

TOWNSHIP OF ROCHELLE PARK

ORDINANCE NO. #1104-16

AN ORDINANCE TO AMEND CHAPTER 112 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “GARBAGE, RUBBISH AND REFUSE”

WHEREAS, Chapter 112 of the Code of the Township of Rochelle Park regulates the collection of trash and recyclables among other issues; and

WHEREAS, Sections 112-8, 112-11, 112-18 and 112-19 provide for certain penalties to be imposed in the event of a violation of this chapter; and

WHEREAS, the Township Committee has determined that it would be in the best interest of the residents to establish a penalty for violations which would not require a court appearance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ROCHELLE PARK, COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

SECTION ONE:

Sections 112-8, 112-11, 112-18 and 112-19 are hereby deleted in their entirety and replaced with the following:

Violations & Penalties

Any violation of this Article shall, upon conviction, be punishable as follows:

A. For the first offense in any calendar year, by a fine of twenty five (\$25.00) dollars.

B. For the second offense in any calendar year, by a fine of fifty (\$50.00) dollars.

C. For the third offense in any calendar year, by a fine of between one hundred (\$100.00) dollars and two hundred fifty (\$250.00) dollars. A Court appearance shall be mandatory for a third offense.

D. For the fourth offense, by a fine up to one thousand (\$1,000.00) dollars, and/or imprisonment for a term not exceeding ninety (90) days, or any combination thereof. A Court appearance shall be mandatory for a fourth offense.

E. If the owner of any property who is charged with violating this article, chooses to enter a plea of guilty for a first or second offense, he shall be entitled to pay the fine without the necessity of a Court appearance.

F. Separate violation. Except as otherwise provided, every day that the violation shall continue shall be deemed a separate violation.

G/ This Ordinance may be enforced by the Department of Public Works, Health Department, Police Department, Building Department or Property Maintenance Department.

SECTION TWO: Repealer:

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION THREE: Severability:

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION FOUR: Effective Date:

This Ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.

ATTEST:

ELIZABETH KROLL,
Municipal Clerk