

## ORDINANCE NO. 3529-20

### AN ORDINANCE AMENDING CHAPTER 82A ENTITLED "RECYCLING" SECTIONS 3, 5, AND 26 RESPECTIVELY ENTITLED "DEFINITIONS", "GENERAL REQUIREMENTS" AND "SEPARABILITY" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RUTHERFORD, COUNTY OF BERGEN, AND STATE OF NEW JERSEY

**BE IT ORDAINED** by the Mayor and Council of the Borough of Rutherford, County of Bergen and State of New Jersey that Chapter 82A Entitled "Recycling" Sections 3, 5, and 26 respectively entitled "Definitions", "General Requirements" and "Separability" of the Code of the Borough of shall be amended is hereby amended and that those portions of the Ordinances set forth below are hereby amended as follows and that those portions of the Ordinances not set forth below shall remain unchanged:

#### **§82A-3 Definitions**

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

**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.**

#### **§82A-5 General Requirements**

**F. 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.**

#### **§82A Severability Separability.**

~~If any part, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid or unenforceable by any court, the findings or judgments of which court are applicable in the State of New Jersey, the balance and remainder of such publication shall remain in full force and effect as an ordinance of the Borough of Rutherford.~~

**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.**

**This ordinance shall take effect in accordance with applicable law.**

**ATTEST:**

**BOROUGH OF RUTHERFORD**

*Margaret M. Scanlon*

Margaret M. Scanlon, Borough Clerk

*Frank Nunziato*

Frank Nunziato, Mayor

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Mayor and Council at a meeting held **August 18, 2020**.

Margaret M. Scanlon

Margaret M. Scanlon, Borough Clerk