

CHAPTER XXVII SOLID WASTE MANAGEMENT

27-1 SOLID WASTE CODE.

27-1.1 Short Title.

This section shall be known and may be cited as "The Solid Waste Code of the Township of Woodbridge." (1974 Code § 12-25)

27-1.2 Definitions.

As used in this section:

Solid Waste Code of New Jersey shall mean that certain printed Code approved and adopted by the New Jersey State Department of Health on March 16, 1959, being a Code regulating the manner in which solid waste may be stored, collected and disposed of; declaring and defining certain conditions as nuisances; fixing the responsibilities and duties of persons storing, collecting or disposing of solid waste; and providing for issuance of permits to collect solid waste.

Whenever the following words, terms or phrases are used in the Solid Waste Code of New Jersey (1959), as amended and supplemented from time to time, they shall have the following meanings:

Board of Health shall mean the Division of Health in the Department of Health and Welfare of the Township.

Municipality shall mean the Township of Woodbridge.

(1974 Code § 12-26; Ord. #07-30)

27-1.3 Adoption of Solid Waste Code of New Jersey (1959).

a. The whole of the Solid Waste Code of New Jersey (1959), as amended and supplemented from time to time, is hereby incorporated by reference and made a part hereof as though it had been set forth at length, of which the required number of copies have been placed and now are on file in the office of the Township Clerk and in the office of the Division of Health in the Department of Health and Welfare of the Township, and shall remain on file in the offices for the use and examination of the public so long as this section shall remain in effect.

b. The Solid Waste Code of New Jersey (1959), as amended and supplemented from time to time, is hereby adopted as the Solid Waste Code of the Township. A copy of the Code was annexed to and made a part of the Ordinance of July 9, 1963 adopting the Code by reference.

(1974 Code § 12-27)

27-1.4 Term of License; Fee.

a. Every license issued under this section shall expire annually on December 31.

b. The license fee for each vehicle used to collect refuse shall be fifty (\$50.00) dollars.

(1974 Code § 12-29)

27-1.5 Flush Mounted Waste Receptacles Prohibited.

Under no circumstances shall the construction, maintenance or use, or continued maintenance or use, of flush mounted waste receptacles below ground level be permitted. (1974 Code § 12-30)

27-1.6 Penalty.

Any person, firm, corporation or any other entity which violates or neglects to comply with the provisions of this section or any other regulations shall, upon conviction, be liable to the penalty stated in Chapter 1, Section 1-5. A separate offense shall be deemed committed on each day during which or on which a violation occurs or continues.

(1974 Code § 12-31; Ord. #09-82)

27-2 SOLID WASTE COLLECTIONS.

27-2.1 Title.

The title of this section shall be "An Ordinance Regulating the Municipal Collection and Removal of Solid Waste and Providing Penalties for its Violation." (1974 Code § 12-106; Ord. #11-19-74 § I; Ord. #07-30)

27-2.2 Purpose.

The purpose of this section is to protect the health, safety, and welfare of the citizens and employees of the Township of Woodbridge. (1974 Code § 12-107; Ord. #11-19-74 § II; Ord. #07-30)

27-2.3 Dumping of Garbage or Other Waste Prohibited.

No person shall cast, throw, discharge, dump or store or cause or permit to be cast, thrown, discharged or stored, upon any public street, highway, public place, gutter, alley, sidewalk or sidewalk area or upon any public or private property, any oils, chemicals or other noisome, unsightly, obnoxious or odoriferous substances or any garbage, refuse or rubbish as defined by this section, except as hereinafter provided. Anyone convicted of violation of this ordinance provision shall (a) bear the cost of removal and proper disposal of any items or materials cast, thrown, discharged, dumped or stored in violation of this provision and (b) shall be fined not less than five hundred (\$500.00) dollars nor more than two thousand five hundred (\$2,500.00) dollars. (1974 Code § 12-108; Ord. #11-19-74 § III; Ord. #07-33 § 1; Ord. #13-61 § 14)

27-2.4 Definitions.

As used in this section:

Biodegradable paper bags shall mean bags constructed of a "two ply" kraft paper with a square bottom and bearing the words "Woodbridge Recycles Leaves" or "Woodbridge Leaf program" or words having a synonymous meaning.

Certificate of Public Convenience and Necessity shall mean the document on file with the New Jersey Department of Environmental Protection that shall contain the Solid Waste Collection Tariff listing the applicable rates and fees the Township can charge for solid waste disposal services.

Collection (automated) shall mean the municipal removal of solid waste, as defined in this section, on a once per week basis through the use of an automated collection system and designated by a Solid Waste District (SWD) through Executive Order of the Mayor.

Container (automated) shall mean a Township issued ninety-five (95) gallon plastic green cart specifically designed for automated collection of household solid waste and having a serial number(s) assigned specific to each address receiving automated collection service. The carts shall at all times remain the property of the Township and shall stay with the property in the event owner/lessee of that property moves and/or sells their home. In the event the owner of the property sells their home, it is the responsibility of the seller to ensure that the cart remains with that property.

Container (dumpster) shall mean a watertight, insect and rodent-proof receptacle constructed of metal with properly fitting covers, equipped for handling by motorized equipment, clean and sanitized after use. Each receptacle must be approved by the Division of Sanitation to ensure its compatibility with municipal collection vehicles. Dumpsters with wheels shall not be permitted.

Container (plastic bag) shall mean a flexible plastic sack of a minimum of three (3) mils thickness and so constructed to be capable of being tied or fastened at the top so as to prevent spillage and/or leakage of its contents.

Front load container shall mean a container or dumpster that is designed to be lifted using a front load container truck.

Front load service shall mean the municipal removal of solid waste, as defined in this section, through the use of a sanitation vehicle that is designed to operate by lifting containers with forks equipped on the front end of the vehicle.

Garbage shall mean and be synonymous with solid waste as defined in this section.

Hazardous materials shall mean materials requiring special handling techniques due to the potential dangers caused by their inherent toxicity, breakage, consumption, and/or illegal use, i.e., paints, chemicals, hydrocarbons and/or their derivatives, refuse pharmaceuticals and discarded syringes, radioactive materials, cathode ray tubes, fluorescent bulbs, etc. This list may be expended as required by Executive Order of the Mayor.

Litter shall mean and be synonymous with solid waste as defined in this section.

Person shall mean the owner, agent, lessee, tenant and/or occupant of every premises upon which municipal collection of solid waste occurs.

Refuse shall mean cans, glasses, bottles, crockery, household sweepings, shells, utensils, and other items of the similar facsimile, usually of a noncombustible nature.

