township of Franklin, County of Warren, State of New Jersey, do hereby certify that this a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at their regular meeting held on July 3, 2023. Second reading, public hearing will be held on August 14, 2023, at or near 7:00 PM in the Franklin Township Municipal Building, 2093 Rt. 57, Broadway, New Jersey.

Denise L. Becton

Denise L. Becton, Municipal Clerk