

Ordinance 2006-3

**AN ORDINANCE OF THE BOROUGH OF INTERLAKEN ADOPTING  
STORMWATER MANAGEMENT, CONTAINERIZED YARD WASTE  
PROGRAM**

**SECTION I. Purpose:**

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

**SECTION II. Definitions:**

For the purpose of 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.

- a. 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.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. 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.
- d. Yard Waste – means leaves and grass clippings.

**SECTION III. 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 the 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.

**SECTION IV. Enforcement:**

The provisions of this ordinance shall be enforced by the Code Enforcement/Zoning Officer and/or the Police Department of the Borough of Interlaken.

**SECTION V. Violations and Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to the general penalty provisions contained in Section 1-5.1 of the Revised General Ordinances of the Borough of Interlaken.

**SECTION VI. Severability:**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be subject to the general penalty Ordinances of the Borough of Interlaken.

**SECTION VII. Effective date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

I hereby certify the foregoing to be a true copy of a Ordinance by the Borough Council of the Borough of Interlaken adopted on the 15th day of March, 2006

  
Robert D. Wolf, Mayor

  
Aimee L. Sweeney, Borough Administrator/Clerk

| ORDINANCE READING                 |  | DATE              |
|-----------------------------------|--|-------------------|
| 1 <sup>ST</sup> READING BY TITLE: |  | February 15, 2006 |
| 2 <sup>ND</sup> READING BY TITLE: |  | March 15, 2006    |

| Record of Vote    | Mayor | Council President | Councilman | Councilwoman | Councilman | Councilman | Councilman | Councilman |
|-------------------|-------|-------------------|------------|--------------|------------|------------|------------|------------|
|                   | Wolf  | Brown             | Booth      | Primavera    | Hoyle      | Parry      | Weeden     |            |
| Motion To Approve |       |                   |            |              |            |            |            |            |
| Motion to Second  | X     |                   |            | X            | X          |            |            |            |
| Approved          |       |                   |            | X            | X          |            |            |            |
| Opposed           |       |                   |            |              |            |            |            |            |
| Not Voting/Recuse |       |                   |            |              |            |            |            |            |
| Absent/Excused    |       | X                 | X          |              |            |            |            |            |