Rubbish shall mean paper, cardboard, excelsior, straw, boxes, crates, garden and lawn clippings and materials of a similar facsimile, usually of a combustible nature.

Soft vegetable waste shall mean leaves.

Solid waste is defined in this section as follows:

Type 10 — Municipal (residential, commercial, institutional and industrial): Waste originating from private residences, commercial waste from wholesale, retail, or service establishments such as restaurants, stores, markets, theatres, hotels, warehouses and institutional waste originated in schools, hospitals and public buildings.

Type 13 — Bulky Waste: Large items of waste material such as appliances, furniture and electronics. Discarded automobiles, trucks, trailers, vehicle parts and tires are included under this category.

Type 13C (subcategory of Type 13) —Construction and demolition waste: Waste building material resulting from construction, remodeling, repair, and demolition operations on houses, building, pavements and other structures. This waste may include treated and untreated wood scrap, tree parts, stumps, brush, concrete, asphalt, brick, blocks and other masonry; plaster, wallboard, roofing materials, corrugated cardboard and miscellaneous paper; ferrous and nonferrous metal; non-asbestos building insulation; plastic scrap; dirt, carpets and padding; glass (window and door); and other miscellaneous materials; but shall not include other solid waste types.

Type 23 — Vegetative Waste: Yard waste materials such as leaves, tree waste, wood chips, grass clippings. Shrubbery and garden wastes.

Type 25 — Animal and Food Processing Wastes: Waste materials from canneries, slaughterhouses, packing plants or similar industries. Also included are dead animals.

Type 27 — Dry Industrial Waste: Waste materials resulting from manufacturing, industrial and research operations and processes, and which are not hazardous in accordance with the standards and procedures set forth at N.J.A.C. 7:26G. Includes pesticides, dry nonhazardous chemical waste and residue from the operations of a scrap metal shredding facility.

Type 27A — Waste material consisting of asbestos or asbestos containing waste.

Type 27I — Waste material consisting of incinerator ash or ash containing waste.

Solid Waste District (SWD) shall mean the collection service area assigned to a designated day of the week through Executive Order of the Mayor.

Special handling shall mean the municipal removal of large and bulky items, i.e. appliances, furniture, etc., to specifically include an item of solid waste, as defined by N.J.S.A. 40:66-1.1, which is not able to be processed because it is either too large to be picked up and processed by the municipality's sanitation vehicles or so large or heavy that the processing of such waste would damage the municipality's sanitation vehicles. Also included in this definition are any materials resulting from excavation, such as concrete, dirt and blacktop and leaves from residential properties that have been placed in the gutter.

Use (business) shall mean retail sales establishments serving the general public.

Use (commercial) shall mean wholesale, service establishment, general and professional offices, etc., and similar uses of a nonretail nature.

Use (industrial) shall mean those establishments involved in the manufacture or fabrication of a finished product from raw materials. It is noted that industrial establishments, as a rule, are not serviced by municipal collection of the Township of Woodbridge.

Use (multifamily) shall mean residential dwellings containing four (4) or more dwelling units.

Use (single-family) shall mean a residential dwelling of one (1), two (2) or three (3) dwelling units located in one (1) building.

White goods shall mean special handling items of an appliance nature such as washing machines, dryers, refrigerators, humidifiers, dehumidifiers, stoves, dishwashers, air conditioners, microwaves, water coolers, freezers and such. Automotive parts are not picked up by the Township and cannot be set at the curb for pickup. (1974 Code § 12-109; Ord. #11-19-74 § IV; Ord. #94-84 § 4; Ord. #96-74; Ord. #99-48; Ord. #05-15; Ord. #07-30; Ord. #08-107; Ord. #13-61 § 14)

27-2.5 Collection Preparation; Permitted Types of Waste.

a. Use (Single-Family).

1. Preparation of items for municipal collection.

(a) All solid waste as defined by this section must be placed in Township-issued containers (automated or dumpster) in order to prevent scattering while awaiting municipal collection or during municipal collection.

(b) Effective January 5, 2009, the following regulations will apply only to those sections of the Township where the automated collection system shall be phased in. Effective January 5, 2009, all solid waste authorized for automated collection shall only be placed in the Township issued ninety-five (95) gallon green cart. Grass clippings, weeds, and similar growths may be included. Excluded types of waste include bulky waste, hazardous waste, mandatory recyclable items. Materials shall be drained and free of all liquids.

(c) Reserved.

(d) Hazardous materials as defined by this section shall not be placed out for municipal collection and shall be taken to the appropriate hazardous materials disposal facilities as designated by the municipality. It shall be the responsibility of the generator of hazardous materials to ensure they are not put into the municipal collection system.

(e) Use of biodegradable bags. Biodegradable paper bags, as defined in this section, shall be used solely for placing only leaves at the curb for municipal collection. Biodegradable paper bags may be used only during the fall leaf collection season as promulgated by the Director of Public Works and Parks. It shall be strictly prohibited to use biodegradable paper bags other than for the purposes described in this section.

2. Presentation of items for municipal collection.

(a) All solid waste as defined by this section shall be placed at the curblines or at the edge of the property line adjacent to or adjoining the roadway.

(b) No solid waste shall be placed at the curb before 4:00 p.m. of the day prior to the schedule of collection. All empty containers shall be removed by 9:00 p.m. in the evening of the day of collection. With regard to nonresidential establishments, no solid waste shall be placed at the curb before 6:00 p.m. of the day prior to the schedule of collection.

(c) Large bulky items designated for special handling may be placed at the curb after 4:00 p.m. of the day prior to the scheduled special collection. All doors shall be removed from appliances scheduled for special collection. All materials should be bundled or contained to prevent scattering while awaiting municipal collection. The bundles are not to exceed four (4) feet in length nor exceed seventy-five (75) pounds in weight. Materials shall be drained and free of all liquids.

(d) Leaves designated for loose leaf collection must be placed in the road at the curblines the day before the scheduled stop but not more than seven (7) days prior to the pick up date.

(e) All solid waste authorized to receive automated collection and designated to a Solid Waste District shall be placed in the Township issued ninety-five (95) gallon green cart and placed at the edge of the roadway adjacent to the curblines with the front facing the street. The cart shall be placed free from obstruction of any type as to interfere with the operation of the system as designed or obstruct the lifting and dumping of the container by the truck operator.

3. The following types of wastes shall be excluded from municipal collection:

(a) Waste resulting from work of a skilled tradesman such as a carpenter, plumber, roofer, electrician, mason or excavator.

