

**THE TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE NO. 24-06

1st Reading 3-12-24 Date to Mayor 3-27-24

2nd Reading & Public Hearing 3-26-24 Date Returned 3-27-24

Date Adopted: Date Resubmitted to Council _____

3-26-24 Approved as to Form of Legality

Effective Date: _____ Township Attorney

4-19-24

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CHAPTER 319, SOLID WASTE

First Reading

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
Keyes-Maloney	X				X	
Schroth	X					X
Steward	X					
Wollert	X					
Baxter	X					

Second Reading

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
Keyes-Maloney	X					X
Schroth	X					
Steward	X					
Wollert	X				X	
Baxter	X					

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

President of the Council

Municipal Clerk

**THE TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE NO. 24-06

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CHAPTER 319, SOLID WASTE

WHEREAS, the Township of Ewing (the “Township”), is desirous of amending Chapter 319 of the General Ordinances of the Township of Ewing to update various provisions to make it consistent with current practice and law, and to incorporate necessary changes regarding the disposal of bulk items at the municipal bulk waste drop-off site.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

Section 1 Chapter 319: Solid Waste, Article II: Collection; Garbage, Ashes and Waste

§ 319-8 Preparation of garbage and residential bulk waste.

A. No person shall place or cause to be placed on any public street or other public place for collection any garbage, unless such garbage has been thoroughly drained of its moisture, properly wrapped in paper or plastic and deposited in a suitable receptacle. The word “garbage” shall mean the refuse of animal and vegetable matter which has been used or intended to be used for food.

B. At the designated time for collection, residential bulk waste as defined on this section, not to exceed three items on any collection day, may be placed at the curbside for collection. Electronic devices and construction debris, such as concrete, blacktop, roofing shingles and other large quantities of building materials, may not be placed at the curb for collection. Residents must make separate provision for the disposal of such materials. Electronic devices may be recycled at the designated Ewing Township facility without limit.

C. The term “residential bulk waste” shall mean large household waste and materials, including, but not limited to, furniture, lamps, appliances, toilets and fixtures, boxes, wood debris, small amounts of sheetrock, wood and flooring, and windows with the glass removed. Residential waste shall not include electronic devices or construction debris, such as concrete, blacktop, roof shingles and other large quantities of building or construction materials, or waste generated by a commercial entity. Mattresses and box springs may be placed at the curb but must be completely wrapped in plastic prior to be placed at the curb. Unwrapped mattresses and box springs will not be collected.

§ 319-9 Sharp objects.

No person or persons shall place in any receptacle containing garbage, waste, refuse or junk, placed on any public street or other public place for collection, any knife, glass or other sharp object or objects. Such items or objects shall be securely wrapped, tied or taped and placed in a suitable open receptacle separate from garbage, waste, refuse or junk.

§ 319-10 Ashes and waste.

No person or persons shall place in any receptacle containing garbage, placed on any public street or other public place for collection, any glass, cans, metals, ashes or other materials, or any waste, refuse or junk of like nature. All such material not constituting garbage shall, when placed on any public place or street for collection, be securely fastened together by tying or otherwise. Recyclable items shall be disposed of in accordance with Article III, Recycling, of this chapter.

§ 319-11 Hours for placement.

A. No garbage, ashes or waste shall be placed for collection along the public streets earlier than twelve (12) hours before the scheduled collection time of the day on which said

garbage, ashes or waste is to be collected, according to the schedule of collection promulgated from time to time by the Mayor or designee.

- B. At the designated time for collection, residents may place up to three (3) pieces of residential bulk waste at the curb for pick-up. Concrete, blacktop, roofing shingles and electronic devices may not be placed at the curb for collection; residents must make separate provisions for the disposal of such material. Electronic devices may be recycled at the Convenience Center without limit.
- C. Residents may drop off bulk waste at the Township Convenience Center after obtaining a Bulk Waste Drop-Off Validation Card. There shall be a \$50 charge for the purchase of a valid Bulk Waste Drop-Off Validation Card, which shall entitle any Township resident to ten (10) residential bulk waste drop-offs per calendar year at the Convenience Center as follows:
 - a. All materials must be transported by the resident to the Convenience Center.
 - b. The materials must have originated at that resident's address as a result of non-commercial purposes.
 - c. No commercial vehicles, even if owned by a Township resident, may drop off bulk waste at the Convenience Center.
 - d. Each Township residential address shall be limited to the purchase of one (1) Bulk-Drop Off Validation Card per calendar year per Township residential address regardless of the number of persons residing at that address.
 - e. In the case of a transfer of ownership of a residence, the new owner, upon presentation of satisfactory proof of transfer of ownership may purchase a validation card for the address. All previous cards issued to that address will be void upon transfer of ownership.
 - f. Residential bulk waste shall not include electronic devices or construction debris, such as concrete, blacktop, roof shingles and other large quantities of building or construction materials.
 - g. Waste generated by a commercial entity is not acceptable in any type or quantity.
 - h. Nonresidential addresses, such as commercial, industrial or vacant land, are not eligible to purchase a Bulk Drop-Off Validation Card

§ 319-12 Disposal of tires.

No person operating a gasoline service station or any other place of business shall be permitted to leave tires of any kind or size for public or Township collection. Disposal of tires shall be made through private means or in accordance with Article III, Recycling. No resident may place tires at the curb for collection.

§ 319-13 Garbage disposals.

Garbage or solid wastes of any kind from domestic and/or commercial preparation, cooking, dispensing, handling, storage and/or sale of food may be discharged through a garbage grinder, disposal or similar device which will render the material harmless to the Ewing-Lawrence Sewer Authority Treatment Works.

§ 319-14 Violations and penalties.

A. Any person who is found to have violated § 319-8 shall, upon conviction thereof, be punished by a fine in accordance with the following schedule:

- (1) First Offense: \$250
- (2) Second Offense: \$500
- (3) Each Subsequent Offense: \$750

B. A separate offense shall be deemed committed on each day, or part thereof, during or on which a violation occurs or continues. An offense shall be deemed a Second Offense if committed within eighteen (18) months of the First Offense. An offense shall be deemed a Subsequent Offense if committed within eighteen (18) months of the Second Offense.

C. The terms and provisions of this subsection may be enforced individually and severally by the Township of Ewing, the Mercer County Improvement Authority and the New Jersey Department of Environmental Protection.

Section 2 Chapter 319: Solid Waste, Article VI: Penalties and Enforcement

§ 319-35 Enforcement.

Except as provided under Article II, Collection; Garbage, Ashes and Waste, and Article III, Recycling, the enforcement authority of this chapter shall be the Police Department, Code Enforcement and Health Department of the Township of Ewing.

§ 319-36 Violations and penalties.

Unless a specific penalty is provided elsewhere in this chapter or in another ordinance of the Township for a particular violation, any person who shall violate any provision of this chapter or any other code adopted by reference herein by doing any act prohibited or declared to be unlawful or a violation thereof, or who shall engage in or exercise any business or occupation or do anything for which a license or permit is required without having a valid license or permit therefor as required, or who shall fail to do any act required by any such provision, or when such provision declares such failure to be unlawful or to be a violation, shall, upon conviction thereof, be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 90 days or by a period of community service not exceeding 90 days, or such fine and imprisonment and/or community service, in the discretion of the Municipal Judge.

Section 3 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 4 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 5 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

Adopted: