

§ 173-17. Brush collection/removal of branches. [Amended 4-9-2014¹]

No owner, occupant and/or tenant of a residential property in the Township of Colts Neck shall place, put or stack branches, stumps, trees or parts of trees in the paved right-of-way, except in accordance with the following manner:

- A. Colts Neck is licensed by the State of New Jersey as a Class B recycling center. Only tree branches, tree limbs, tree trunks with a diameter not to exceed four inches, and brush are the sole materials to be received, stored, processed or transferred. Brush mixed with foreign materials, such as: tree stumps, roots, leaves, grass, lumber, fence posts, railroad ties, oversized material or other debris, shall not be collected by the Township. It is the responsibility of the property owner to dispose of brush piles mixed with other debris.
- B. All brush shall be placed at the curblineline or edge of pavement and shall not extend onto the paved portion of the street further than three feet and shall not impede traffic or create a safety hazard. Notwithstanding the three-foot encroachment into the street above, no pile of brush shall be placed to so occupy a street as to interfere with or interrupt the passage of cars or vehicles. **[Amended 1-31-2018]**
- C. All brush placed at the curblineline or edge of pavement shall be no closer than 10 feet from any storm drain inlet or stream.
- D. All brush placed at the curblineline or edge of pavement shall be no closer than 25 feet to a street intersection. **[Amended 1-31-2018]**
- E. Brush must be stacked parallel to the curblineline or edge of pavement in front of the property in which it originated. Each piece of brush shall be no larger than eight feet in length or four inches in diameter.
- F. No more than 20 cubic yards of brush (one roll-off container truck) may be placed per property for each scheduled collection. Twenty cubic yards is equivalent to a pile approximately five feet high, eight feet in width and 14 feet in length.
- G. Brush must be accessible to machinery for collection or it will not be picked up by the Township.

1. Editor's Note: This ordinance provided that it shall take effect 7-1-2014.

- H. Brush collection will occur by area and in accordance with the annual schedule established and published by the Department of Public Works. No brush shall be placed at the curblineline or edge of pavement more than two weeks (14 days) prior to the scheduled collection week. **[Amended 1-31-2018; 9-11-2019 by Ord. No. 2019-17]**
- I. Except brush placed at the curblineline or edge of pavement for collection in accordance with Subsections B, C, D, E, F, G and H above, no brush shall be placed, stacked, stored or staged in the right-of-way of a public street. **[Amended 1-31-2018²]**
- J. No brush, leaves or tree cuttings shall be placed, stored or otherwise disposed of on any adjoining private property, without permission of said adjoining property owner.
- K. No brush, leaves or tree cuttings shall be placed, stored or otherwise disposed of on any public property.
- L. No brush or tree cuttings shall be placed, stored or otherwise disposed of on any common open space area without approval of the entity controlling said common open space.
- M. No brush or tree cuttings shall be placed, stored or otherwise disposed of within ponds, lakes, streams, swamps, marshes, wetland buffers, conservation easements, nontidal floodways or similar watercourses.
- N. Placement of brush at the curblineline or edge of pavement during any other time than the scheduled collection period is a violation of this chapter and subject to a summons. In the event brush is found in front of any person's property within the Township, a rebuttable presumption shall arise that the owner and/or occupant of the property in front of which said brush is located has improperly disposed of brush contrary to the provisions of this chapter.
- O. If the owner, tenant, person in possession of the dwelling or land, contractor or others employed by the owner fails to abate the improper placement of brush, the Code Enforcement Officer shall cause the condition to be abated, either by action of the Department of Public Works or by engagement of an outside contractor, and shall certify the cost to the Township Committee, which shall examine the certificate and, if it is correct, cause the cost as shown thereon to be charged against the dwelling or

2. Editor's Note: This ordinance also redesignated former Subsections I through O as Subsections J through P, respectively.

lands. The amount so charged shall forthwith become a lien upon the dwelling or lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such dwelling and lands, shall bear interest at the same rate as taxes, and shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this chapter.

- P. The Township Committee reserves the right to relax or suspend these requirements in response to states of emergency or at any time to promote the health, safety or general welfare of the public.