(b) Yard waste resulting from work performed by a landscape service including grass clippings.

b. Use (Multifamily).

1. Preparation of items for municipal collection.

(a) All solid waste as defined by this section must be placed in Township-issued containers (automated or dumpster) in order to prevent scattering while awaiting municipal collection or during municipal collection.

(b) Reserved.

(c) Reserved.

(d) Hazardous materials as defined by this section shall not be placed out for municipal collection and shall be taken to the appropriate hazardous materials disposal facilities as designated by the municipality. It shall be the responsibility of the generator of hazardous materials to ensure they are not put into the municipal collection system.

(e) Where the quantities of solid waste generated by a specific use warrants containerization of greater capacity than in the above paragraphs, as determined by the Division of Sanitation, dumpster collection shall be required.

(f) Use of biodegradable bags. Biodegradable paper bags, as defined in this section, shall be used solely for placing only leaves at the curb for municipal collection. Biodegradable paper bags may be used only during the fall leaf collection season as promulgated by the Director of Public Works and Parks. It shall be strictly prohibited to use biodegradable paper bags other than for the purposes described in this section.

2. Presentation of items for municipal collection.

(a) All solid waste shall be placed at the curblin or in areas so designated by the Township. Where dumpster type containers are required, the location for the dumpster shall be determined by the Division of Sanitation to permit the vehicular unloading of the containers off the public right-of-way, thereby preventing hazards to vehicular and pedestrian movements.

(b) No solid waste shall be placed at the curb before 4:00 p.m. of the day prior to the scheduled regular collection and all emptied containers shall be removed by 9:00 p.m. of the day of collection.

(c) Large bulky items designated for special handling may be placed at the curb after 4:00 p.m. of the day prior to the scheduled special collection. All doors shall be removed from appliances scheduled for special collection. All materials should be bundled or contained to prevent scattering while awaiting municipal collection. The bundles are not to exceed four (4) feet in length nor exceed seventy-five (75) pounds in weight. Materials shall be drained free of all liquids.

3. The following types of wastes shall be excluded from municipal collection:

(a) Waste resulting from work of a skilled tradesman such as a carpenter, plumber, roofer, electrician, mason or excavator.

(b) Yard waste resulting from work performed by a landscape service including grass clippings.

4. Homeowners may include for municipal collection small amounts of insulation, sheet rock, lumber, siding, shingles, etc., resulting from their own personal small repairs, provided that the material is properly contained in a can, box or bundled as further defined in this section. The Township may request a proof of permit if collection exceeds a small amount.

c. Uses (Business, Commercial and Industrial).

1. Preparation of items for municipal collection.

(a) All solid waste as defined in this section must be placed in Township-issued containers (automated or dumpster) in order to prevent scattering while awaiting municipal collection or during municipal collection.

(b) Reserved.

(c) Reserved.

(d) Hazardous materials as defined by this section shall not be placed out for municipal collection and shall be taken to the appropriate hazardous materials disposal facilities as designated by the municipality. It shall be the responsibility of the generator of hazardous materials to ensure they are not put into the municipal collection system.

(e) Where the quantities of solid waste generated by a specific use warrants containerization of greater capacity than in the above paragraphs, as determined by the Division of Sanitation, dumpster collection shall be required.

(f) Medical and quasi-medical establishments. In disposing of their garbage, refuse and rubbish which contains discarded apparatus, medication or wrappings used in conjunction with the treatment of patients, disposition shall be in a manner approved by the Department of Health as established by the Executive Order of the Mayor.

(g) Use of litter receptacles. Litter receptacles and their servicing are required at the following public places which exist in the Township, including sidewalks used by pedestrians in active retail commercially zoned areas, such that at a minimum there shall be no single linear one-fourth (1/4) mile without a receptacle: buildings held out for use by the public, including schools, government buildings, railroad and bus stations; parks; drive-in restaurants; all street vendor locations; self-service refreshment areas; construction sites; gasoline service station islands; shopping centers; parking lots; campgrounds and trailer parks; marinas, boat moorage and fueling stations; boat launching areas; public and private piers operated for public use; beaches and bathing areas; and, at special events to which the public is invited, including sporting events, parades, carnivals, circuses and festivals and any other commercial location that the Director of Health, Health Officer or his designee determines is necessary to prevent a public health nuisance. The proprietors of these places or the sponsors of these events shall be responsible for providing the servicing of the receptacles such that adequate containerization is available.

(h) Use of biodegradable bags. Biodegradable paper bags, as defined in this section, shall be used solely for placing only leaves at the curb for municipal collection. Biodegradable paper bags may be used only during the fall leaf collection season as promulgated by the Director of Public Works and Parks. It shall be strictly prohibited to use biodegradable paper bags other than for the purposes described in this section.

2. Presentation of items for municipal collection.

(a) All solid waste shall be placed at the curblin or in areas so designated by the Township. Where dumpster type containers are required, the location for the dumpster shall be determined by the Division of Sanitation to permit the vehicular unloading of the containers off the public right-of-way, thereby preventing hazards to vehicular and pedestrian movements.

(b) No solid waste shall be placed at the curb before 6:00 p.m. of the day prior to the scheduled regular collection and all emptied containers shall be removed by 9:00 p.m. of the day of collection.

(c) Large bulky items designated for special handling may be placed at the curb after 6:00 p.m. of the day prior to the scheduled special collection. All doors shall be removed from appliances scheduled for special collection. All materials should be bundled or contained to prevent scattering while awaiting municipal collection. The bundles are not to exceed four (4) feet in length nor exceed seventy-five (75) pounds in weight. Materials shall be drained and free of all liquids.

(d) Irrespective of the type of use in question (whether single-family, multi-family, business, industrial and/or commercial), where a property owner's property abuts more than one (1) public street, as defined by law, for purposes of curbside collection, the Director of Public Works or Parks or designee shall have the discretion, in accordance with all necessary requirements imposed upon the Township by other governmental agencies relative to sanitation and recycling, to determine on which public street the appropriate user will be required to place their refuse for curbside collection.

d. Storage.

1. Storage of Garbage Containers (Single-Family, Multifamily Consisting of Four (4) Units or Less). At all times when containers (automated) are not placed at the curb for collection in accordance with Chapter 27, they shall be stored in the rear or side yard of the property owner's property.

