

#2015-07

**ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY ESTABLISHING REGULATIONS FOR THE
DISPOSAL, SEPARATION AND COLLECTION OF GARBAGE, RUBBISH AND
REFUSE**

WHEREAS, the Borough of Audubon Park (“Borough”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, the Governing Body has deemed it in the best interest of the public health, safety and welfare of the residents to establish regulations for the disposal, separation and collection of garbage, rubbish and refuse; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Audubon Park, County of Camden, and State of New Jersey, as follows:

SECTION 1: Any and all prior Ordinances regulating the disposal, separation and collection of trash, and any and all subsequent amendments thereto, are hereby repealed in their entirety and replaced with the following:

**SEPARATION AND COLLECTION OF GARBAGE, RUBBISH AND REFUSE;
RECYCLING**

1.1 Definitions.

Whenever used in this Ordinance, unless a different meaning clearly appears from the context, the following terms shall have the meanings indicated:

CORRUGATED CARDBOARD - All types and colors of unwaxed and uncoated corrugated cardboard are acceptable. No newspapers, junk mail, books, wrapping paper, magazines, food boxes (i.e., pizza or cereal) or laundry boxes. Corrugated containers shall be wrapped with string and placed in a Borough-supplied container with the newspaper.

GLASS CONTAINERS - Empty, unbroken food and beverage containers, clear, brown and green glass. No drinking glasses, Pyrex, mirrors, window or auto glass, light bulbs, ceramics or broken glass. Rinse, leave labels on and discard caps.

LEAVES - The flat foliage on the stems of plants or trees, excluding grass clippings, branches, twigs, etc.

METAL CONTAINERS - Empty aluminum and tin/bimetal food and beverage containers. No scrap metals. Rinse and leave labels on.

MIXED RESIDENTIAL PAPER - Includes newspaper and corrugated cardboard as defined above, plus magazines, catalogs, envelopes, junk mail, school papers, workbooks, textbooks (without hard covers), office paper (including fax paper), NCR paper and nonmetallic wrapping paper. No food boxes (i.e., pizza or cereal) or laundry boxes. No plastic-coated or wax-coated drink containers. All paper other than newspapers and corrugated cardboard is to be placed in plastic bags, tied and placed in the same container as newspaper and corrugated cardboard.

NEWSPAPER - All contents of newspapers, including glossy inserts contained in the Sunday editions. No corrugated cardboard, junk mail, books, wrapping paper, magazines, food or laundry boxes. Newspapers can be put into a Kraft grocery bag or string wrapped in a Borough-supplied container.

PLASTIC CONTAINERS - Empty juice, soda, water, milk and laundry detergent bottles, etc., with No. 1 and No. 2 recycling symbols and/or the letters PETE or HDPE on them. No butter tubs, plastic bags, Styrofoam cups, flowerpots, oil containers or five-gallon pails. Rinse, leave labels on and discard caps.

1.2 Program Established.

There is hereby established a program for the mandatory separation of newspapers, corrugated cardboard, mixed residential paper, glass containers, plastic containers, metal containers and leaves within the Borough of Audubon Park.

1.3 Separation and Placement for Removal; Containers.

The occupant, resident, tenant, manager, administrator, landlord or owner, as the case may be, of any residential, industrial, commercial or institutional building or property within the Borough of Audubon Park that is the generator of solid waste and who shall place for disposal, removal, collection and recycling by the Borough the following named items shall do so in strict conformity with the following regulations:

A. Discarded newspaper, corrugated cardboard and mixed residential paper shall be so packaged in the white recycling containers supplied by the Borough. No package is to exceed 50 pounds. Businesses, schools, multifamily dwellings and other institutions shall also source-separate and provide their own larger size containers, if required.

B. Glass, metal cans and rigid plastic containers are not required to be separated from each other but shall be contained and placed for collection in a reusable metal or plastic container provided by the Borough for the purpose of collection of recyclable materials.

C. No single article, bundle or loaded container shall exceed 50 pounds or six feet in length, nor shall any such item be of such bulk that it requires more than one man to lift.

D. All household items and appliances shall be dismantled, including removal of doors and drawers or any other sealed or locking mechanism.

