TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE # 2020-08

REPEALING CHAPTER 111 (RECYCLING, SOURCE SEPARATION OF LEAVES AND GARBAGE COLLECTION), ESTABLISHING A NEW CHAPTER 111 (RECYCLING, SOURCE SEPARATION OF LEAVES AND GARBAGE COLLECTION) OF CODE OF THE TOWNSHIP OF VERONA

BE IT ORDAINED by the Township Council of the Township of Verona, in the County of Essex, New Jersey, as follows:

SECTION 1. The language currently contained in Chapter 111 (Recycling, Source Separation of Leaves and Garbage Collection) of the Code of the Township of Verona, is hereby deleted in its entirety.

SECTION 2. There is hereby established a new Chapter 111 (Recycling, Source Separation of Leaves and Garbage Collection) of the Code of the Township of Verona to read as follows:

ARTICLE I. RECYCLING.

§ 111-1. DEFINITIONS.

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

ALUMINUM BEVERAGE CONTAINERS
Includes all containers normally used in the consumption of beverages both in the home and in retail establishments dispensing the same for on premise or off-premises consumption, the same being made entirely of aluminum.

BIMETAL (TIN/STEEL) CONTAINERS
Aluminum and tin or tin-plated steel food and beverage containers, including those for fruits, vegetables, juices and pet food.

COMMERCIAL SOURCE
Buildings used in part or in whole for wholesale, retail, service or manufacturing establishments, including but not limited to restaurants, markets, offices, retail and wholesale outlets, industrial establishments and theaters. Each building with one or more commercial uses shall be considered as one "Commercial Source" notwithstanding that there are multiple businesses and/or residential apartments contained therein.

CORRUGATED CONTAINERS
All corrugated cardboard of the type commonly used for boxes, shipping containers and packing material having exterior cardboard plies separated by air spaces created by one or more fabricated cardboard plies.

DESIGNATED RECYCLABLE MATERIALS
Those materials, including but not limited to metal, glass, paper or plastic containers, which are designated pursuant to regulations promulgated hereunder to be source separated for recycling.

ELECTRONIC WASTE
A computer central processing unit and associated hardware including keyboards, modems, printers scanners and fax machines; a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than four inches measured diagonally and that contains one or more circuit boards, including a television and cell phones.

FERROUS SCRAP METAL

Scrap metal that is magnetic and rusts such as structural steel or cast iron components.

GLASS FOOD AND BEVERAGE CONTAINERS

All containers and objects commonly used in residential and nonresidential premises, such as bottles, jars, glasses, jugs and all other vessels made entirely of glass.

INSTITUTIONAL SOURCES

Churches, synagogues, mosques and other houses-of-worship, colleges, schools, municipal or municipally supported bodies, not-for-profit organizations and the like.

LEAD ACID BATTERIES (VEHICLE BATTERIES)

Types that contain lead and lead oxide with the sulfuric acid electrolyte produces a voltage.

LEAVES

Foliage material naturally formed from trees and bushes that are suitable for composting and mulching.

MIXED OFFICE PAPER

A combination of paper products found in an office environment, typically, it means high-grade papers such as copier paper, computer printout, stationery and chipboard. It also includes magazines, catalogs, brochures, white envelopes, advertising flyers and most mail.

MULTIFAMILY DWELLING

Any building or structure, or complex of buildings is which three (3) or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see N.J.S.A. 13:1E-99.13a) and shall include hotels, motels, or other guest houses serving transient or seasonal guests, as those terms are defined under subsection (j) of section 3 of the "Hotel and Multiple Dwelling Law," P.L.1967, c, 76 (C.55:13A-1 et seq.).

MUNICIPAL SOLID WASTE (MSW) STREAM

All solid waste generated at residential, commercial, and institutional establishments within the boundaries of the Township of Verona.

NEWSPAPER

Paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matter of public interest.

