

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #18/20

**AN ORDINANCE ESTABLISHING TIME RESTRICTIONS ON THE COLLECTION
OF SOLID WASTE AND RECYCLABLE MATERIALS BY PRIVATE PARTIES
WITHIN THE TOWN**

WHEREAS, the collection of solid waste and recyclable materials by private parties at haphazard times within the Town of West New York (“the Town”) is detrimental to the public welfare; and,

WHEREAS, it is within the police powers of the Town to regulate the hours of collection of solid waste and recyclable materials by private parties within the Town; and,

WHEREAS, it is in the best interests of the Town to regulate the hours of collection of solid waste and recyclable materials by private parties within the Town as has been successfully done in other adjacent municipalities, without issue.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey that the Code of the Town of West New York is hereby amended as follows:

SECTION I.

§ 306-3 “Disposal and separation requirements; collection.” of the Code of the Town of West New York is amended to include a subsection “E.” that shall read as follows:

The collection times for both solid waste and recyclable materials for commercial and industrial establishments within the Town, by private parties, shall be from midnight (12:00AM) to seven o’clock in the morning (7:00AM). Such solid waste and recyclable material pick-up shall be completed Town-wide no later than 7:00 a.m.

Any person, firm, corporation or association that violates this section shall be subject to the violations and penalties set forth in Section 306-9.

SECTION II.

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION III.

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

SECTION IV.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Code of the Town of West New York. The Town Clerk and the Town Attorney be and are hereby authorized and directed to correct any typographical error in this Ordinance and change any heading, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Code of the Town of West New York, or as they may otherwise deem appropriate, even if the headings, chapter numbers, article numbers and section numbers thus modified are otherwise provided for in this Ordinance.

SECTION V.

This Ordinance shall take effect upon passage and publication as required by law.

Summary of Ordinance

This Ordinance establishes time restrictions on the collection of solid waste and recyclable materials by private parties within the Town.

Introduced: September 2, 2020

Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **September 2, 2020** and ordered published, and will be further considered before final passage at a public hearing on **September 23, 2020 at 6:30 pm** at the Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.