

BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION

NOTICE is hereby given that **Ordinance 06-2023** - Ordinance of the Borough of Eatontown Entitled “**An Ordinance of the Borough of Eatontown Amending Chapter 281-26 of the Code of the Borough of Eatontown Entitled “Violation and Penalties” to Increase the Fine for Failure to Comply with Chapter 281 Solid Waste, Article IV Bulk Trash**” was passed after a public hearing at the regular meeting of February 22, 2023 by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

ORDINANCE 06-2023

BOROUGH OF EATONTOWN

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 281-26 OF THE CODE OF THE BOROUGH OF EATONTOWN ENTITLED “VIOLATION AND PENALTIES” TO INCREASE THE FINE FOR FAILURE TO COMPLY WITH CHAPTER 281 SOLID WASTE, ARTICLE IV BULK TRASH

WHEREAS, the Borough of Eatontown (the “Borough”) is authorized, to enact ordinances necessary for public, health safety and welfare; and

WHEREAS, the placement of bulk trash, garbage and recyclables for collection often creates a nuisance and/or unsafe conditions for the residents of the Borough; and

WHEREAS, the Borough Council believes it is in the best interests of the Borough’s residents to increase fines for failing to comply with the bulk penalty ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Eatontown, County of Monmouth and State of New Jersey that Chapter 281-26 of the Code of the Borough of Eatontown, entitled, “Violation and Penalties” shall be amended as follows:

[deletions are stricken and additions are underlined]

§281-26 Violation and Penalties.

Any person who violates or neglects to comply with any provisions of this article shall, upon conviction thereof, be punishable by a fine/penalty not to exceed the following amounts:

- A. For a first offense: ~~\$25~~ \$250 to ~~\$100~~ \$500
- B. For a second offense: ~~\$50-\$500~~ to ~~\$250-\$1,000~~
- C. For a third and subsequent offense: ~~\$100~~ \$1,000 to ~~\$1500-\$2,000~~ and/or the performance of community service in the recycling program, for a period not to exceed 90 days.

BE IT FURTHER ORDAINED, that

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.