2. Persons Responsible. The party responsible for compliance with subsection 27-2.5d.1. shall be the person or persons who occupy the property.

e. Hours of Collection. Except in the event of an emergency where specifically directed by the Mayor or his designee, or the Woodbridge Office of Emergency

Management of solid waste shall not be collected within the Township between the hours of 10:00 p.m. and 5:00 a.m.

(1974 Code § 12-110; Ord. #11-19-74 § V; Ord. #5-6-75 § 1; Ord. #9-2-75 § 1; Ord. #88-43; Ord. #91-18; Ord. #95-96; Ord. #99-48; Ord. #02-40 § § 1, 2; Ord. #05-15; Ord. #07-09; Ord. #07-30; Ord. #07-47; Ord. #08-107; Ord. #13-61 § 14)

27-2.6 Special Powers of the Mayor.

The Mayor, by Executive Order, is hereby vested with the power and it shall be his/her duty to establish proper and reasonable rules and regulations governing the collection of solid waste and special collections not inconsistent with the provisions of this section and to fix the time for such collections and to change the time thereof whenever, in his/her judgment, such change is necessary to serve the interest of health, safety or of the public welfare. (1974 Code § 12-111; Ord. #11-19-74 § VI; Ord. #07-30)

27-2.7 Fees for Special Pickups.

The following fees shall be charged and collected by the Department of Public Works and Parks prior to the provision of sanitation services enumerated below.

a. There shall be a fee charged for special handling of Type 13 special handling and bulky waste items such as appliances, washing machines, dryers, refrigerators, humidifiers, dehumidifiers, stoves, dishwashers, air conditioners, microwaves, water coolers, freezers and other such items. The cost of the fee shall be fifty (\$50.00) dollars for a total of five (5) appliances per pickup by the Sanitation Department, or, at \$.0 cost per drop off by the resident at the Department of Public Works and Parks facility and separated and placed in the proper designated area.

b. There shall be a fee charged for special handling of Type 10, Type 13 and Type 13C special handling and bulky waste items such as furniture, waste building material from construction, remodeling, repair and demolition operation on houses, buildings and other structures. The cost of the fee shall be fifty (\$50.00) dollars per pickup by the Sanitation Department, or, at \$.0 cost per drop off by the resident at the Department of Public Works and Parks facility and separated and placed in the proper designated area.

c. There shall be a fee charged for special handling of Type 13C bulky waste items such as concrete, asphalt, bricks, blocks, stone, dirt, soil, sod and other such items. The cost of the fee shall be one hundred (\$100.00) dollars per truck load pickup for 1st load of 14 cubic yards, then, one hundred (\$100.00) dollars per each truck load or partial load after 1st load, or, at \$.0 cost per drop off by the resident at the Department of Public Works and Parks facility and separated and placed in the proper designated area.

d. There shall be a fee charged for special handling of Type 23 bulky waste items such as loose leaves that are raked into the street. The cost of the fee shall be one hundred (\$100.00) dollars per scheduled stop, one (1) stop per day, during November 1 through December 31, then one hundred twenty-five (\$125.00) dollars per scheduled stop, one (1) stop per day, during January 1 through October 31.

e. There shall be a fee charged for special handling of Type 10, Type 13 and Type 13C bulky waste items that require the use of a roll off container. The fee shall be one hundred seventy-five (\$175.00) dollars per container pickup by the Department of Public Works and Parks.

f. There shall be a fee charged to commercial establishments receiving front load container service. The Township shall charge a service fee of seven (\$7.00) dollars per cubic yard for front load container service. The service fee shall be calculated into a monthly rate. The monthly rate shall be formulated into a one (1) year service contract. Commercial establishments that receive front load container service shall have their one (1) year service contract fee deferred for sixty (60) days then due and payable in full and chargeable retroactive to the first date of service and prorated to December 31 of that year and then payable in full on January 1 in succeeding years. This service fee applies only to the collection of solid waste. This service fee will not apply to those commercial establishments that are part of the Special Improvement Districts (SID). This service fee shall be consistent with the formula(s) used to determine a monthly rate and shall be consistent with the Solid Waste Collection Tariff on record with the New Jersey Department of Environmental Protection and set forth within our Certificate of Public Convenience and Necessity.

g. There shall be a fee charged to commercial establishments receiving auto-mated container service on a once per weekly basis. The Township shall charge a service fee of thirteen dollars and forty-eight (\$13.48) cents per month for a once weekly collection of one (1) ninety-five (95) gallon cart. The monthly rate shall be formulated into a one (1) year service contract. Commercial establishments that receive automated container service as of January 5, 2009 shall have the one (1) year service contract fee due and payable in full on March 5, 2009 and chargeable retroactive to January 5, 2009 and then January 1 in succeeding years. Commercial establishments that receive automated container service after January 5, 2009 shall have their one (1) year service contract fee deferred for sixty (60) days then due and payable in full and chargeable retroactive to the first date of service and prorated to December 31 of that year and then payable in full on January 1 in succeeding years. Commercial establishments shall be limited to a total of two (2) ninety-five (95) gallon carts for disposal of solid waste. Commercial establishments that require an additional container shall be charged an additional service fee of thirteen dollars and forty-eight (\$13.48) cents per month which shall be formulated into their annual service contract. Commercial establishments that would require more than two (2) ninety-five (95) gallon carts to service their solid waste generation shall be required to contract with the Township for front end load container service. If the commercial establishment requests front end load container service, the Township's Director of Public Works or his designee shall conduct an inspection of the commercial establishment. If the inspection reveals that the current configuration prevents front end loading service, the Director may either (i) require the commercial establishment to reconfigure the site to permit front end loading services; or (ii) authorize the commercial establishment to lease an additional number of ninety-five (95) gallon carts as the Director determines to be necessary to collect the commercial establishment's solid waste. Commercial establishments located within a SID created by the Township are exempt from paying fees for the cost of automated solid waste collection service. This service fee shall be consistent with the formula(s) used to determine a monthly rate consistent with the Solid Waste Collection Tariff on record with the New Jersey Department of Environmental Protection and set forth within our Certificate of Public Convenience and Necessity.

h. There shall be a fee of sixty (\$60.00) dollars charged for the rental of one (1) additional Township issued ninety-five (95) gallon cart. The cart shall at all times remain the property of the Township and shall stay with the property in the event the owner/lessee of that property moves and/or sells their home. In the event the owner of the property sells their home, it is the responsibility of the seller to ensure that the cart remains with that property.

i. There shall be a Certificate of Public Convenience and Necessity and Solid Waste Collection Tariff on record with the New Jersey Department of Environmental Protection shall contain the rate schedules set forth within this section. All rate schedules shall be approved and consistent with the policies and procedures set forth within the Certificate of Public Convenience and Necessity.