PLASTIC CONTAINERS

Only those containers, such as beverage containers and laundry product container, such types that may from time to time be approved by the Recycling Committee.

RECYCLING

Any process by which materials which would otherwise become solid waste are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

RECYCLING CENTER

Such location as may be designated by the Township of Verona to store, separate, receive and transfer source separated non-putrescible recyclable materials as designated in the regulations promulgated.

RECYCLABLE ELECTRONICS

Computer CPUs, laptops, mainframes, computer peripherals such as USBs and other cables, monitors and flat screens, scanners, telephones, cell phones and telephone systems, fax machines and central office equipment, printers and copies, televisions, electronic circuit boards and components, stereo equipment, electronic games, rechargeable batteries, portable electronic music devices and PDAs.

RECYCLABLE MATERIALS

Materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

RESIDENTIAL SOURCE

Homes, condominiums, townhouses and other dwelling units not defined as multi-family, commercial or institutional sources in this Chapter.

SOURCE SEPARATION OF DESIGNATED RECYCLABLE MATERIALS

The separation and separate bundling of designated recyclable materials to be kept apart from residential, commercial and institutional solid waste by the generator thereof for the purposes of collection, disposition and recycling.

USED MOTOR OIL

Any waste crank case oil from periodic maintenance of internal combustion engines.

WHITE GOODS

Appliances such as refrigerators, air conditioners, stoves, washers, dryers, steel or cast-iron plumbing fixtures, dishwashers and water heaters.

YARD WASTE

Includes grass, leaves, branches, hedge and bush clippings, weeds and other vegetative materials.

§ 111-2. RECYCLING COORDINATOR.

There is hereby established in the Township of Verona the office of Recycling Coordinator whose responsibilities shall include but not be limited to membership in the Recycling Committee for the purpose of developing and implementing regulations hereunder. The Recycling Coordinator shall be appointed pursuant to the provisions of N.J.S.A. 40:69A-95 and shall serve for a one-year term.

§ 111-3. RECYCLING COMMITTEE.

There is hereby established a Recycling Committee in the Township of Verona. Membership on the Committee shall consist of the Township Manager, the Township Engineer, the Superintendent of Public Works and the Recycling Coordinator. The Recycling Committee is hereby authorized, empowered and directed to establish and promulgate reasonable regulations as to the selection and designation of recyclable materials to be source-separated in accordance with this Chapter; to establish the manner, methods and programs for the collection and disposition, including sale, of designated recyclable materials in accordance with the provisions hereof; and to establish and regulate the operation of the Township Recycling Center.

§ 111-4. SOURCE SEPARATION; EXEMPTION FROM SOURCE SEPARATION REQUIREMENTS.

A. Mandatory source separation; It shall be mandatory for all persons who are owners, tenants, or occupants of residential and nonresidential premises, which shall include, but not limited to, retail and other commercial locations, as well as government, schools and other institutional locations within the Township, to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid waste generated by the owners, tenants, or occupants of such premises and shall be placed separately at the curb in a manner and on such days and times as may be hereinafter established by regulations promulgated by the township. Mandatory recyclables follow:

RESIDENTIAL: All homes, condominiums, townhouses, apartments, trailer parks, etc., including certain housing types considered institutional (i.e., senior

citizen homes) are to recycle the following materials. There are no de minimis standards based upon amount or weight:

- Newspaper
- Mixed office paper
- Corrugated Containers
- Glass Food and Beverage Containers
- Aluminum Beverage Containers
- Plastic containers
- Bimetal Containers
- Yard Waste
- Used Motor Oil
- White Goods (i.e. refrigerators, washer/dryer appliances)
- Ferrous Scrap Metal
- Recyclable Electronic Waste

COMMERCIAL: All places of business (wholesale, retail, food, transportation, etc.) are included in this sector:

