

**TOWNSHIP OF NEPTUNE
ORDINANCE NO. 22-22**

**AN ORDINANCE OF THE TOWNSHIP OF NEPTUNE TO AMEND AND
SUPPLEMENT CHAPTER 21 SOLID WASTE MANAGEMENT BY AMENDING 1.1
“DEFINITIONS”, 3.2 “RESIDENTIAL GARBAGE COLLECTION”, 3.4
“PROHIBITED MATERIALS”, AND 3.5 “BULKY ITEMS FROM RESIDENTIAL USE”**

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Ordinance be and is hereby amended as follows: [Items removed have strikethroughs, additions are bold and underlined]

SECTION 1.

§ 21-1 **WORD USAGE.**

§ 21-1.1 **Definitions.**

For the purpose of this chapter, the following terms, phrases, words and their derivation shall have the meanings given hereafter.

ASHES

Shall mean the residual from the burning of wood, coal, coke or other combustible materials.

BUILDING MATERIALS

Shall mean any material, such as lumber, brick (up to 2 x 2 x 2 in size), plaster, gutters (wood), roofing shingles (not asbestos), and no more than one (1) door or window, or other substances accumulated as a result of repairs or additions to existing buildings, construction of new buildings or demolition of existing structures.

BUNDLES

Shall mean normally loose items such as newspaper, cardboard and branches, shall be collected if organized into bundles of not more than four (4) feet in length or fifty (50) pounds in weight. All bundles shall be tied with heavy twine, rope, wire, etc. "Bundles" shall be organized as to be conveniently **lifted** by one (1) person.

CONTAINER

See Receptacle.

COORDINATOR

Shall mean the Solid Waste, Recycling and Clean Community Coordinator for the Township of Neptune.

DEPARTMENT

Shall mean the Township of Neptune, Road, Sanitation, Recycling, Sewer, Building Maintenance, and/or Parks Departments.

DIRECTOR OF PUBLIC WORKS

Shall mean the Director of Public Works for the Township of Neptune.

GARBAGE

Shall mean all waste matters pertaining to the handling, storing, preparing and disposal of meat, fish, fowl, birds and vegetables in any form or forms, not described specifically. Fecal waste must be double bagged.

HAZARDOUS WASTE

Shall mean any waste or combination of wastes which pose a present or potential threat to human health, living organisms or the environment; any waste so designated by the United States Environmental Protection Agency or the New Jersey Commissioner of Environmental Protection Department; any materials described in Ordinance 1461 which is codified as Section 20-1 of these Revised General Ordinances.

HOSPITAL/RED BAG WASTE

Shall mean and include, but not be limited to, all instruments, supplies, containers, bandages, tubing, gloves, etc. used by health care practitioners and facilities as described in the New Jersey Department of Health regulations and New Jersey Law, Section 306 of the Manual of Standards for Hospital Facilities, and N.J.S.A. 2A:170-25.17.

INDUSTRIAL WASTE

Shall mean those materials and waste matters connected with industrial establishments within the Township and including, but not limited to, processed scrap metals, non-recyclable packing materials, certain hazardous and dangerous materials such as acids, paints, fluorescent tubes and more than two (2) forty-five (45) gallon receptacles of non-recyclable glass and materials.

MULTIPLE DWELLING COMPLEX

Shall mean any building or structure and land appurtenant thereto containing more than two (2) living units (such as townhouses, condo-minimums and apartment houses).

PERSON

Shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

RECEPTACLE

Shall mean a container constructed of such material and in such a manner as to hold solid waste, recyclables, and garbage and other such items without breaking or collapsing. "Receptacles" shall have handles and covers so that contents therein are not exposed to the weather, animals and vermin. A disposable plastic bag shall constitute a "receptacle" except for the disposal of leaves if it is of sufficient strength to hold its contents without breaking when collected. The "receptacle" shall be of such a design and weight as to be able to be **lifted** by one (1) person. No "container" shall exceed **forty-five (45)** gallons in capacity nor weigh more than fifty (50) pounds when loaded. Commercial garbage receptacles and fifty-five (55) gallon drums are not acceptable as containers. Receptacles which, in the opinion of the Department, are badly broken or fail to meet the requirements of this chapter may be classified as "garbage" by the Supervisor of the Department.

RECYCLABLE MATERIALS

Shall mean all waste materials which have the ability to be returned, through processing, to their former or alternate use. Recyclable materials include, but are not limited to, the following:

- a. **ALUMINUM CANS** Shall mean and include such beverage or food containers constructed or fabricated of aluminum or its alloys.

- b. **BIMETAL CANS** Shall mean food and beverage containers which are composed of an aluminum top and steel sides and bottom.
- c. **COMMINGLED RECYCLABLE** Shall mean and refer to the mixing of glass bottles and jars, aluminum cans, tin cans and pourable plastic bottles in the same container.
- d. **CORRUGATED CARDBOARD** Shall mean and include Kraft corrugated which has a brown liner made from Kraft paper and regular corrugated which is gray or tan and is made from other types of paper such as newspaper.
- e. **DEMOLITION MATERIAL** Shall mean and include asphalt, concrete, wood waste, and another such waste material as associated with the razing of any building, structure or any part thereof.
- f. **GLASS** Shall mean and include all products made from silica or sand, soda ash and lime, the product being transparent or translucent and being used as packaging and commonly known as "glass".
- g. **HI-GRADE PAPER** Shall mean and include white and off-white stationery, photocopy and computer paper.
- h. **MIXED PAPER** Shall mean articles of paper such as, but not limited to, magazines, catalogs, envelopes, mail, school papers, office papers, real estate books, NCR paper, nonmetallic wrapping paper and newspaper inserts.
- i. **NEWSPAPER** Shall mean and include papers of the type commonly referred to as "newsprint" and distributed at periodic intervals, usually daily or weekly. Expressly excluded, however, are all magazines or other glossy surfaced periodicals and all other paper products, e.g., wrappings from food products.
- j. **POURABLE PLASTICS** Shall mean and include all beverage containers which are constructed of polyethylene teraphthalate or high density polyethylene (food, drink and laundry containers).
- k. **TIN CANS** Shall mean and include all food and beverage containers which are constructed of steel sides, tops and bottoms.
- l. **WASTE OIL** Shall mean and include used oil drained from automobiles, motorcycles and lawnmowers, etc.
- m. **YARD WASTE** Shall mean and include leaves, plant residue, and small tree limbs.