(Ord. #94-84 § 4; Ord. #96-73; Ord. #07-09; Ord. #07-30; Ord. #08-107; Ord. #10-72; Ord. #13-61 § 14)

27-2.8 Penalty.

Except for a violation of subsection 27-2.3 which includes a specific penalty provision; anyone who violates any provision of this Section 27-2 shall be liable, upon conviction, to the penalty stated in Chapter I, Section 1-5. Each and every day that this section shall be violated in any of its provisions shall be considered a separate and distinct offense.

(1974 Code § 12-113; Ord. #11-19-74 § VIII; Ord. #84-49 § 1; Ord. #88-34; Ord. #02-40; Ord. #07-33 § 2)

27-3 RECYCLING PROGRAM.

27-3.1 Findings.

On June 2, 1994, the Board of Chosen Freeholders of the County of Middlesex, New Jersey (the "County") adopted an amendment to the Middlesex County Solid Waste Management Plan (the "County Plan"), which, among other things, established a strategy for recycling at least sixty (60%) percent of the County's total solid waste stream and added the following material to the list of recyclables that must be source separated and recycled by the municipalities in the County: steel cans, plastic containers, mixed paper, textiles and brush. (All mandatory source-separated recyclable materials designated by the County plan hereinafter are referred to as "Designated Recyclables.")

The Township is desirous of conforming to the County Solid Waste Management Plan by including the following materials to the list of recyclables that must be source separated and recycled within the municipality: newspapers, aluminum cans, glass containers, plastic containers, steel cans, corrugated paper products, cardboard paper products, mixed paper, textiles, motor oil, leaves and brush. (All mandatory source-separated recyclable materials designated by the Township hereinafter are referred to as "Designated Recyclables.")

In addition, for those municipalities that desire to maintain their own recycling program consistent with the County's Plan, the Authority intends to provide grant funds to

offset a portion of the costs associated with such a program which grants shall be funded through the MSA Recovery Investment Tax Fund established pursuant to the McEnroe amendments to the Solid Waste Management Act, N.J.S.A. 13:1E-136 et seq. and made available to the Authority for that purpose ("Grant Funds").

The Township presently provides on its own or by contract for the collection and marketing of certain Designated Recyclables generated in the geographic boundaries of the Township.

In order to obtain Grant Funding from the authority, the Township must revise its recycling ordinance mandating the additional designated recyclables be included in the recycling collection program.

Recycling of the additional items mandated by the County Plan will reduce the amount of waste going to the County Landfill and is in the public interest.

The County has mandated that the additional designated recyclables must be source separated and recycled by October 1, 1995. (Ord. #95-59 Preamble; Ord. #05-15)

27-3.2 Title.

The short title of this section shall be "Recyclable Material Collection," and the same may be cited in this manner. (1974 Code § 12-127; Ord. #87-44; Ord. #95-89 § 12-127)

27-3.3 Definitions.

As used in this section:

Aluminum cans shall mean food and beverage containers made entirely of aluminum.

Authority shall mean the Middlesex County Improvement Authority, a public body corporate and politic of the State of New Jersey, organized by the County pursuant to the County Improvement Authorities Law (N.J.S.A. 40:37A-44 et seq.)

Automated collection shall mean the municipal removal of recyclables, as defined in this section, on a once per week basis through the use of an automated collection system and designated by a Recycling District (RD) through Executive Order of the Mayor.

Automated container shall mean a Township issued ninety-five (95) gallon plastic blue cart specifically designed for automated collection of recyclables and having a serial number(s) assigned specific to each address receiving automated collection. The carts shall at all times remain the property of the Township and shall stay with the property in the event the owner/lessee of that property moves and/or sells their home. In the event the owner of the property sells their home, it is the responsibility of the seller to ensure that the cart remains with that property.

Board shall mean the Board of Chosen Freeholders of the County of Middlesex, New Jersey.

Brush shall mean branches, woody plants, and other like vegetative material that do not exceed five (5) inches in diameter and Christmas trees. "Brush" does not include leaves.

Bulky rigid plastic items shall mean items made of plastic which shall include, but not be limited to plastic tables, chairs, lawn furniture, ride-on toys, laundry baskets, toy houses and play sets, buckets, crates, and children's toys.

Cardboard paper products as used herein shall mean and include all products constructed of stiff, moderately thick paperboard.

Commencement date shall mean the date upon which the Authority and Municipality agree that the municipality, through its designated agent, will commence the provision of Recycling Services.

Corrugated shall mean boxes and packaging generally made from wood pulp and consisting of two (2) smooth sides and corrugated inner layer. Brown paper grocery bags are included.

County shall mean the County of Middlesex, New Jersey.

County Plan shall mean the Middlesex County District Solid Waste Management Plan, adopted by the Board of Chosen Freeholders pursuant to the Solid Waste Management Act, which provides for the collection, disposal and/or recycling of solid waste generated within the geographic boundaries of the County, as the same may be amended from time to time.

DEP shall mean the New Jersey Department of Environmental Protection or any successor agency.

Designated recyclables shall mean all recyclable materials that are designated by the County in the County Plan, and any and all recyclable materials designated by the Township as materials that must be source-separated from Municipal Solid Waste at the point of generation at all residential, including multifamily, private business, commercial, industrial, institutional and governmental offices and establishments of all kinds. On the date of execution of this Agreement, the recyclables designated by the County in the County Plan, and by the Township in this section are newspaper, aluminum cans, glass containers, corrugated cardboard, cardboard, steel cans, plastic containers, mixed paper, textiles, leaves, grass clippings, brush and motor oil. The County and/or the Township may add or delete certain recyclable materials to designated recyclables from time to time pursuant to a duly adopted amendment to the County Plan approved by the DEP.

Electronics shall mean computers, CPUs, monitors, laptops, televisions and mercury containing devices.

Fluorescent bulbs shall mean lamps that contain mercury.

Glass containers shall mean all glass containers used for packaging food or beverages.

June 2, 1994 Amendment shall mean the amendments to the County Plan (Nos. 1994-2 and 1994-3), adopted by the Board on June 2, 1994, that, among other things, establishes the County-Wide Recycling Program.

Leaves shall mean vegetative material from trees that have fallen to the ground.

Masonry paving material shall mean asphalt, block, brick, cinder and concrete.

Mixed paper shall mean glossy inserts, magazines, junk mail, colored paper, computer paper, office paper, fine paper and paper-board or food boxes, telephone books, nonmetallic wrapping paper, soft cover books and hard cover books with covers removed.