- Newspaper
- Mixed office paper
- Corrugated Containers
- Glass Food and Beverage Containers
- Aluminum Beverage Containers
- Plastic containers
- Bimetal Containers
- Yard Waste
- Used Motor Oil
- White Goods (i.e. refrigerators, washer/dryer appliances)
- Ferrous Scrap Metal
- Recyclable Electronic Waste

INSTITUTIONAL: All government buildings, schools, colleges, hospitals, clinics, etc., are included in this sector:

- Newspaper
- Mixed office paper
- Corrugated Containers
- Glass Food and Beverage Containers
- Aluminum Beverage Containers
- Plastic containers
- Bimetal Containers
- Yard Waste
- Used Motor Oil
- White Goods (i.e. refrigerators, washer/dryer appliances)
- Ferrous Scrap Metal
- Recyclable Electronic Waste

B. Exemptions:

1. Pursuant to N.J.S.A. 13:1E-99.16(d), the Council may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this Chapter, a commercial or institutional generator of solid waste shall file an application for exemption with the Recycling Coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the

commercial or institutional entity; the name address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the Recycling Coordinator of the total number of tons collected and recycled for each designated material.

2. Persons who are physically disabled and who have notified the Recycling Committee, in writing, of such disability.

§ 111-5. COLLECTION OF RECYCLABLE MATERIALS.

The collection of recyclable material shall be in the manner prescribed as follows:

A. All containers and brown paper bags containing recyclable materials shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of a curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be disposed of shall be placed as noted above anytime after 5:00 p.m. of the day immediately preceding the day of collection, but no later than 6:00 a.m. of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 p.m. of the day of collection.

B. All receptacles or dumpsters shall be maintained in accordance with the health code of the Township.

§ 111-6. AUTHORIZATION TO COLLECT.

All contractors that provide collection services within the Township are required to register with Public Works and identify the entity to which they provide services.

§ 111-7. RESIDENTIAL DWELLING COMPLIANCE REQUIREMENTS.

The owner of any and all residential dwelling shall be responsible for compliance with this Chapter. For multifamily dwellings, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every six months during their occupancy.

§ 111-8. NONRESIDENTIAL ESTABLISHMENT COMPLIANCE REQUIREMENTS.

A. All commercial and institutional generators of solid waste shall be required to comply with the provisions of this Chapter.

B. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, institutional or industrial properties which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their content.

C. Every business, institution, or industrial facility shall report on an annual basis to the Recycling Coordinator, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by

material type, collected and recycled and the vendor or vendors providing recycling service.

D. All food establishments, as defined in the health code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as maybe prescribed, for inspection by any code enforcement officer.

§ 111-9. NEW DEVELOPMENTS OF MULTIFAMILY RESIDENTIAL UNITS OR COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTIES. (Pursuant to N.J.S.A. 13:1E-99.13a and 99.16c.)

A. Any application to the Planning Board or Board of Adjustment of the Township of Verona, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single-family developments of fifty or more units or any commercial, institutional, or industrial development for the utilization of one thousand square feet or more of land, must include a recycling plan. This plan must contain, at the minimum, the following:

1. A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and

2. Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Recycling Coordinator.

B. Prior to the issuance of a Certificate of Occupancy by the Township, the owner or any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.

C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste.

§ 111-10. PROHIBITION OF THE COLLECTION OF SOLID WASTE MIXED WITH RECYCLABLES.

A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.

B. It shall be the responsibility of the resident or occupant to the property to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this Article and the local sanitary code.

C. Once placed in the location identified in this Chapter, or any rules or regulations promulgated pursuant to this Chapter, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

§ 111-11. TOWNSHIP RECYCLING CENTER.

A. The Township Recycling Center shall be used or made available only for persons residing within the limits of the Township of Verona and commercial

or institutional entities located within the limits of the Township of Verona. All recyclable material deposited at the Recycling Center must be generated within the limits of the Township of Verona. The Township may require appropriate identification of all persons using the Recycling Center.

