

**AN ORDINANCE AMENDING SECTION §22-3, THE  
SOLID WASTE UTILITY SECTION OF THE REVISED  
GENERAL ORDINANCES OF THE TOWNSHIP OF  
SPARTA**

**WHEREAS**, The Sparta Township Council desires to revise its existing Solid Waste Utility Ordinance, Section §22-3 as provided for in this Ordinance; and

**NOW, THEREFORE, BE IT ORDAINED** by the Sparta Township Council, in the County of Sussex, State of New Jersey, that Ordinance Section 22-3, the Solid Waste Utility Ordinance is revised as follows:

**Section 1.** Section 22-3.1 is amended in order to add a new subsection "c" as follows: All residential dwelling units in Sparta Township that are not included within a H.O.A. (as defined in Section 22-3.1(d)) are required to use the Solid Waste Utility's solid waste and recycling services and pay the charges imposed by the Solid Waste Utility for such services. No property owner shall have the right to opt out of using the Solid Waste Utility Services.

**Section 2.** Section 22-3.1 is amended in order to add a new subsection "d" as follows: A homeowner's association, condominium association, cooperative or horizontal property regime (collectively referred to as a "H.O.A.") may elect to have its residents participate in the Solid Waste Utility's solid waste and recycling services upon submitting a written request to participate to the Township Clerk's Office, with the effective date and charges to be determined by the Township. The H.O.A.'s use of the Township's services shall be conditioned upon the H.O.A.'s residents paying the charges imposed by the Solid Waste Utility. The H.O.A.'s residents must be customers for both solid waste and recycling services. A H.O.A. cannot cancel or terminate its residents' use of the Solid Waste Utility's solid waste and recycling services during the term of the then current contract between the Township and its solid waste and recycling contractor. If a H.O.A. determines that it desires to cease participating in the Solid Waste Utility's solid waste and recycling services it must provide written notice of such decision prior to the expiration of the Township's then current solid waste and recycling services contract and the H.O.A.'s withdrawal from the Solid Waste Utility's solid waste and recycling services shall be effective as of the date that the Township's new solid waste and recycling contract with its vendor commences. The H.O.A.'s residents shall remain responsible for paying all charges to the Solid Waste Utility through the date that the H.O.A.'s withdrawal becomes effective. As a condition of its withdrawal, the H.O.A. must provide the Township with written proof that it has contracted with a New Jersey licensed solid waste and recycling contractor for solid waste and recycling services for its residents.

**Section 3.** Section 22-3.5, the first paragraph is repealed and replaced as follows: "The Solid Waste Utility of Sparta Township will prepare bills setting forth the annual solid waste charges and send them in January of each year to its customers through the U.S. Postal Service. Bills that are not delivered by the U.S. Postal Service shall, nevertheless remain due and owing. The payment, or nonpayment of utility bills is the responsibility of the property owner and shall constitute a lien against the property serviced by the Solid Waste Utility."

**Section 4.** Section 22-3.5.a, the first sentence is repealed and replaced as follows: "The annual solid waste charges shall be due in installments on March 1, June 1, September 1 and December 1 each year."

**Section 5.** Severability. If any provision of this ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 6.** Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

**Section 7.** Effective Date. This ordinance shall take affect after final passage and publication as required by law. However, the billing and payment changes shall come into effect as of January 1, 2022.

## **NOTICE**

PLEASE TAKE NOTICE that the above ordinance was introduced and passed upon first reading at a regular meeting of the Sparta Township Council held at the Municipal Building, 65 Main Street, Sparta, New Jersey on November 23, 2021, and will be considered for final passage and adoption at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey, on December 14, 2021 at 7:30 p.m., at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA

KATHLEEN CHAMBERS, RMC  
MUNICIPAL CLERK

## **NOTICE**

**NOTICE** is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on November 23, 2021. The same came up for final passage and adoption at a regularly scheduled meeting of the Township Council of the Township of Sparta, held on December 14, 2021 at 7:30 p.m., at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

KATHLEEN CHAMBERS, RMC  
MUNICIPAL CLERK