

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 15-12

**AN ORDINANCE TO ESTABLISH CHAPTER 142 OF THE CODE OF THE BOROUGH
OF ALLENDALE ENTITLED "IMPROPER DISPOSAL OF HAZARDOUS
MATERIALS"**

BE IT ORDAINED BY THE Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the following Chapter be adopted and established with the Code of the Borough of Allendale:

IMPROPER DISPOSAL OF HAZARDOUS MATERIALS

§142-1 Purpose.

The purpose of this chapter is to prohibit the spilling, dumping, or disposal of hazardous materials on any property owned by the Borough of Allendale, so as to protect public health, safety and welfare, and to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§142-2 Word usage; definitions.

A. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the rest of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense including the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

B. As used in this chapter, the following terms shall have the meanings indicated:

Hazardous Materials.

Those substances and/or materials which, when released, discharged, placed or dumped into the environment, which pollute, or which are harmful or injurious to, said environment, including but not limited to those substances and materials described in the Comprehensive Environmental Response, Compensation and Liability act of 1980, as amended, 42 U.S.C. Section 9601, et seq., the Resource Conservation and Recovery Act, as amended, 42 U.S.C. Section 6901, et seq., the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11, et seq., the New Jersey Industrial Site Recovery act, as well as those described in any applicable state or local laws and the regulations promulgated under any of the foregoing acts or laws, as same may be amended.

Person

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

§142-3 Prohibited Conduct.

The spilling, dumping, release, discharge or disposal of hazardous materials on any real property owned by the Borough of Allendale is prohibited. The spilling, dumping, or disposal of hazardous materials in such a manner as to cause the discharge of hazardous materials to any property owned by the Borough of Allendale is also prohibited.

§142-4 Enforcement.

This chapter shall be enforced by the Police Department, Borough Engineers and other Code Officials of or contracted by the Borough of Allendale.

§142-5 Violations and Penalties.

Any person(s) who continues to be in violation of the provisions of this chapter, after being duly notified, shall be subject to a fine of \$1,000 for a first offense and up to \$2,000 for a second and each subsequent offense.

§142-6 Severability.

Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding or any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan			✓			
McSwiggan		✓	✓			
Sasso	✓		✓			
Strauch			✓			
Wilczynski			✓			
White						

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on May 14, 2015


 Mayor Elizabeth White


 Deborah L. Fehre, RMC
 Interim Municipal Clerk