B. No contractor or person operating any business or commercial operation shall be permitted to use the Recycling Center except for the disposal of material generated from a property within the limits of the Township of Verona. The contractor must provide paperwork, indicating the Verona property that the material was generated from before depositing the material at the Recycling Center.

C. It shall be a violation of this Chapter for any person or solid waste hauler to deposit recyclable materials generated outside the boundaries of the Township of Verona at the Recycling Center.

D. It shall be a violation of this Chapter for any person or solid waste collector to deposit recyclable materials outside of the designated containers or areas at the Recycling Center or to otherwise fail to follow the signs and directions posted at the Recycling Center.

E. It shall be a violation of this Chapter for any person or solid waste collector to deposit any material at the Township Recycling Center which is not a designated material accepted at the Recycling Center.

§ 111-12. ENFORCEMENT.

The Code Enforcement Official, the Township Engineer, the Superintendent of Public Works, the Police Department, the Health Officer or his/her designee, the Recycling Coordinator, the Essex County Department of Health and the Essex County Utilities Authority are hereby individually and severally empowered to enforce the provisions of this Chapter. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.

§ 111-13. RECYCLING TONNAGES TO BE REPORTED.

Prior to March 1 of each year, occupants of all commercial and institutional establishments and multi-family housing owners or their agents shall report, on forms provided by the municipality, to the Recycling Coordinator, the tonnage of recyclables collected and removed from the municipality during the previous year.

§ 111.14. VIOLATIONS AND PENALTIES.

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this Chapter or any rules and regulations promulgated hereunder shall upon conviction thereof, be punishable by a fine not less than two hundred fifty dollars ($250), nor more than one thousand dollars ($1,000). Each day for which violation of this Chapter occurs shall be considered a separate offence.

Fines levied and collected pursuant to the provisions of this Chapter shall be immediately deposited into the municipal recycling trust fund (or equivalent). Monies in the municipal recycling trust fund shall be used for the expenses of the municipal recycling program.

In addition to the foregoing penalties, where a container includes designated recycling material mixed with solid waste, the container will not be collected.

ARTICLE II. SOURCE SEPARATION OF YARD WASTE

§ 111-21. GENERAL.

It shall be unlawful for any person to place yard waste for collection or disposal as solid waste. All persons occupying residential, commercial or institutional premises within the Township shall separate yard waste from recyclables and solid waste generated at such

premises and unless the leaves are stored or recycled for composting or mulching by the generator, place the yard waste for collection in the manner provided in this Article.

§ 111-22. MANNER OF COLLECTION.

A. Yard waste when packed in biodegradable bags or tied in bundles weighing less than fifty pounds shall be picked up curbside by the Township.

B. Brush tied in bundles not more than four feet in length and no greater than six inches in diameter shall be picked up curbside by the Township.

C. In addition to the above, yard waste may be deposited at a disposal area that may from time to time be designated by the Township for this purpose.

D. It is prohibited to rake leaves into the street at any time within the Township.

§ 111-23. DISPOSAL AREA DESIGNATED.

There is hereby designated by the Township an area to be known as a "disposal area."

§ 111-24. TYPES OF REFUSE ALLOWED.

The disposal area, as designated by the Township, may be used for the disposal of the following yard waste materials only: leaves, grass clippings, hedge trimmings, tree branches, bushes and shrubs and general garden refuse. No concrete, cinder block, boulders, fencing, tree trunks, stumps, garbage or other materials not provided for shall be dumped at this area.

§ 111-25. HOURS, DAYS AND SEASON OF USE.

The days of use shall be determined by the Township Manager and may be changed from time to time.

§ 111-26. REGULATIONS FOR USE.

A. Residents shall be required to unload and leave areas promptly and place all waste materials in the designated location indicated by sign or as directed.

B. No waste material shall be removed from areas other than by persons authorized by the Township Recycling Coordinator or Superintendent of Public Works.

