

**TOWNSHIP OF CHESTERFIELD
ORDINANCE 2016-15**

**ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD, COUNTY OF
BURLINGTON, STATE OF NEW JERSEY TO AMEND CHAPTER 156 OF THE
CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED "RECYCLING"**

WHEREAS, the Township Committee of the Township of Chesterfield allows the Municipal Drop-off Facility to be used for brush drop-off as a convenience for residents; and

WHEREAS, the Township has determined that the Recycling Drop-off Facility cannot accommodate the volume of brush received from residents because of the abuse of this convenience by non-residents and commercial landscaping and construction enterprises looking for an inexpensive means of disposing their work debris; and

WHEREAS, the Township desires to continue to provide the ability for its residents to drop off brush; and

WHEREAS, the Township Committee deems it appropriate to enact by Ordinance additional rules governing the use of the Municipal Drop-off Facility to permit brush drop-off to Chesterfield residents;

NOW, THEREFORE BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey that Chapter 156 of the Code of the Township of Chesterfield is hereby amended as follows:

ARTICLE I

- A. § 156-1 is amended to add the following sentence to the end of the paragraph:

While the Township recognizes the importance of recycling, the Township does not have the capacity to accept brush materials from non-residents and commercial entities and reserves this service for household residents only.

- B. § 156-2 [No Change]

- C. § 156-3 is amended to add the following definition:

BRUSH: All natural material, with the exception of bagged leaves, derived from trees and bushes no greater than six inches (6") in diameter.

- D. § 156-4 and 156-6 [No Change]

- E. § 156-7 [New Section] Municipal Drop-off:

1. § 156-7(A) [New Section] Brush Drop-off from Residents Only. The Municipal Drop-off accepts brush from non-commercial residents only. All those attempting to drop off recyclable materials shall be asked to produce identification with proof of residency. Failure to provide proof of residency shall serve as prima facie evidence of violation of this Chapter.
2. § 156-7(B) [New Section] Hours of Operation. The Municipal Drop-off shall be open from one-half hour before sunrise to one-half hour after sunset, seven (7) days per week.

- F. § 156–8 through § 156–10 [No changes]
- G. § 156–11 is amended through the addition of a new paragraph:
 - A. It shall be unlawful for:
 - (7) [New paragraph] Any nonresident or commercial entity to drop off or attempt to drop off brush at the Municipal Drop-off.
- H. §156–12 through § 156–15 [No changes]
- I. § 156–16 is amended through the addition of a new paragraph:
 - A. Any person who violates the provisions of this article shall, upon conviction thereof in a proceeding before a court of competent jurisdiction, be subject to the following fines:
 - (5) For any non-resident or commercial entity convicted of dropping off or attempting to drop off, dump or discard brush at the Municipal Drop-off: a fine of not less than \$500 and nor more than \$2,000.
- J. § 156–17 and § 156–18 [No Changes].

ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the

Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

CHESTERFIELD TOWNSHIP COMMITTEE

Introduced: October 27, 2016

Adopted:

RECORD OF VOTE													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
S. Davis							S. Davis						
R. Kolczynski							R. Kolczynski						
J. Liedtka							J. Liedtka						
R. LoCascio							R. LoCascio						
A. Robotin							A Robotin						
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Seconded													

I, Caryn Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Ordinance to be a true and accurate copy of the Ordinance adopted by the Township Committee at a duly advertised meeting held on December _____ 2016 at which a quorum was present.