

**BOROUGH OF FAIRVIEW
ORDINANCE 23-11**

BE IT ORDAINED, by the Mayor and Council of the Borough of Fairview, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged:

WHEREAS, Chapter 19 of the Code of the Borough of Fairview sets forth all regulations regarding Solid Waste Management within the Borough of Fairview; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Fairview, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 19. COLLECTION OF GARBAGE AND REFUSE.

Sec. 19-1.1. Findings.

A lack of disposal areas and other causes have resulted in greatly increased costs in the pickup and disposal of garbage and refuse by the Borough so as to tender it financially impossible for the Borough to collect and dispose of all such garbage and refuse within the Borough. It is the desire and intent of the Borough, within the discretion vested by the laws of the State of New Jersey, to provide a limited municipal refuse collection program to owner-residents of private homes within the Borough who would otherwise find themselves unable to dispose of garbage and refuse. Expansion of such a discretionary municipal service beyond these limits would create a prohibitive financial burden on the resources of the Borough. The Borough therefore provides for the collection and disposal of garbage and other refuse through its own agents employees and equipment to owners and residents of the following, as such are defined in Chapter 25, Zoning, of the Revised General Ordinances of the Borough of Fairview:

c.

The Borough shall continue to provide for the collection and disposal of garbage and other refuse through its own agents, employees and equipment to all owners and residents of buildings including multifamily of which the Borough was providing the service prior to the adoption of Ordinance No. 88-22 entitled "Collection of Ashes, Garbage and Refuse." As of the date of the lawful publication of Ordinance. No. 88-22, the terms and conditions contained therein shall control regarding the collection and disposal of garbage and refuse with respect to new or converted multifamily dwellings within the Borough.

Nothing contained herein shall preclude any person, whether or not such person is subject to collection of garbage and refuse by the Borough pursuant to this section from contracting privately for such collection as provided for under the laws of the State of New Jersey.

Sec. 19-1.3. Regulations Concerning Collection.

All garbage, paper or other refuse or waste materials of any kind shall be placed in suitable plastic or galvanized metal cans, which cans shall be provided with a cover, and which cover shall be kept in its proper position on the cans at all times when such can or cans are placed in any public street or place waiting collection and disposal. All garbage for collection shall be placed at the curb no earlier than 6:00 p.m. the night before and must be removed no later than 3:00 p.m. the day of collection. No garbage and/or refuse may be picked up by a private company before 6:00 a.m. on the scheduled collection dates.

Sec. 19-1.4. Establishment and Operation of Collection System.

A system for the collection, removal and disposal of trash, garbage and rubbish is hereby established. The system shall be implemented by the Division of Sanitation in the Department of Public Works in accordance with the rules and regulations approved by the Council and amended from time to time.

Sec. 19-1.6. Schedule of Collection; Storage of Waste.

a.Storage of Waste for Collection.

2.Yard waste and trash shall be collected from containers weighing not more than 50 pounds each or tied bundles not exceeding 50 pounds or 4 feet in length.

Sec. 19-2.1. Definitions.

MIXED PAPER – Shall mean magazines, catalogs, color inserts, envelopes, junk mail, sweepstake forms, school papers, office paper, non metallic wrapping paper and real estate books.

WHITE METALS – Shall be deemed to include all metal appliances, stoves, refrigerators, bed frames, air conditioners and similar types of bulk objects.

ELECTRONICS – Shall include all televisions, computers, monitors and stereos.

Sec. 19-2.2 Program Established.

d. Used newspapers, glass and aluminum as described in paragraphs a, b and c above shall not remain, in the case of one and two family houses, at the house or garbage pick-up location for other refuse, but instead, shall be placed by the owner, lessee or occupant at the curb on such days as are designated by the Borough, provided that if on such designated day no pickup by the Borough is made due to inclement weather, lack of manpower, holiday, or any other reason, then such items shall be placed at the curb the following day. In the case of other dwelling units, such as apartment houses and in the case of all commercial and other business occupants, the owner or manager of the multi-dwelling units and of commercial and other business occupants shall insure that a special place is designated for the storage of the used newspapers, glass and aluminum and all lessees of the dwelling units shall be required to separate such items and place same in the designated place as aforesaid; the owner or manager of the multi-dwelling units shall notify the Department of Public Works Superintendent of the location of the area (which shall also be satisfactory to the Borough Fire Marshall and the Department of Public Works, when called upon to do so by the manager of the multi-dwelling unit.

e. Placement of used newspaper, glass and aluminum shall not be made at the curb prior to 6:00 p.m. of the date prior for pickup nor later than 7:00 a.m. of the date of pickup.

Sec. 19-2.3. Emergency Conditions.

Under emergency conditions the time and place of pickup as otherwise prescribed in subsection 19-2.2 may be varied by resolution of the Mayor and Council of the Borough with notice to the residents given by phone, online or other means of publication.

Sec. 19-2.9. Collection of Leaves.

The following sentence to be added at the end of the first paragraph: Leaves may be either loosely piled or placed in paper bags. Plastic bags are not to be used for leaf pickup. All leaves must be piled at least ten (10') feet from a storm drain.

Sec. 19-2.16. Commercial Users: Separation, Collection and Disposal of Recyclable Material.

b. Designation of Recyclable Materials.

1. Mandatory. The following are identified as mandatory recyclable materials:

(k) Electronics

c. Separation, Collection and Disposal Methods of Designated Recyclable Materials.

1. Aluminum (mandatory) must be separated and collected by the Borough.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.


Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

ATTEST



Diane T. Testa
Borough Administrator/Clerk

BOROUGH OF FAIRVIEW



Vincent Bellucci, Jr.
Mayor