C. The Township Recycling Coordinator or Superintendent of Public Works or their authorized representative shall be authorized herein to reject any waste material which in his opinion may create a hazardous condition effecting the health, safety and welfare of the residents using areas and the general public.

D. The Township Recycling Coordinator or Superintendent of Public Works shall be authorized to post at the area notices implementing the rules and regulations as set forth herein.

§ 111-27. PERSONS PERMITTED TO USE FACILITIES.

A. The disposal area shall be used or made available only for persons residing within the limits of the Township. The Township Recycling Coordinator or Superintendent of Public Works or their authorized representative may require appropriate identification of all persons using the area.

B. No contractor or person operating any business or commercial operation shall be permitted to use the disposal area unless the contractor or person operating any business or commercial operation obtains a permit from the Township Department of Public Works to use the disposal area. A separate permit is required for each load deposited at the disposal area. All waste deposited by a contractor or person operating any business or commercial operation shall

have been generated from a property within the limits of the Township. The Township Recycling Coordinator or Superintendent of Public Works or their authorized representative may require proof of origin of the load.

ARTICLE III. GARBAGE COLLECTION

§ 111-31. DEFINITIONS

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

GARBAGE
Putrescible animal and vegetable waste resulting from the handling, preparing, cooking and consumption of food.

PREMISES
Any residence or place of business or commerce where garbage, refuse, rubbish or recyclables are accumulated.

RECYCLABLES
Any designated recyclables as provided for in Article I of Chapter 111 of the Verona Code/or by resolution, rule or regulation promulgated thereunder.

REFUSE
All putrescible and non-putrescible solid wastes, except body wastes, including but not limited to garbage, rubbish, ashes, street cleanings, dead animals, metal or wooden scraps, and solid market and industrial wastes.

RUBBISH
Non-putrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

TOWNSHIP COLLECTION SYSTEM
Such system as may be employed by the Township, either through the use of Township personnel and equipment, or through such person, firm or entity as may be contracted by the Township to provide for collection and disposition of garbage, refuse rubbish and recyclables.

§ 111.32. APPLICATION.

This section shall apply to all garbage, refuse, and rubbish to be picked up by the Township Collection System.

A. No garbage, refuse or rubbish shall be collected by the Township Collection System except as may be from time to time provided by ordinance or resolution of the Council. A true copy of any ordinance providing for the manner, terms and schedule of days for the collection of garbage, refuse or rubbish shall be maintained on file in the Office of the Township Clerk for inspection by the public during normal business hours.

B. No person shall place any garbage, refuse or rubbish for pickup at the curbside of the street in front of any premises except in the manner and on the scheduled days as may be provided by this section.

C. Residential sources shall be allowed to place solid waste at the curb for collection by the Township Collection System, provided that all garbage and refuse is contained in suitable receptacles. Recyclable material shall be separated from other solid waste and yard waste and recycled in a manner promulgated by the Township.

D. Commercial and institutional sources. All commercial and institutional sources shall be allowed to place solid waste at the curb for collection by the Township Collection System, provided that all garbage and refuse shall be contained in suitable receptacles and recyclable material and yard waste are

separated from the other solid waste. Exceptions: plastic bags may not be used as the external receptacles for food waste. Bulky waste, dirt, earth, stones, broken concrete, other construction material resulting from new construction or remodeling by a contractor; leaves brush and grass produced by a private contractor; and major automobile parts or items of an unreasonable nature will not be collected by the Township Collection System. The foregoing excluded items and hazardous or contaminated refuse as defined in this Article shall not be placed for collection but shall be disposed of at the expense of the owner or possessor thereof, in accordance with laws and regulations of the State of New Jersey.

§ 111-33. HOURS OF PLACEMENT FOR COLLECTION.

No person shall place or cause to be placed any garbage, refuse or rubbish at curbside for pick up any sooner than 5:00 p.m. on the day immediately preceding the date scheduled for the collection of garbage, refuse, rubbish or recyclables, but no later than 6:00 a.m. on the day of collection. All garbage cans or containers placed at curbside for collection shall be removed from curbside not later than 7:00 p.m. on the date on which collection is made.