E. All containers required herein shall be supplied by the occupant or owner of the premises, except for those containers to be used for the collection of recyclable materials, and shall be placed prior to collection between the curb and the sidewalk of the property of the occupant or owner where such containers shall be readily accessible to the collector. All containers for recyclable materials shall be clearly marked as available for and restricted to the use of recyclable materials. The occupant or owner shall keep all containers clean and in condition for safe handling. In buildings in which two or more families reside, each family shall mark its own containers with the initials of their respective names so as to render the containers readily identifiable. Containers or other items to be disposed of shall be placed outside after 4:00 p.m. of the day immediately preceding the day of collection. After collection, any empty containers shall be removed from curbside promptly, but no later than 7:00 p.m. of the day of collection.

F. All other solid waste, as described in the definitions contained in Section 1.1, which cannot be placed in containers shall be bundled and tied and each bundle shall not exceed 50 pounds or six feet in length, nor shall any such bundle be of such bulk that it requires more than one man to lift.

G. All garbage, rubbish, refuse and recyclables from properties other than residential where there is a curbside location or a mutually agreed-upon accessible location will be picked up with a limitation of 10 thirty-gallon trash bags per pickup per property or 300 pounds of pickup per property. All such items placed for collection shall be in containers or prepared for collection in the manner and method prescribed heretofore in Subsections A through E of this Section 1.3.

1.4 Leaf Collection.

The collection of leaves for recycling will take place at intervals between September 1 and December 31 and again in spring from May 1 to May 31. Leaves must not be mixed with trash nor contained in bags. They are to be raked to the curblin e but not into the gutter.

1.5 Construction Debris.

The obligation to dispose of all debris of any kind resulting from new construction or renovations performed by any person is hereby imposed on such person, who shall be required to dispose of any such debris at a state-approved sanitary landfill. Any person performing any such construction or renovation shall be deemed notified of the provisions of this article upon the issuance of a building permit or by virtue of the obligation to obtain a building permit.

1.6 Refuse in Streets or Public Property.

No felled tree, tree stump, branches, yard refuse or other vegetation shall be placed, pushed, pulled or otherwise propelled onto any public street or property.

1.7 Solid Waste from Outside Borough.

At no time and under no circumstances shall any solid waste originating from outside the municipal boundaries of the Borough of Audubon Park be brought into the Borough and placed for collection by the Borough of Audubon Park or any other entity with whom the Borough enters into an agreement for the collection of solid waste.

1.8 Storage of Household Solid Waste.

It shall be unlawful for any property owner to store or permit storage of any bulky household waste, including appliances, furniture and mattresses, except in a fully enclosed structure or during days designated for the collection of bulky items.

1.9 Storage of Tires.

It shall be unlawful for any residential property owner to store or permit the storage of tires in areas zoned residential, except in a fully enclosed structure or on days designated for the collection of tires.

1.10 Collection by Unauthorized Persons Prohibited.

From the time of placement at the curb by anyone of the categories of materials described herein for collection by the Borough of Audubon Park, or any other entity with whom the Borough enters into an agreement for such collection, in accordance with the terms hereof, such materials shall be and become the property of the Borough or its authorized agent. Any person not authorized by the Borough of Audubon Park to collect or pick up or cause to be collected or picked up any such materials shall be in violation of this Ordinance. Any and each such collection in violation hereof from one or more locations shall constitute a separate and distinct offense, punishable as hereinafter provided.

1.11 Violations and Penalties.

Any person, firm or corporation that violates or neglects to comply with any provision of this Ordinance, or any regulation promulgated pursuant hereto, upon conviction thereof, shall be punishable by a fine not to exceed the following amounts for the following offenses:

- (A) First offense: up to \$25, at the discretion of the Court.
- (B) Second offense: up to \$50, at the discretion of the Court.
- (C) Third and subsequent offense: up to \$100, at the discretion of the Court.

SECTION 2: All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 3: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 4: This Ordinance shall take effect upon passage and publication according to law.

Attest:

BOROUGH OF AUDUBON PARK

LAWRENCE E. PENNOCK, MAYOR

Introduced: June 1, 2015
Adopted: August 3, 2015

Certified to be a true copy of an Ordinance adopted by the Mayor and Borough Council of the Borough of Audubon Park at a regular meeting held on August 3, 2015.

DAWN M. PENNOCK, MUNICIPAL CLERK