Motor oil shall mean a petroleum based or synthetic oil whose use includes, but is not limited to, lubrication of internal combustion engines, which through use, storage or handling has become unsuitable for its original purpose due to the presence of impurities or loss of original properties.

Municipality shall mean the Township of Woodbridge, a Municipal corporation of the State of New Jersey.

Municipal solid waste shall mean I.D. Type ten (10) waste as defined by N.J.A.C. 7:26-2.13(g) (l) (i).

Newspaper shall mean paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

Plastic containers shall mean all plastic containers coded 1 through 7 or un-numbered.

Plastic film shall mean stretch/shrink wrap, plastic shopping bags for residents only for warehouses, retail establishments, marinas, and supermarkets with twenty-five (25) or more employees.

Rechargeable batteries shall include Nickel Cadmium (Ni-Cd), Nickel Metal Hydride (Ni-MH), Lithium Ion (Li-ion) and Small Sealed Lead (Pb).

Recycling District (RD) shall mean the collection service area assigned to a designated day of the week through Executive Order of the Mayor.

Recycling Ordinance shall mean Chapter XXVII, Section 27-3 of the Solid Waste Management Code of the Township, the ordinance enacted by the municipalities establishing the mandatory municipal recycling program implemented in accordance with the Solid Waste Management Act and the County Plan, as the same will be amended by the Municipality to include the additional designated recyclables as set forth in subsection 27-3.4 and as the same may be amended in the future from time to time for other purposes.

Recycling services shall mean all of the duties, obligations and services to be provided by the Municipality or its designated agent, that are related to the collection, transportation, separation, processing, storage, sale or disposition or any combination thereof of the designated mandated recyclables and the return of the same to the economic mainstream in the form of raw materials or products.

Residents shall mean all persons who are owners, tenants, occupants of residential properties, private businesses, commercial, institutional and governmental properties located within the geographical boundaries of the municipality that are required to recycle designated recyclables pursuant to the Recycling Ordinance.

Single stream recycling shall mean combining all aluminum cans, steel cans, glass bottles, plastic bottles, newspaper, mixed paper and cardboard products as defined in this section into one (1) ninety-five (95) gallon blue recycling cart.

Steel cans shall mean tin-plated, bi-metal and other ferrous food and beverage containers.

Textile bag shall mean a special bag to be provided by the Authority for the collection of textiles or such other container to be designated by the Authority for such purpose.

Textiles shall mean clean, dry clothing or other fabric measuring at least one (1) foot by one (1) foot in size.

Tires shall mean rubber-based scrap automotive, truck and equipment tires.

Used oil collection center shall mean any private inspection center licensed by the Division of Motor Vehicles in the Department of Law and Safety, except those private inspection centers licensed pursuant to N.J.S.A. 39:8-14, retail service station which has an active used oil collection tank on the premises, or any site which accepts used motor oil for recycling.

White goods shall mean washers, dryers, ranges, refrigerators, air conditioners, humidifiers, dehumidifiers, microwaves, and water coolers and freezers.

Wood scrap shall mean unfinished lumber from construction projects including pallets. Unfinished shall mean non-chemically treated, non-pressure treated or impregnated with preservatives, insecticides, fungicides, creosote or not painted, resin-coated or otherwise surface treated. (Only for new construction).

(1974 Code § 12-128; Ord. #87-44; Ord. #91-42; Ord. #95-59 § 12-128; Ord. #05-15; Ord. #07-30; Ord. #08-27; Ord. #08-107; Ord. #09-11; Ord. #13-34; Ord. #13-61 § 14)

27-3.4 Separation Required.

On or after the date fixed and promulgated by regulation issued by the Director of the Department of Public Works and Parks of the Township in accordance with the terms hereof, it shall be mandatory for all persons who are owners, tenants or occupants of residences, private business, commercial, institutional, or governmental properties, to separate the following categories of designated recyclables:

Designated Recyclables

- a. Newspaper
- b. Aluminum Cans
- c. Glass Containers
- d. Plastic Containers
- e. Steel Cans
- f. Corrugated Paper Products
- g. Cardboard Paper Products
- h. Mixed Paper
- i. Textiles
- j. Motor Oil
- k. Leaves
- l. Brush
- m. Masonry/Paving Material
- n. Rechargeable Batteries
- o. Tires
- p. White Goods, Mixed Metal

It shall also be the responsibility of all persons who are owners, tenants or occupants of private business, commercial, institutional or governmental properties to separate the following categories of designated recyclables.

- q. Bulky Rigid Plastic Items
- r. Electronics
- s. Plastic Film
- t. Fluorescent Bulbs
- u. Wood Scrap

(1974 Code § 12-129; Ord. #87-44; Ord. #91-42; Ord. #95-59 § 12-129; Ord. #05-15; Ord. #07-09; Ord. #07-30; Ord. #08-27; Ord. #13-34; Ord. #13-61 § 14)

27-3.5 Recycling Requirements.

Pursuant to the Recycling Act, each resident of the Township shall be required to comply with the recycling plan of Woodbridge Township, adopting the Middlesex County Recycling Plan to meet the State mandated recycling goals. To effectuate and implement the Township Recycling Plan it is hereby required that:

- a. Municipality.

1. The Township hereby adopts this section to provide for recycling within its borders pursuant to the Recycling Act adopting herein in the Middlesex County Recycling Plan as its official municipal recycling program; and

2. All residential and commercial contracts for solid waste/recycling collection and/or disposal within the Township shall be consistent with this section and the Middlesex County Recycling Plan.

3. The Township shall heretofore provide for a collection system for leaves generated from residential premises, and require that persons occupying residential premises within these municipal boundaries shall source-separate leaves from solid waste generated at those premises and, unless leaves are stored or recycled for composting or mulching by the generator, place the leaves for collection in the manner provided in subsection 27-3.6.

4. The Township shall heretofore provide for a collection system for brush generated from residential premises, and require that persons occupying residential premises within these municipal boundaries shall source-separate brush from solid waste generated at those premises, and place the brush for collection in the manner provided in subsection 27-3.6.

5. The Township shall, at a minimum, within thirty (30) days after the adoption of this section and at least once every six (6) months thereafter, notify all persons occupying residential, commercial, and institutional premises within these municipal boundaries of recycling opportunities and the source-separation requirements of its ordinance and the Middlesex County Recycling Plan. In order to fulfill the notification requirements of this subsection, this municipality may, in its discretion, place an advertisement in a newspaper circulating in the municipality, post a notice in public places where public notices are customarily posted, include a notice with other official notifications periodically mailed to residential taxpayers, or any combination thereof, as the municipality deems necessary and appropriate.

