

ORDINANCE O-23-29

AN ORDINANCE OF THE TOWNSHIP OF HOWELL ESTABLISHING PROOF OF RESIDENCY REQUIREMENTS FOR USE OF THE HOWELL TOWNSHIP RECYCLING CENTER

WHEREAS, pursuant to N.J.S.A. 13:1E-99.16, each municipality must provide for a collection system for the recycling of recyclable materials within their geographic boundaries; and

WHEREAS, the Township of Howell (“Howell” or “Township”) operates a recycling center as part of its plan for collecting recyclable materials; and

WHEREAS, pursuant to § 2-34(L) of the Howell Township Code (“Township Code”), the Township has invested the duties of administering the Township recycling program in the Township’s office of the Director of Public Works; and

WHEREAS, it has been recommended by the Director of Public Works that regulations be emplaced to require proof of Howell residency from users of the Township recycling center.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Council of Howell Township, County of Monmouth, and State of New Jersey, that certain sections of the Township Code be amended as follows (additions to text indicated by underlined text; deletions to text indicated by ~~strikeout~~):

SECTION 1. The Township Code is hereby amended to include the addition of Chapter 238, Section 27 “Township Recycling Center Proof of Residency Requirements” as follows:

§ 238-27 Township Recycling Center Proof of Residency Requirements

As part of an effort to ensure effective and efficient utilization of Township resources in the operation of its recycling center, use of the Township recycling center shall be limited to residents of the Township of Howell. Prior to using recycling center services, all users of the Township recycling center shall be required to provide proof of residency within Howell. The following records are acceptable forms of proof of residency:

- a. An active New Jersey driver’s license/non-driver identification card;
- b. Property tax bill, statement, or receipt or any letter or correspondence received from the IRS or state tax office within the past year;
- c. Original unexpired lease or rental agreement with name of recycling center user as lessee or renter;

- d. Checking or savings account statement from a bank or credit union issued within the last 60 days at the time of presentation;
- e. Utility or credit card bill issued in the past 90 days at the time of presentation;
- f. A deed or title to real property;
- g. First class mail from any government agency in the past six months at the time of presentation.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed. All portions of the ordinance not modified herein remain in full force and effect.

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

SECTION 4. This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

NOTICE

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on August 15, 2023 and will be further considered for final passage and adoption at the Township Municipal Building at 4567 Rt. 9 North, Howell, New Jersey on September 12, 2023 at 7:00 p.m. or as soon thereafter as the matter can be reached on the Agenda, at which time and place all persons interested therein shall be given an opportunity to be heard and during the week prior thereto, and up to, and including, the date of such meeting, copies of said Ordinance will be available at the Clerk’s Office in the Township of Howell Municipal Building to the members of the general public who shall request same.

Introduction:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fischer</i>			X			
<i>Councilman Gasior</i>	X		X			
<i>Councilman Nadel</i>		X	X			
<i>Deputy Mayor O’Donnell</i>			X			
<i>Mayor Berger</i>			X			

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held August 15, 2023. WITNESS my hand this 16th day of June 2023.

Diane Festino

DIANE FESTINO, Municipal Clerk

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held on September 12, 2023.

Adoption:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fischer</i>	X		X			
<i>Councilman Gasior</i>		X	X			
<i>Councilman Nadel</i>			X			
<i>Deputy Mayor O'Donnell</i>			X			
<i>Mayor Berger</i>						X

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held September 12, 2023. WITNESS my hand this 13th day of September 2023.

Diane Festino

DIANE FESTINO, Municipal Clerk

Explanatory Statement: Allowing for regulations to require proof of Howell residency from users of the Township recycling center.