

**BOROUGH OF DUNELLEN**  
**ORDINANCE 2024-04**

**ORDINANCE TO AMEND CHAPTER 130, CLOTHING BINS**

The following ordinance was Introduced for first reading on February 5, 2024. A second reading, public hearing and adoption is being held at 7:00 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey, on February 20, 2024, and copies of this Ordinance have been posted on the public bulletin board prior to the date for second reading and final passage and copies of this Ordinance have been available at the Office of the Borough Clerk for any interested members of the public.

**BE IT ORDAINED** by the Borough Council of the Borough of Dunellen, County of Middlesex, State of New Jersey, that Chapter 130, Clothing Bins set forth in the Municipal Code of the Borough of Dunellen is hereby amended.

Chapter 130. Clothing Bins

§ 130-3. Renewal of permit.

An expiring permit for a donation clothing bin may be renewed upon application for renewal and payment of \$25.00 per bin fee for such renewal, to offset the costs involved in enforcing this chapter and N.J.S.A. 40:48-2.60 et seq. Such application shall include:

§ 130-6. Violations and penalties.

In addition to any other penalties or remedies authorized by the laws of this state, any person who violates any provision of N.J.S.A. 40:48-2.60 *et seq.* which results in seizure of the donation clothing bin shall be:

A. Subject to a penalty of up to \$20,000 for each violation. The Borough of Dunellen may bring this action in the Municipal Court or Superior Court as a summary proceeding under the Penalty Enforcement Law of 1999, N.J.S.A. 2A:58-10 et seq, and any penalty monies collected shall be paid to the Borough of Dunellen; and

B. Deemed ineligible to place, use, or employ a donation clothing bin for solicitation purposes pursuant to N.J.S.A. 40:48-2.61. A person disqualified from placing, using, or employing a donation clothing bin by violating the provisions of N.J.S.A. 40:48-2.60 et seq. may apply to the Borough Council to have that person's eligibility restored. The Borough Council may restore the eligibility of a person who:

1. Acts within the public interest; and
2. Demonstrates that he made a good faith effort to comply with the provisions of N.J.S.A.40:48-2.60 et seq. and this chapter and all other applicable laws and regulations, or had no fraudulent intentions.

Approved February 20, 2024