

## ORDINANCE NO. 2013-03

### BOROUGH OF AUDUBON PARK, NEW JERSEY

#### ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING ORDINANCE 2-08 ENTITLED "ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, REGULATING THE PLACEMENT OF GARBAGE, REFUSE, AND WASTE MATTER IN PROPER RECEPTACLES FOR COLLECTION"

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**WHEREAS**, pursuant to Ordinance No. 11, the Borough of Audubon Park adopted regulations concerning the placing of garbage, refuse and waste matter in proper receptacles for collection; and

**WHEREAS**, pursuant to Ordinance No. 2-08 the Borough of Audubon Park adopted additional regulations concerning the placing of garbage, refuse, and waste matter in proper receptacles for collection; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Audubon Park have deemed it in the best interest of the public health, safety and welfare to prohibit "scrapping" and "scavenging" of garbage, refuse and waste matter in the Borough of Audubon Park and have it deemed it in the best interest of the public health, safety and welfare to supplement and amend Ordinance No. 2-08 for those purposes.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Audubon Park, County of Camden, State of New Jersey, as follows:

#### **SECTION I. Purpose:**

The purpose of this Ordinance is to prevent the careless placing of garbage, refuse, and waste matter upon the streets and places of the Borough of Audubon Park as well as to prohibit "scrapping" and "scavenging" in such a manner that the same will become obnoxious or unsightly.

#### **SECTION II. Definitions:**

The word "person" as herein used shall mean and include natural persons, partnerships, corporations, companies and associations.

#### **SECTION III. Prohibited Conduct:**

- A. It shall be unlawful for any person to place garbage, refuse, or waste matter along the streets or places of the Borough of Audubon Park except in weatherproof containers, so constructed that they cannot be easily upset and emptied by stray animals.

- B. From the time of placement at the curb of any garbage, refuse or waste matter for the purpose of collection by the Borough of Audubon Park, such materials shall be and become the property of the Borough of Audubon Park or its authorized agent. Any person not authorized by the Borough of Audubon Park to collect or pick up or cause to be collected or picked up any such materials shall be in violation of this Ordinance. Any and all such collection or violation hereof from one or more locations shall constitute a separate and distinct offense, punishable as hereinafter provided.
  
- C. No person shall take, remove, scrap or scavenge any garbage, refuse or waste matter from any place in the Borough of Audubon Park or from any property in the Borough of Audubon Park without the permission of the occupant or person in charge of the property from which the garbage, refuse or waste matter is removed.

**SECTION IV. Enforcement:**

The provisions of this Ordinance shall be enforced by the Haddon Township Police Department and/or Municipal Officials of the Borough of Audubon Park.

**SECTION V. Violations and Penalties:**

Any person violating any provisions of this Ordinance shall, upon conviction thereof, forfeit and pay a fine not exceeding \$500.00 and the Judge before whom any such person may be brought, may impose such punishment by fine as he/she may deem fit, not exceeding the maximum herein fixed.

**SECTION VI. Repealer:**

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

**SECTION VII. Severability:**

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 VIII. Effective Date:**

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

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LAWRENCE E. PENNOCK, MAYOR

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DAWN PENNOCK, RMC  
MUNICIPAL CLERK

Introduced: May 6, 2013

Adopted: \_\_\_\_\_, 2013

Certified to be a true copy of an Ordinance adopted by the Mayor and Borough Council of the Borough of Audubon Park at a regular scheduled meeting on May 6, 2013, at the Audubon Park Borough Municipal Building.

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DAWN PENNOCK, RMC  
MUNICIPAL CLERK

Dated: