

**BOROUGH OF MILFORD**  
**ORDINANCE NUMBER 965-2023**

**ORDINANCE REGULATING**  
**“CONTAINERIZED YARD WASTE” WITHIN THE BOROUGH OF**  
**MILFORD IN ACCORDANCE WITH MANDATES FROM NEW**  
**JERSEY’S DEPARTMENT OF ENVIRONMENTAL PROTECTION.**

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**CHAPTER XX**  
**CONTAINERIZED YARD WASTE**

**SECTION I.**  
**Purpose.**

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

**SECTION II.**  
**Definitions.**

For 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.

**SECTION II.**  
**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 a 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.

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.

Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

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.

Yard Waste – means leaves and grass clippings.

**SECTION III.**  
**Violations, Penalties, and Enforcement.**

Any person who violates the terms of this Ordinance shall pay a fine of not less than \$75.00 but no more than \$1,500.00 plus court costs. This Chapter shall be enforced by the Borough’s Zoning Officer or other Borough personnel as may be assigned by resolution of the Milford Borough Common Council

**SECTION IV.**  
**Repealer.**

All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

**SECTION V.  
Severability.**

If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

**SECTION VI.  
Effective Date.**

This Ordinance shall take effect after passage and publication in the manner provided by law.

**PLEASE TAKE NOTICE** that the foregoing Ordinance was introduced and passed on first reading on the 7<sup>th</sup> day of August, 2023, at a meeting of the Borough Council of the Borough of Milford and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Borough Council of the Borough of Milford to be held on the 2<sup>nd</sup> day of October, 2023, at 7:00PM, or as soon thereafter as the matter may be reached, to be held at the Milford Borough Fire Company, located at 21 Water Street, Milford, New Jersey 08848.

Copies of said Ordinance are at the office of the Milford Borough Municipal Clerk, 30 Water Street, Milford, New Jersey 08848, and posted on the Borough website.

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HENRI SCHEPENS, MAYOR

ATTEST:

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KAREN DYSART, RMC  
MUNICIPAL CLERK

Introduction: August 7, 2023  
Public Hearing: October 2, 2023  
Adoption: October 2, 2023  
Publication: October 12, 2023

**FIRST READING - ROLL CALL VOTE**

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
James Gallos							x
Noralie LaFevre		x		x			
Ron Rehl				x			
Douglas Sloyer				x			
Robert White	x			x			
Elisa Yager			x	x			

**SECOND READING & FINAL ADOPTION - ROLL CALL VOTE**

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
James Gallos							x
Noralie LaFevre			x	x			
Ron Rehl							x
Douglas Sloyer				x			
Robert White	x			x			
Elisa Yager		x		x			