

**TOWNSHIP OF ANDOVER  
SUSSEX COUNTY, NEW JERSEY**

**ORDINANCE NO. 2020-05**

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX,  
AND STATE OF NEW JERSEY TO AMEND THE TOWNSHIP CODE BY  
AMENDING CHAPTER 144 ENTITLED "SOLID WASTE" TO ADD A NEW  
ARTICLE III ENTITLED "CURBSIDE COLLECTION OF BRUSH"**

**WHEREAS**, the Township Committee has reviewed and assessed the Township Code section relating to the procedures related to the curbside collection of brush from residential premises; and

**WHEREAS**, the Township Committee has reviewed the procedures proposed and approved of the procedures as set forth herein; and

**WHEREAS**, the Mayor and Township Committee desire to amend the Township Code to set forth the procedures for the curbside collection of residential brush.

**NOW THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey as follows:

**SECTION 1.** Chapter 144 "Solid Waste" shall be amended to add new Article III "Curbside Brush Collection" to read as follows:

**§144-1 Definitions.**

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings given hereafter. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely discretionary.

**BRUSH**

Branches, tree limbs, tree trunks, woody plants and other similar vegetative material. In no event shall brush be larger than six (6) inches in diameter. Brush shall not have thorns or roots. For purposes of this article, leaves and grass do not constitute brush; neither does tall landscape grass, bamboo or vines.

**§144-2 Collection of brush from Residential properties.**

A. Provided that application has been made prior to September 30<sup>th</sup> or March 31<sup>st</sup> of that year, and the \$25 application fee paid to the Township of Andover, brush, including, but not limited to, all branches, bulky tree limbs and tree trunks, will be collected by the Department of Public Works once in the month of April and once in the month of October, weather permitting, if deposited in approximately 4'x4'x6' piles, with cut ends facing the road, placed in a single row at the street curb, if one exists. However, if a curb does not exist, the brush shall be deposited in a 4'x4'x4' piles, with cut ends facing the road, placed in a single row near the street pavement but not on the street pavement itself. In no event shall the brush be placed closer than ten (10) feet from any storm drain inlet.

B. In the event that the property configuration does not provide for a suitable location to place brush for pickup, the Department of Public Works Supervisor may designate placement of the brush close to the property line as possible. Further, the property owner shall authorize access to the property for pickup.

C. This article shall not apply to independent contractors working on or at a Township resident's property. The Department of Public Works will not pick up brush set at the curb by such contractor. Any contractor working in the Township must remove all brush and tree parts without obligating the Township.

#### §144-3 Time for deposit of brush at curbside.

During the month of schedule collection, all brush must be placed at the curb in approximately 4'x4'x6' piles, with cut ends facing the road, placed along the road prior to the scheduled collection day but in no event shall the brush be placed curbside more than seven (7) days prior to a scheduled and/or announced collection by the Department of Public Works. No brush shall be stored within the Township right-of-way for no more than 14 days prior to the collection.

#### §144-4 Enforcement.

The provisions of this article shall be enforced by the Supervisor of the Department of Public Works of the Township of Andover and/or person(s) designated by the Township Committee.

#### §144-5 Violations and penalties.

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a minimum fine of \$100 and a maximum fine as permitted by law. Each day that a person is in violation of this Article shall count as a separate violation.

The remainder of this Chapter remains unchanged.

**SECTION 2.** All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

**SECTION 5.** This Ordinance may be renumbered for codification purposes.

**TOWNSHIP OF ANDOVER  
COUNTY OF SUSSEX  
STATE OF NEW JERSEY**

**ATTEST:**

\_\_\_\_\_  
Patricia L. Bussow, RMC  
Administrator/Clerk

By: \_\_\_\_\_  
Michael Lensak  
Mayor