6. The Township shall prepare and distribute additional literature and other educational materials describing, among other things:

- (a) The municipal recycling program established pursuant to the Recycling Ordinance;
- (b) The County-Wide Recycling Program and the recycling services to be provided within the geographic boundaries of the municipality;
- (c) The designated recyclables to be source-separated;
- (d) The manner or method of preparing source-separated material for collection, and
- (e) The location and schedules for collection. All such literature and other educational materials shall be prepared in accordance with written guidelines established by the Authority prior to distribution.

7. On the commencement date, the Township will commence the provision of recycling services for all residents. The designated recyclables shall be collected by the Township, at curbside at a. all single-family or duplex residential locations, b. all multifamily dwellings with four (4) or less units, and all small businesses that are currently receiving municipal collection services. All multifamily dwellings with five (5) or more institutions shall deposit the designated recyclables in on-site containers to be provided by the Township and/or the private contractor.

8. The Township shall collect designated recyclables on a weekly basis and at the times and the days to be established by the Director of Public Works and Parks as described herein.

9. At the time of placement of recyclable materials designated for collection at the curb of residential units, the materials shall be considered a conscious contribution by that resident to the Township Recycling System for collection by the Township or its agent.

10. This section shall not prohibit or restrict any owner, agent, lessee or occupant of premises from making his or her own arrangements or agreements for private collection provided that the arrangement receives the approval and is registered with the Department of Public Works and Parks and the MCIA. Unauthorized scavenging of any of the designated recyclables is strictly prohibited and punishable by fines prescribed in subsection 27-3.8 of this chapter.

11. For soiled newspapers, corrugated cardboard or mixed paper that is soiled with foodstuffs or other foreign material, or paper that is used to wrap solid waste, they may be discarded or disposed of for collection with the usual solid waste.

12. The Municipal Council may, in accordance with its statutory authority, negotiate and enter into franchises or agreements with qualified persons to make the collections of designated recyclables and for the sale or disposition of same if it so deems that this is in the best interest of the Township.

(Ord. #1974 Code § 12-130; Ord. #87-44; Ord. #88-75; Ord. #91-42; Ord. #95-89 § 12-130; Ord. #05-15; Ord. #07-09; Ord. #13-61 § 14)

27-3.6 Method of Separation and Preparation for Collection.

a. From the time of placement at the curb by any resident of newspapers, aluminum cans, steel cans, glass, plastic, paper, rigid plastic, textiles, leaves and brush for collection by the Township of Woodbridge or its agent, in accordance with the terms hereof, such newspapers, aluminum cans, steel cans, glass, plastic, rigid plastic, cardboard and corrugated paper products and mixed paper, textiles, leaves and brush shall be and become the property of the Township of Woodbridge or its authorized agent. It shall be the responsibility of the owners, tenants, or occupants of the premises to place all newspapers, aluminum cans, steel cans, glass, plastic, rigid plastic, cardboard and corrugated paper products and mixed paper, textiles, leaves and brush herein required for collection immediately adjacent to the curb, but not in the roadway. The recyclable materials to be disposed of shall be placed as specified herein in the containers and at the times and on the days to be established by the Director of the Department of Public Works and Parks of Woodbridge Township as provided herein. It shall be a violation of this section for any person unauthorized by the Township to collect or pick up or cause to be collected or picked up any such newspapers, aluminum cans, steel cans, glass, plastic, rigid plastic, cardboard and corrugated paper products and mixed paper, textiles, leaves and brush. Each such collection in violation hereby shall constitute a separate and distinct offense punishable as hereinafter provided.

b. The Township shall be responsible for collection at the curbside the mandated designated recyclables that have been prepared for collection as follows:

1. Effective January 5, 2009, all recyclable items authorized for automated collection shall only be placed in the Township issued ninety-five (95) gallon blue cart. Recyclable items will be collected using a single stream method as defined in this section. Excluded types of waste include household garbage, hazardous waste, bulky waste and vegetative waste.

2. Any of the designated recyclables that are not prepared for collection in the manner specified by the Township will be left at the curb.

c. The Township will be responsible for collecting at the curb leaves and brush.

1. Leaves shall be placed at the curb in biodegradable paper leaf bags. Residents who wish to place leaves in the gutter, loose and not bagged, shall pay a service fee for the collection as stipulated by subsection 27-2.7d. Loose leaves shall not be placed in the gutter more than seven (7) days prior to the scheduled collection and shall not be placed within ten (10) feet of any storm drain inlet. Leaves containing branches, stones or other debris will not be picked up by the Township. Leaves must be source separated from other solid waste on or about October 15 through December 31, on the dates established and promulgated by the Director of Public Works and Parks.

2. Effective January 5, 2009 all recyclable items authorized for automated collection shall only be placed in the Township issued ninety-five (95) gallon blue cart. Recyclable items will be collected using a single stream method as defined in this section. Excluded types of waste include household garbage, hazardous waste, bulky waste and vegetative waste.

3. Brush. The Township will collect tree branches, shrubbery and other yard clippings by appointment only. Residents must notify the Department of Public Works and Parks of requests for collection services. Christmas trees shall be collected during the month of January and according to a published schedule. Tree branches and shrub branches shall not be longer than four (4) feet in length, or exceed seventy-five (75) pounds in weight. All brush must be bundled with string only (no wire), and must be free of stones, dirt, metal, garbage, sweepings and rakings. No lumber or construction materials are permitted. All materials shall be placed at the curb not earlier than 4:00 p.m. on the day prior to the scheduled collection day. Any material placed at the curb that does not conform with these specifications will not be picked up by the Township.

d. Motor Oil, Textiles. The Township shall maintain and operate a drop off site for used motor oil, textiles. This site will be the Township Public Works and Parks facility located at 225 Smith Street, Keasbey, NJ. This site may be accessed by all persons who are owners, tenants or occupants or residential properties wishing to dispose of their used motor oil and textiles. The hours of operation shall be daily from 8:00 a.m. till 5:00 p.m. All persons who are owners, tenants, occupants or private business, commercial, institutional and governmental properties (excluding Woodbridge Township) must dispose of their motor oil at a licensed used oil collection center.

