

ORDINANCE NO. 19, 2013

AN ORDINANCE AMENDING CHAPTER 175 LITTERING OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HERewith.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 175 Littering, is hereby amended to add the following:

Construction Sites

It shall be unlawful for any property owner, agent, or contractor that is in responsible charge of a construction or demolition site to permit the accumulation of litter before, during, or after the completion of any construction or demolition project. Accordingly, it shall be the responsibility of any property owner, agent, or contractor in responsible charge of a construction or demolition site to comply with the following:

- A. Furnish containers adequate to accommodate flyable material or nonflyable debris and/or trash at areas on the construction or demolition site convenient to the active area of construction or demolition; and to maintain and empty said containers in such a manner and with such frequency as to prevent spillage or wind-driven transport of such material and/or debris. Construction Official may require covering of container if frequency of emptying is determined by said Construction Official not to be adequate.
- B. Erect a solid wood or plastic construction fence a minimum of two feet in height seated firmly on the existing grade about the entire perimeter of the construction site.
- C. Store all material, supplies, equipment, and machinery on the construction site with proper security lighting.
- D. Should portable toilets be utilized, said units shall be located fully within the construction fencing on such property with the entrance door to the unit facing away from the street right-of-way. Under no circumstances shall the unit be placed within any municipal or county street right-of-way.
- E. Provide a mechanism for control of vermin if determined by Construction Official that the site is the cause for vermin reported to said office.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3: Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

FIRST READING: September 11, 2013
PUBLICATION: September 16, 2013
PASSAGE: September 25, 2013

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on September 11, 2013 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on September 25, 2013.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR