

**ORDINANCE 2018 -2 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN,
AND STATE OF NEW JERSEY, AMENDING CHAPTER 280 OF THE CODE OF THE
TOWNSHIP OF BERLIN ENTITLED "SOLID WASTE & REFUSE"**

WHEREAS, Chapter 280 of the Code of the Township of Berlin, entitled "Solid Waste & Refuse" regulates the storage, collection and disposal of solid waste and recyclables within the Township of Berlin; and

WHEREAS, the Township continually strives to provide its residents with high quality, efficient and economic municipal services; and

WHEREAS, in furtherance of same, the Mayor and Township Council have determined it in the best interest of the residents to revise the solid waste collection schedule and/or the manner in which the collection schedule is determined on an annual basis; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

NOW THEREFORE BE IT ORDAINED, by the Mayor and the Township Council of the Township of Berlin, as follows:

SECTION 1: Chapter 280, entitled "Solid Waste & Refuse," Article III, entitled "Refuse Collection Schedules," is hereby deleted in its entirety with the remaining Articles in Chapter 280 being renumbered as set forth in the chart below and a new Article V, entitled "Enforcement, Violation & Penalties," being created as set forth in Sections 2 and 3 of this Ordinance, as follows:

Current Article Number	Title of Article	New Article Number
Article I	General Provisions	Article I
Article II	Regulations Regarding Supply and Use of Carts	Article II
Article III	Refuse Collection Schedules	Deleted
Article IV	Recycling	Article III
Article V	Yard Waste & Bulky Waste	Article IV
N/A	Enforcement, Violations & Penalties	Article V

SECTION 2: Chapter 280, entitled "Solid Waste & Refuse," is further amended by renumbering Section 12 in deleted Article III to a new Section 6 in Article I, as more fully set forth in Section 3 of this Ordinance, and renumbering the balance of the Sections of Chapter 280 as follows:

Current Section Number	New Section Number	Current/New Article	Former Article
§280-1	§280-1	Article I	Article I
§280-2	§280-2	Article I	Article I
§280-3	§280-3	Article I	Article I
§280-4	§280-4	Article I	Article I
§280-5	§280-5	Article I	Article I
§280-6	§280-15	Article V	Article I
§280-7	§280-16	Article V	Article I
§280-8	§280-7	Article II	Article II
§280-9	§280-8	Article II	Article II
§280-10	§280-9	Article II	Article II
§280-11	§280-10	Article II	Article II
§280-12	§280-6	Article I	Article III
§280-13	Deleted	N/A	Article III
§280-14	Deleted	N/A	Article III
§280-15	Deleted	N/A	Article III
§280-16	Deleted	N/A	Article III
§280-17	§280-11	Article III	Article IV
§280-18	§280-12	Article III	Article IV
§280-19	§280-13	Article IV	Article V
§280-20	§280-14	Article IV	Article V

SECTION 3: Chapter 280, entitled "Solid Waste & Refuse," is amended and revised to add a new Section 6, entitled "Refuse Collection Schedules," to Article I, entitled "General Provisions," to read as follows:

§280-6 Refuse Collection Schedules

(a) The schedule for collection of solid waste, recyclable materials, yard waste, bulk leaves, bulky waste items, and all other pertinent forms of waste shall be established annually by resolution of the Governing Body. Copies of any schedule(s) adopted hereunder shall be posted by the Public Works Department in the time, location and manner prescribed in each such resolution.

(b) Notwithstanding the above, the approved and posted collection schedule may be revised and/or altered on a case by case basis as may be necessary to protect the health, safety and welfare of the residents in the event of any emergency, major weather

occurrence or other such unpredictable and/or unforeseen event that may occur. Any such changes shall be immediately posted by the Public Works Department in the place(s) designated by the Governing Body for posting of the annual collection schedule pursuant to Section (a) above. Any changes in the collection schedule under this Section may occur without the need for Governing Body approval by resolution in advance thereof.

SECTION 4: Chapter 280, entitled "Solid Waste & Refuse," is further amended and revised to add a new Article V, entitled "Enforcement, Violations & Penalties," to include former Sections 280-6 and 280-7 of Article III, which are now numbered Sections 280-15 and 280-16, respectively, as more fully set forth in Section 2 of this Ordinance.

SECTION 5: Except as set forth in Sections 1 through 4 above, the balance of Chapter 280 of the Code of the Township of Berlin shall not be affected by this Ordinance.

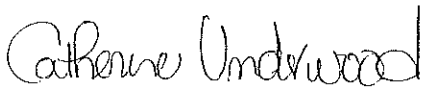
SECTION 6: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

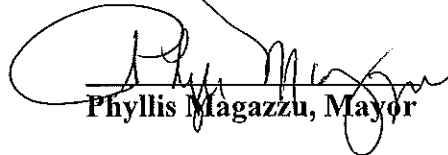
SECTION 8: This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Introduced: January 22, 2018
Adoption: February 26, 2018

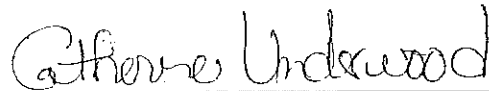
Advertised Corner Post 2/2/18
Advertised Corner Post 3/2/18



Catherine Underwood
Catherine Underwood, Township Clerk


Phyllis Magazzu, Mayor

It is hereby certified that the foregoing is a true copy of an ordinance adopted by the Mayor and Council of the Township of Berlin on February 26, 2018.



Catherine Underwood
Catherine Underwood, Township Clerk