

BOROUGH OF PENNINGTON
ORDINANCE NO. 2026-26

ORDINANCE MODIFYING REQUIREMENTS FOR YARD
WASTE COLLECTION AND AMENDING THE CODE OF
THE BOROUGH OF PENNINGTON

WHEREAS, the Department of Public Works has completed a review of the Borough's yard waste and brush collection program and is recommending targeted operational refinements to improve efficiency and sustainability, reduce costs, protect equipment and establish clear service expectations for residents;

WHEREAS, the proposed refinements include amended definitions to establish clear distinctions among larger material suitable for processing with a chipper, smaller material collected as containerized yard waste, and material too big or too heavy for collection except as part of the Borough bulk trash program;

WHEREAS, the proposed ordinance changes would require all yard waste to be containerized, reduce the maximum number of containers from 20 to 10 per collection, and limit containers to biodegradable paper lawn bags or cans up to 32 gallons, with no lids, that have drainage holes or have otherwise been drained before pickup;

WHEREAS, the processing of branches and limbs above a minimum size, requiring a chipper, will no longer be part of the scheduled yard waste collection program but by appointment only and for a fee;

WHEREAS, the ordinance will replace collection days established by ordinance in favor of discretion in the Superintendent of Public Works to change collection days to accommodate changes in routes or staffing as well as the authority to suspend or alter collections because of weather, emergencies, snow operations, staffing or equipment failures;

NOW, THEREFORE, BE IT ORDAINED, by Borough Council of the Borough of Pennington, that Article III of Chapter 172 of the Code of the Borough of Pennington, concerning Yard Waste, is hereby amended (with deleted language crossed out and new language underlined):

1. Section 172-18, concerning Definitions, is hereby amended with respect only to the definitions of "Brush," "Containerized" and "Yard Waste," redefining "Brush" as "Chipper Material," as follows:

BRUSH CHIPPER MATERIAL Tree trunks, limbs, ~~B~~branches and shrubs suitable for processing through a wood chipper **greater than 36 inches in length or, regardless of length, greater than 4 inches in diameter, up to but not exceeding 10 inches in diameter or 40 pounds in weight.** ~~Brush does not include grass clippings, leaves, cuttings, twigs or miscellaneous organic matter.~~ **Chipper material shall not contain vines, root balls, stumps, dirt, construction debris, lumber, dimensional wood or miscellaneous organic or non-organic material**

CONTAINERIZED The placement of **leaves or** yard waste in a trash can, bucket, bag or other container sufficient to prevent yard waste from spilling or blowing into the street. **When containerized, leaves must be placed in biodegradable bags which shall not weigh more than 40 pounds per bag when full. Containerized yard waste may be placed in a trash can, bucket, bag or other container provided bags shall be biodegradable and any other container shall be without a lid and either have drainage holes or be manually drained before pickup. No such container shall exceed 32 gallons or 40 pounds in weight.**

YARD WASTE Brush, cuttings and twigs, grass clippings and miscellaneous organic material resulting from yard maintenance **as well as tree trunks, limbs, branches and shrubs too small to be chipper material.**

2. Section 172-21, concerning Collection, is hereby amended as follows:

- A. **Leaves.** Leaves may be placed in a Borough-owned street for collection by the Borough no more than seven days immediately prior to a scheduled collection. Leaves will be scheduled for collection by the Borough on an ongoing basis, as often as practicable, during the period from October 1 to January 1 and from April 1 to June 1. Scheduled collections will be announced through local newspapers and by notices posted in the municipal building **and on the Borough website.** Leaves placed in the street in anticipation of collections during the period from October 1 to January 1 need not be containerized. Leaves placed in a Borough-owned street in anticipation of collections during the period April 1 to June 1 must be containerized. ~~When containerized, the leaves must be contained in bags which when full shall not weigh more than 45 pounds per bag.~~ Whether or not containerized, leaves placed in the street for collection shall not include grass clippings or ~~other~~ yard waste.
- ~~B.~~ The placement of uncontainerized-leaves in a street owned by the county or state shall be subject to regulation by them. However, containerized leaves may be placed in a state or county street for collection by the Borough during the period from April 1 to June 1, subject to the weight limitations set forth above.

~~C. **Yard Waste.** Other~~ Yard waste, exclusive of grass clippings, may be placed in any street **but only** during the day immediately prior to a **the day** collection **of yard waste** is scheduled by the Borough for that type of yard waste and at no other time. All such yard waste shall be containerized, ~~except brush must be stacked neatly with the large end of the trunk or stem facing the street and need not be tied or~~ containerized. ~~Tree trunks and limbs in excess of six inches in diameter will not be collected except in compliance with regulations governing bulk trash service as provided in the Borough Code.~~ Grass clippings may not be included or mixed with this waste. Placing grass clippings in the street, whether or not containerized, is prohibited at all times.

~~D. **Chipper Material.**~~ **The processing of chipper material will no longer be part of a scheduled yard waste collection program and will be by appointment only, for a fee, in accordance with procedures established by the Department of Public Works. All fees shall be enacted under Chapter 98 of the Borough Code. Chipper material need not be containerized. It must be stacked neatly with the larger end facing the street in a pile not exceeding four feet wide, four feet high and fifteen feet long. Each property shall be limited to one such pile per week. Tree trunks, branches, limbs and shrubs in excess of ten inches in diameter or 40 pounds in weight will not be collected except in compliance with regulations governing bulk trash service as provided in the Borough Code.**

~~D. E. Weekly collections shall be scheduled as follows:~~

~~(1) Collection of cuttings and twigs and yard waste other than brush chipper material, leaves and grass clippings shall be scheduled for every Monday, exclusive of holidays, throughout the year.~~

~~(2) Collection of brush shall be scheduled for every Tuesday, exclusive of holidays, throughout the year.~~

Collection Schedule. Days each week for collection of yard waste and processing of chipper material shall be established by the Department of Public Works. The Superintendent shall have the discretion to modify schedules to accommodate changes in routes and staffing and to suspend or alter collections on account of weather, emergencies, equipment failures or other operational necessity. Moreover, routine collection of yard waste and the processing of chipper material shall be suspended from October through February except after significant storm events.

~~E.F. Limit on Number of Containers.~~ To the extent yard waste is permitted by this article to be placed in the street in bags or containers, no more than ~~20-10~~ bags or containers may be placed at the curb for collection at any one time. ~~Yard waste permitted to be placed in the street without bags or containers shall be placed in a pile no larger than four feet wide by four feet high by 15 feet long. Each property is limited to one such pile per week~~

F.G. Contractor Waste. All yard waste generated by a contractor must be removed from the property by the contractor **or the property owner** and may not be left at the curb. **However,** leaves **collected by a contractor** shall be left at the curb in compliance with Subsection A of this section.

3. Section 172-22, concerning Violations and penalties, is hereby amended as follows:

This ordinance shall be enforced by the Pennington Police Department and such additional code enforcement officials as the Borough may hereafter designate. The Department of Public Works shall issues notices of violation before the commencement of enforcement proceedings Any person who violates or neglects to comply with any provision of this article or any regulation promulgated pursuant thereto shall receive at least one warning before an enforcement action is brought but thereafter shall be subject to a fine not to exceed \$500. Each day the violation continues shall constitute a separate offense.

4. Article IX of Chapter 98 of the Borough Code, concerning Fees relating to Solid Waste Disposal, is hereby amended to include the following:

“Fee for processing chipper material pursuant to Chapter 172 of the Borough Code (by appointment only): \$75 per appointment”

5. This Ordinance shall be effective upon passage and publication as provided by law.