

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17, "SOLID WASTE MANAGEMENT," SECTIONS 7.9 "LEAF DISPOSAL PERIOD," 7.10, "WARNING; PENALTY," AND 12.3b "PROCEDURE FOR REIMBURSEMENT," OF THE MUNICIPAL CODE OF THE TOWNSHIP OF WEST ORANGE

WHEREAS, The Mayor and Council of the Township of West Orange (the "Township"), have an interest in the efficient administration of government services; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Township desires to amend Chapter 17, "Solid Waste Management," Sections 7.9, "Leaf Disposal Period," 7.10, "Warning; Penalty," and 12.3b, "Procedure for Reimbursement," of the Township Municipal Code to define and clarify the duties of the Director of Engineering; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of West Orange, in the County of Essex, State of New Jersey, being the governing body thereof, that Sections 7.9, "Leaf Disposal Period," 7.10, "Warning; Penalty," and 12.3b, "Procedure for Reimbursement," of Chapter 17, "Solid Waste Management," shall be amended as follows.

Section 1. RECITALS. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. C Chapter 17, "Solid Waste Management," Sections 7.9, "Leaf Disposal Period," 7.10, "Warning; Penalty," and 12.3b, "Procedure for Reimbursement," shall be amended as follows.

Note: Additions are shown in **bold and underline** and deletions are shown as ~~striketrough~~.

§17-7.9 Leaf Disposal Period

The Leaf Disposal Period shall commence each calendar year on October 1st and close on December 10th. The ~~Township Engineer~~ **Director or Superintendent of Public Works**, upon at least three weeks' notice to the public, may extend the date on which the Leaf Disposal Period commences or closes. Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb and gutter or along the street is only allowed during the seven days prior to a scheduled and announced collection. Placement of leaves at the curb and gutter or along the street at any other time or in any other manner is a violation of this section. If such placement of leaves occurs, the party responsible for placement of

the leaves must remove them from the street or said party shall be deemed in violation of this section.

§17-7.10 Warning; Penalty

- a. Enforcement of subsection 17-7.8 shall be the responsibility of the ~~Township Engineer~~, Department of Public Works, Police Department and the Department of Planning and Development.

§17-12.3b Procedure for Reimbursement

- b. Upon receipt of the request, copies shall be forwarded by the Township Clerk's office to the Business Administrator, Chief Financial Officer, ~~Township Engineer~~, **Director of Public Works**, Director of Health and Welfare, and the Township Attorney **and/or their representatives** for a review and a determination as to whether there are any objections to granting this request from an administrative standpoint. Additionally, the report from the Chief Financial Officer and Township Health Director shall provide an estimate of the cost that the Township would incur if they were to provide services pursuant to the Township solid waste contract.

Section 3. If any provision of this Ordinance or application thereof, under any circumstances, is held invalid, the invalidity shall not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision(s) or application(s) and to this end the provisions of this Ordinance are severable. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect upon final passage and publication in accordance with law.

Susan McCartney, Mayor

Susan Scarpa, Council President

Karen J. Carnevale, R.M.C.
Municipal Clerk

INTRODUCED: March 10, 2026

ADOPTED: March 24, 2026

LEGISLATIVE HISTORY

Ordinance 2717-13, adopted by the Township Council on April 4, 2023, separated the Department of Public Works and Department of Engineering to improve efficiency and effectiveness, since functions of the two departments have different duties and licensing requirements. While amending other Ordinances enumerating the duties and functions of the two departments and their directors, it became clear that additional changes were needed to Ordinance 2717-23 to reflect the tasks performed annually by both departments.