

**TOWNSHIP OF MAHWAH
ORDINANCE NO. 1862**

**AN ORDINANCE REGULATING THE DISPOSAL OF SOLID WASTE
WITHIN THE TOWNSHIP OF MAHWAH**

WHEREAS, the unauthorized disposal of solid waste within the Township of Mahwah is detrimental to the health, safety and public welfare of persons in the Township of Mahwah; and,

WHEREAS, the State of New Jersey has established criminal laws regarding disposal of 10 or more cubic yards of solid waste solids and 250 or more gallons of liquids; and,

WHEREAS, P.L. 2003, C. 231, Section 7, and N.J.S.A. 40:69A-29 authorizes the Township of Mahwah to adopt a local law and penalties concerning unlawful solid waste disposal,

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah as follows:

Section 1. The Township Code of the Township of Mahwah is hereby amended by the addition of a new section 13-14 to read as follows:

13-14 UNLAWFUL SOLID WASTE DISPOSAL

13-14.1 Definitions

- a. Solid waste means "Solid Waste" as defined in N.J.S.A. 13:1E-3.
- b. Disposal means "Disposal" as defined in N.J.S.A. 13:1E-3.

13-14.2 Unlawful Solid Waste Disposal

No person shall dispose of solid waste or cause or permit the disposal of solid waste or otherwise engage in the disposal of solid waste within the Township of Mahwah except as may be authorized by the New Jersey Department of Environmental Protection.

13-14.3 Exceptions

- a. The provisions of the Section 13-14 shall not apply to the solid waste collection or disposal activities of the Department of Public Works of the Township of Mahwah.

13-14.4 Penalty

Notwithstanding any other penalty provisions in the Township Code for violation of ordinances, the penalty for each violation of Section 13-14 for unlawful solid waste disposal shall be a minimum of \$2,500.00 and a maximum of \$10,000.00.

Section 2. This Ordinance shall not affect the Police Regulations for Littering set forth in Township Code Section 3-1.

Section 3. This Ordinance shall take effect as soon as provided for by law.

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Dated: June 25, 2019

Attest



David May
Council President



Kathrine G. Coviello
Municipal Clerk

I, Kathrine G. Coviello, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 13 day of June, 2019.



Kathrine G. Coviello, RMC/CMC/MMC
Municipal Clerk