

**ORDINANCE 2024-13**

*Borough of Metuchen  
County of Middlesex  
State of New Jersey*

**ORDINANCE AMENDING THE CODE OF THE BOROUGH OF METUCHEN  
AUTHORIZING FURTHER DUTIES AND RESPONSIBILITIES OF THE BOROUGH  
ENFORCEMENT OFFICIAL**

**WHEREAS**, the Borough of Metuchen created the position of Enforcement Official in 2023 to enforce the Ordinances and Code of the Borough of Metuchen; and

**WHEREAS**, the Mayor and Council have determined to amend Chapter 160, entitled, “Solid Waste” and Chapter 166, entitled, “Streets and Sidewalks” of the Code of the Borough of Metuchen, specifically § 160-14 (Yard Waste Collection); § 160-22 (Containerized Yard Waste) § 160-28 (Refuse Containers/Dumpsters); §166-3.2 (Obstructions); §166-42.1 (Construction and Maintenance of Sidewalks; and §166-46 (Fences and other Encroachments; Dangerous Conditions) to authorize the enforcement of the Code of the Borough by the Enforcement Officer/Official.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Metuchen that Chapter 160, entitled, “Solid Waste” and Chapter 166, entitled, “Streets and Sidewalks” of the Code of the Borough of Metuchen, specifically § 160-14 (Yard Waste Collection); § 160-22 (Containerized Yard Waste) § 160-28 (Refuse Containers/Dumpsters) ; §166-3.2 (Obstructions); §166-42.1 (Construction and Maintenance of Sidewalks; and §166-46 (Fences and other Encroachments; Dangerous Conditions) are hereby amended to state as follows:

**CHAPTER 160**

**SOLID WASTE**

\* \* \*

**ARTICLE 3 – YARD WASTE COLLECTION PROGRAM**

\* \* \*

**§ 160-14 Enforcement.**

The provisions of this article shall be enforced by the Zoning Officer or Enforcement Officer/Official of the Borough of Metuchen.

\* \* \*

**ARTICLE 4 – CONTAINERIZED YARD WASTE**

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**§ 160-22 Enforcement.**

The provisions of this article shall be enforced by the Zoning Officer or Enforcement Officer/Official of the Borough of Metuchen.

**ARTICLE 5 – REFUSE CONTAINERS/DUMPSTERS**

\* \* \*

**§ 160-28 Enforcement.**

The provisions of this article shall be enforced by the Zoning Officer or Enforcement Officer/Official of the Borough of Metuchen.

**CHAPTER 166**

**STREETS AND SIDEWALKS**

\* \* \*

**ARTICLE 2 – OBSTRUCTIONS**

\* \* \*

**§ 166-3.2 Enforcement.**

The provisions of this article shall be enforced by the Borough of Metuchen Police Department, Zoning Officer and/or the Enforcement Officer/Official of the Borough of Metuchen.

**ARTICLE 4 – CONSTRUCTIONS AND MAINTENANCE OF SIDEWALKS**

\* \* \*

**§ 166-42.1 Enforcement.**

The Zoning Officer, Director of the Department of Public Works, the Borough Engineer, Building Code Official, Police Department, Enforcement Officer/Official, and/or other subcode official, as their jurisdiction may arise, shall be responsible for the enforcement of these sections of this article.

**ARTICLE 5 – FENCES AND OTHER ENCROACHMENTS; DANGEROUS CONDITIONS**

\* \* \*

**§ 166-46 Designated Enforcing Officers.**

The Zoning Officer and/or Enforcement Officer/Official, within their given jurisdictions, are hereby designated as the enforcing officers of this article.

**BE IT FURTHER ORDAINED** by the Mayor and Council that all remaining sections of Code of the Borough of Metuchen not specifically amended herein shall not be affected by the within amendments and shall remain in full force and effect; and

**BE IT FURTHER ORDAINED** that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only; and

**BE IT FURTHER ORDAINED** that this ordinance shall be in full force and take effect after final passage and publication, as required by law; and

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Metuchen that all Borough officials shall take all necessary actions to in order to effectuate the within Ordinance.

Introduction: April 8, 2024  
 Date of Publication: April 12, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
<b>MOTION</b>	<b>DELIA</b>				<b>SECOND</b>	<b>GIAMBOI</b>			
X – INDICATES VOTE				AB- ABSENT		NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 8, 2024.

\_\_\_\_\_  
 Deborah Zupan, RMC  
 Borough Clerk

Adopted: April 29, 2024  
 Date of Publication: May 3, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
<b>MOTION</b>	<b>DELIA</b>			<b>SECOND</b>		<b>GIAMBOI</b>			
X – INDICATES VOTE                      AB- ABSENT                      NV- NOT VOTING									

I hereby certify the foregoing to be a true copy of a bond ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on April 29, 2024.

\_\_\_\_\_  
 Deborah Zupan, RMC  
 Borough Clerk

ATTEST:

BOROUGH OF METUCHEN

\_\_\_\_\_  
 Deborah Zupan, RMC  
 Borough Clerk

By: \_\_\_\_\_  
 Jonathan M. Busch  
 Mayor