§ 111-34. MAINTENANCE OF GARBAGE CANS OR CONTAINERS.

A. All garbage cans or containers used in connection with the placement of garbage, refuse, rubbish or recyclables at curbside shall be kept in a clean and sanitary condition, made of metal or plastic, with a capacity of no more than 35 gallons, with handles, solidly constructed, so as to prevent spillage or leakage of contents, and weighing not more than 50 pounds when filled and placed for collection; plastic bags, paper bags and cardboard boxes are not suitable receptacles.

B. Garbage cans or containers used in connection with the placement of garbage, refuse or rubbish shall not be stored in the Front Yard or stored on a public sidewalk or on any other public property if owned by private person or entity.

C. Any property owner who is unable to store garbage cans or containers used in connection with garbage, refuse or rubbish in an area permitted by this Chapter shall submit to the Zoning Officer, a request for a waiver for the placement of cans and containers. Such request shall include the preferred locations documented on the application's site plan or property survey that provide for convenient disposal opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Zoning Officer. Upon recommendation of approval by the Zoning Officer, the approval shall be ratified by resolution of the Township Council.

§ 111-35. TAMPERING.

No person shall tamper with any garbage can or other container used in connection with the placement of garbage, refuse or rubbish at curbside so as to damage the same or to cause any garbage, refuse or rubbish to be removed from such garbage cans or containers.

§ 111-36. RESPONSIBILITIES OF PROPERTY OWNERS, BUSINESS OPERATORS, LANDLORDS AND TENANTS.

A. Property owners, business operators, landlords and tenants of a property shall each have all the duties and responsibilities prescribed in this Article; and no property owner, business operator, landlord or tenant shall be relieved from such duties or responsibilities by reason of the fact that the other of them or the occupant is also responsible therefor and in violation thereof.

B. Contract not to alter responsibilities. The respective duties and responsibilities imposed hereunder on the property owner, business operator, landlord or tenant shall not be altered or affected by any agreement or contract to which one or more of them is or are a party or parties.

§ 111-37. VIOLATIONS AND PENALTIES.

A. For violation of any provision of this Chapter, the maximum penalty upon conviction of the violation shall be by one or more of the following: imprisonment in the County Jail or in any place provided by the Township for the detention of prisoners for any term not exceeding 90 days; or by a fine not exceeding $2,000; or by a period of community service not exceeding 90 days.

B. Unlawful Solid Waste Disposal. In accordance with N.J.S.A. 40:49-5, for the violation of an ordinance or Code provision pertaining to unlawful solid waste disposal, the maximum penalty by a fine shall not exceed $10,000.

C. The violation of any provision of the Chapter, the minimum penalty shall be imposed which shall consist of a fine which may be fixed at an amount not exceeding $100.

D. Unlawful Solid Waste Disposal, in accordance with N.J.S.A. 40:49-5, for the violation of an ordinance or Code provision pertaining to unlawful solid waste disposal, the minimum penalty upon conviction of the violation shall be a fine of $2,500. (N.J.S.A. 40:49-5)

§ 111.38. SEVERABILITY.

If any section, sentence or any other part of this Chapter is adjudged unconstitutional or invalid by any court, such judgment shall not affect, impair or invalidate the remaining provisions of this Chapter, and such judgment shall be confined in its effect to the section, sentence or other part of this Chapter directly involved in the controversy in which such judgment shall have been rendered.

SECTION 3. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 4. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE FEBRUARY 28, 2020 ISSUE AND MARCH 13, 2020 ISSUE.

JENNIFER KIERNAN
MUNICIPAL CLERK

INTRODUCTION: February 20, 2020
PUBLIC HEARING: March 9, 2020
EFFECTIVE DATE: **March 29, 2020**