(1974 Code §§ 12-130, 12-131; Ord. #87-44; Ord. #88-75; Ord. #91-42; Ord. #95-59 § 12-131; Ord. #95-88 § 1; Ord. #96-74; Ord. #05-15; Ord. #06-04; Ord. #07-09; Ord. #07-30; Ord. #08-107; Ord. #13-34; Ord. #13-61 § 14)

27-3.7 Enforcement and Administration.

The Director of the Woodbridge Township Department of Public Works and Parks and his designees are hereby authorized and directed to enforce this section. The Director of Public Works and Parks is hereby authorized and directed to establish and promulgate reasonable regulations as to the containers to be used for and the manner, days and times for the collection of designated mandated recyclables in accordance with the terms hereof and any other matters required to implement this section. (1974 Code § 12-132; Ord. #87-44; Ord. #91-42; Ord. #95-59 § 12-132; Ord. #07-09)

27-3.8 Violations and Penalties.

Any person, firm, corporation or any other entity which violates or neglects to comply with the provisions of this section or any other regulations shall, upon conviction, be liable to the penalty stated in Chapter 1, Section 1-5. A separate offense shall be deemed committed on each day during which or on which a violation occurs or continues. (1974 Code § 12-133; Ord. #87-44; Ord. #95-59 § 12-133; Ord. #95-88 § 2; Ord. #09-82)

27-3.9 Vegetative Waste.

It is prohibited and will be deemed a violation hereof for any owner, tenant or occupant of any residential, commercial, professional or governmental property in the Township to put into or cause to be put into the solid waste collection system of the Township leaves, brush or any other vegetative waste. (1974 Code § 12-134; Ord. #87-44; Ord. #95-59 § 12-134; Ord. #05-15)

27-3.10 Method of Promulgating Regulations.

The initial promulgation by the Director of the Department of Public Works and Parks of the Township of Woodbridge of regulations authorized by this section shall include at least one (1) notice in an official newspaper of the Township and a notice mailed or delivered to every property owner in the Township. (1974 Code § 12-135; Ord. #87-44; Ord. #95-59 § 12-133; Ord. #07-09)

27-4 AN AGREEMENT WITH MIDDLESEX COUNTY IMPROVEMENT AUTHORITY TO PROVIDE FOR PARTICIPATION IN THE COUNTY-WIDE RECYCLING PROGRAM AS A GRANT PARTICIPANT.

27-4.1 Findings.

On June 2, 1994, the Board of Chosen Freeholders of the County of Middlesex, New Jersey adopted an amendment to the Middlesex County Solid Waste Management Plan (the "County Plan"), which, among other things, established a strategy for recycling at least sixty (60%) percent of the County's total solid waste stream and added the following materials to the list that must be source separated and recycled by the municipalities in the County: steel cans, plastic containers, mixed paper, textiles and brush (all mandatory source-separated recyclable matters designated by the County Plan hereinafter are referred to as "Designated Recyclables").

In the June 2, 1994 amendment to the County Plan, the Board also designated the Middlesex County Improvement Authority (the "Authority") as the sole implementing agency responsible for the implementation of the County's Recycling Plan.

In order to ensure uniform recycling collection and marketing services and thereby increase the percentage of materials recycled and marketed, the Authority has determined to sponsor a County-Wide Recycling Collection and Marketing Program for participating municipalities, pursuant to which a private contractor will collect, process and market the certain designated recyclables generated within such municipalities.

In addition, for those municipalities that desire to maintain their own recycling program consistent with the County's Recycling plan, the Authority intends to provide grant funds to offset a portion of the costs associated with such program, which grants shall be funded from the Resource Recovery Investment Tax Fund established pursuant to the McEnroe amendments to the Solid Waste Management Act, N.J.S.A. 13:1E-136 et seq. and made available to the Authority for that purpose ("Grant Funds").

The Township presently provides, on its own or by contract, for the collection and marketing of certain designated recyclables generated in the geographic boundaries of the Township.

In order to enhance the development of a uniform, successful recycling program and increase the collection and marketing of recyclable materials in the Township, the Township desires to participate in the County-Wide Recycling Program implemented by the Authority by entering into a program grant agreement with the Authority which provides for, among other things, an allocation of grant funds to the Township.

(Ord. #95-18 Preamble)

27-4.2 Title.

This section shall be known and may be cited as the "Recycling Program Grant Ordinance" of the Township of Woodbridge. (Ord. #95-18 § 1)

27-4.3 Authorization.

Pursuant to the provisions of the County Improvement Authorities Law, the Township of Woodbridge is authorized to enter into an agreement with Middlesex County Improvement Authority (the "Authority") pursuant to which the Township shall receive financial assistance from the authority to continue and enhance its municipal recycling program in accordance with the terms and conditions thereof. (Ord. #95-18 § 2)

27-4.4 Administration.

The Mayor of the Township is authorized to execute a program grant agreement with the Authority substantially in the form, which may be found in the Township Clerk's office, with such changes as are approved by counsel to the Township. (Ord. #95-18 § 3)

27-5 REFUSE CONTAINERS/ DUMPSTERS.

27-5.1 Purpose.

The purpose of this section is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system operated by the Township of Woodbridge and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. (Ord. #09-83)

27-5.2 Definitions.

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this section clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense, include 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.

Municipal separate storm sewer system (MS4) shall mean a conveyance or system of conveyances (including roads with drainage systems, municipal street, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Woodbridge or other public body, and is designed and used for collecting and conveying stormwater.

Person shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Refuse container shall mean any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

Stormwater shall mean water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

Waters of the State shall mean the ocean and its estuaries, all springs, streams and bodies of surface or around water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

(Ord. #09-83)

27-5.3 Prohibited Conduct.

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system operated by the Township of Woodbridge. (Ord. #09-83)

27-5.4 Exceptions to Prohibition.

- a. Permitted temporary demolition containers.
- b. Litter receptacles (other than dumpsters or other bulk containers).
- c. Individual homeowner trash and recycling containers.
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.

Large bulky items (e.a., furniture, bound carpet and padding, white goods placed curbside for pickup).

(Ord. #09-83)

27-5.5 Enforcement.

The Director of the Woodbridge Township Department of Public Works and Parks and his designees are hereby authorized and directed to enforce this section. (Ord. #09-83)

27-5.6 Violations and Penalties.

Any person, firm, corporation or any other entity which violates or neglects to comply with the provision of this section or any other regulations thereof shall, upon conviction, be subject to the penalties as stated in Chapter 1, Section 1-5. A separate offense shall be deemed committed on each day during or on which a violation occurs



CHAPTER XXVII SOLID WASTE MANAGEMENT
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