

Mr. Urbanski offered the following ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

O-08-17

**ORDINANCE AMENDING THE BOROUGH OF HIGHLANDS
CODE TO ADD THE FOLLOWING REGULATIONS ON
“GARBAGE COLLECTION”**

WHEREAS, the Borough of Highlands has maintained garbage collection for both residential and commercial uses within the Borough; and

WHEREAS, residential garbage collection and/or reimbursement is required under N.J.S.A. 40:66-1.2 et seq. The same garbage collection is not required for commercial uses; and

WHEREAS, the Borough of Highlands seeks to reduce municipal expenses by eliminating garbage collection for commercial uses.

BE IT ORDAINED, by the Borough Council of the Borough of Highlands that the Code of the Borough of Highlands be amended and supplemented to add the following new Section:

New Text denoted by Underline, deletions by ~~Strikeover~~.

SECTION ONE

GARBAGE COLLECTION – COMMERCIAL PREMISES

A. The Borough of Highlands shall not collect garbage, trash and refuse of any kind from business or commercial establishments. The collection of garbage shall be the responsibility of the owners and occupants thereof to provide for private collection of garbage, trash and refuse and to comply with all applicable Federal, State and Borough laws, rules and regulations regarding such collection. All businesses and commercial establishments shall also provide for recycling as required by law.

B. For purposes of this ordinance, businesses and commercial uses shall be designated as any business or commercial operation having a mercantile license issued under Section 4-9.1 of the Code of the Borough of Highlands.

SECTION TWO

If any section or provision of this ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable from the remainder or any portion thereof.

SECTION THREE

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR

This ordinance shall take effect on May 1, 2009.

Seconded by Mayor Little and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Caizza, Mr. Urbanski, Mayor Little

NAYES: None

ABSENT: Mrs. Burton, Mr. Nolan

ABSTAIN: None

DATE: December 17, 2008

NINA LIGHT FLANNERY, Borough Clerk
CAROLYN CUMMINS, Deputy Clerk

Intro: December 3, 2008

Publish: December 6, 2008, Asbury Park Press

2nd Rd/P.H.: December 17, 2008

Adoption: December 17, 2008

Publication:

I do hereby certify this to be a true copy of Ordinance # O-08-17 as adopted on

Borough Clerk/Deputy Clerk