

**BOROUGH OF BEACH HAVEN
COUNTY OF OCEAN**

ORDINANCE #2024-16C

AN ORDINANCE AMENDING Chapter 173, "Solid Waste", in the Borough Code of the Borough of Beach Haven, County of Ocean, State of New Jersey

PURPOSE

To provide trash pick-up for businesses operating year-round in some instances.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE BOROUGH OF BEACH HAVEN DO ORDAIN:

SECTION I

Section 173-6 shall be amended as follows (underscores represent additions; ~~strikethroughs~~ represent deletions):

A. Business and commercial establishments shall utilize collection containers provided by the Borough of Beach Haven only. Each ~~residencee~~ establishment shall be limited to a maximum of three ninety-five-gallon containers. Any business or commercial establishment requiring more than three containers or receptacles shall be required to contract with an outside vendor for trash ~~and solid waste~~ collection service. If an outside vendor is actively collecting solid waste for an establishment, collection of cans by the Borough shall not be offered.

B. During the off-season, October 15 through May 15 annually, business and commercial establishments shall receive ~~solid waste and~~ trash pickup one day per week. At all other times, business and commercial establishments shall receive solid waste and trash pickup two days each week.

C. Businesses shall place cans at curbside on the established pickup day and remove them by 1:00 p.m. or within one hour of emptying, whichever is later, the same day.

D. All commercial establishments maintaining solid waste and trash receptacles outside their buildings shall keep such receptacles covered and within a closely fenced enclosure so as to prevent any scattering of such solid waste or trash.

E. All dumpster owners must properly maintain their dumpsters. All wheels must turn and pivot freely under a full load. All wheels must be adequate in size to turn and pivot freely under load and on the surface at the dumpster site. Lids must be of the correct size and securely attached and work as originally designed by the dumpster manufacturer. Dumpsters must be watertight on top and bottom to prevent rainwater from entering and waste fluids from escaping. Dumpsters shall not be overloaded. "Overloading" is defined as any material not completely inside the dumpster when the lid(s) is(are) fully closed.

F. Business establishments operating year-round may be eligible for once-per-week trash pick-up utilizing a rear-load dumpster, up to 4 yards in size, between October 15 through April 15 annually. Contact the Public Works Superintendent to request services.

SECTION II

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Clerk of the Borough is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

SECTION III

If any word, phrase, clause, sections, or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

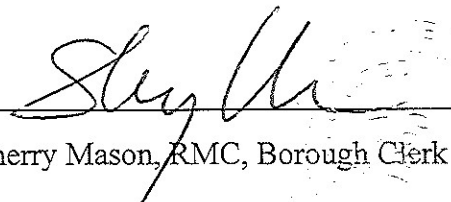
SECTION IV

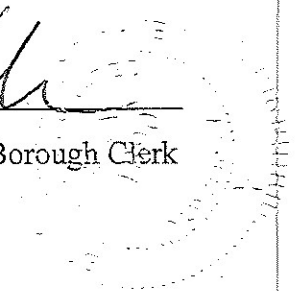
This Ordinance shall take effect upon publication thereof after final passage according to law.

CERTIFICATION

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted by the Borough Council of the Borough of Beach Haven at a public meeting held on the 10th day of June 2024, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand an official seal this 10th day of June 2024.


Sherry Mason, RMC, Borough Clerk



<i>Introduction:</i>	<i>May 13, 2024</i>
<i>First Publication:</i>	<i>May 23, 2024</i>
<i>Adoption:</i>	<i>June 10, 2024</i>
<i>Second Publication:</i>	<i>June 20, 2024</i>
<i>Effective Date:</i>	<i>June 30, 2024</i>