ORDINANCE #08:12-22

AN ORDINANCE AMENDING CHAPTER 382 ENTITLED "SOLID WASTE" IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40:66-1.2 ET SEQ., THE BOROUGH SHALL COLLECT ALL GARBAGE, REFUSE AND RECYCLABLE MATERIALS FOR MULTIFAMILY DWELLINGS OR MAY PROVIDE FOR REIMBURSEMENT THEREFOR, IN THE DISCRETION OF THE BOROUGH OF BELLMAWR

WHEREAS, N.J.S.A. 40:67-23.2, et seq. L.1989,c.299,s.1; amended 1993,c.258,s.10. required municipalities to reimburse qualified private communities for certain services or to provide those services to qualified communities in the same fashion as the municipality provides those services on public road and streets; and

WHEREAS, N.J.S.A. 40:66-1.2 was amended in 2001 to include Multifamily dwelling, meaning any building or structure or complex of buildings or structures in which five or more dwelling units are rented or leased or offered for rental or lease for residential purposes except hotels, motels or other guesthouses serving transient or seasonal guests requiring the provision of municipal solid waste collection services; and

WHEREAS, said statute requires a municipality the option to assume certain cost of services, defined as the cost that would be incurred by a municipality in providing solid waste collection services to a multifamily dwelling in the same manner as the municipality provides those services, curbside, to other residents of the municipality.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Bellmawr that Article VI, Chapter 382 entitled "Solid Waste, be amended as follows:

SECTION 1: § 382-31. Rules and regulations for collection and removal shall be amended to add the following provision:

"H. In accordance with the provisions of N.J.S.A. 40:66-1.2 et seq., the Borough shall collect all garbage, refuse and recyclable materials for multifamily dwellings or may provide for reimbursement therefor, in the discretion of the Borough."

SECTION 2: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

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 immediately upon final passage and publication in accordance with law

Introduction: August 25, 2022
Adoption: September 22, 2022

BOROUGH OF BELLMAWR

Charles J. Sauter, III

Charles J. Sauter, III, Mayor

ATTEST:

Francine M. Wright RMC

Francine M. Wright, RMC
Borough Clerk

CERTIFICATION

I, Francine M. Wright, Clerk of the Borough of Bellmawr, hereby certify the foregoing to be a true and correct copy of an ordinance adopted by the Mayor and Borough Council at their meeting of September 22, 2022, in the Municipal Building, 21 East Browning Road, Bellmawr, New Jersey.

Francine M. Wright RMC

Francine M. Wright, RMC
Borough Clerk