SINGLE RESIDENTIAL UNIT

Shall mean any dwelling place occupied by one (1) family.

SOLID WASTE

Shall mean all garbage and waste normally generated by the occupants of residential and other property, disposed of by private and/or public collection and defined as "solid waste" by the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-3). Items classified as recyclable shall be prohibited from being placed commingled with other materials. The Township of Neptune is licensed by Solid Waste permit to collect three (3) types of waste:

- a. Type 10, Municipal Waste: Residential, commercial and institutional solid waste generated within a community.
- b. Type 13, Bulky Waste: Large items of solid waste which because of their size or weight require handling other than normally used for municipal waste. Bulky waste includes, but is not limited to, such items as demolition or construction material, appliances (excluding Freon), and furniture.
- c. Type 23, Vegetative Waste: Includes, but is not limited to, tree limbs, branches, plants and flower residue, etc.

STREET

Shall mean any right-of-way, avenue, boulevard, road, parkway, viaduct, drive or other way which is:

- a. An existing State, county or municipal roadway; or
- b. Shown upon a plat approved by the Planning Board or Zoning Board of Adjustment and built in accordance with Township standards, and which may be either public or private; or
- c. Shown on a plat filed with the office of the County Clerk of the County of Monmouth prior to the creation of the Planning Board or Zoning Board of Adjustment of the Township of Neptune;
- d. Not dedicated, in whole or in part, as a parking area or driveway which provides access to any building or structures.

TOWNSHIP

Shall mean the Township of Neptune.

§ 21-3.2 Residential Garbage Collection.

Property owners and their agents, lessees, tenants or other occupants residing in residential dwellings who wish to have their solid waste disposed of by the Township shall:

- a. Place solid waste from their unit in appropriate containers, receptacles, and/or bundles as specified at the street curb if one exists or adjacent to but not on the street pavement if there is no curb. The number of containers, on each collection day, shall not exceed six (6) per single-residential unit or six (6) per multiple-dwelling unit provided; however, that there shall be allowed two (2) additional containers for each unit over three (3) units. Businesses will be allowed no more than six (6) receptacles on a single collection day. Each receptacle must not exceed **forty-five (45)** gallons in size or fifty (50) pounds in weight. The number of automated trash containers, on each collection day, shall not exceed three (3) ninety-five (95) gallon automated containers per single-residential unit or multiple-dwelling unit.
- b. Receptacles shall be placed as specified above beginning at dusk of the night preceding the scheduled collection day. All containers with solid waste and recyclables shall be placed at the curb by 6:00 a.m. of the collection day. All solid waste or recycling placed at the curb after collection has taken place will not be collected and must be removed from the curb until the following collection day. Solid waste receptacles shall be removed from the curb or pavement edge by 6:00 p.m. of the evening of the collection day and secured within three (3) feet of a

permanent structure on the property. If the receptacle cannot be secure in this manner, Public Works' written approval must be obtained.

- c. Properties shall be permitted to place solid waste for collection pursuant to this chapter, in accordance with a schedule approval by the Township of Neptune and on file in the office of the Clerk.
- d. The Department may permit additional receptacles to be placed, provided that special prior arrangements have been made with the Department.
- e. No collection of solid waste shall be accomplished on property outside of the dedicated public rights-of-way unless and until a release and a hold harmless and indemnification agreement between the property owner of record and the Township of Neptune shall be executed and in force. The owner of record shall also execute a license to the Township to permit access to the premises in question. Further, these premises shall only be served after the Public Works Department has deemed the roadway navigable and offers maneuverability to municipal equipment. It shall be the responsibility of the property owners and their agents, lessees, tenants or other occupants residing at said premises to maintain the roadway and vegetative overgrowth. Failure to meet these requirements will result in loss of services until such time that they are met as determined by the Public Works Department.
- f. The Public Works Department provides an eight (8) cubic yard container for residents of the Township that desire to clean up their properties. There is a fee associated with this service, and is established with the Township Committee and charged as the per day fee by the Department. The container is delivered to the resident requesting the same early in the morning and picked up the next succeeding business day. A running list on a first come first served basis is maintained and operated by the Department. The fee is raised from time to time to keep up with escalating landfill tipping costs. Prohibited materials, including but not limited to, tires, batteries, recycling materials, asbestos shingles and all hazardous waste materials shall not be placed in the canister.

§ 21-3.4 **Prohibited Materials.**

The following items are prohibited from being placed for collection:

- a. Construction materials, including, but not limited to, dimensional framing lumber, bulk or sheets of plywood, paneling, plasterboard, sheetrock, etc. Over two (2) **forty-five (45)** gallon receptacles not over fifty (50) pounds in weight.
- b. Bulk roof shingles.
- c. Hot ashes, stone macadam and blacktop. Concrete, concrete block over the size of 2 x 2 x 2 may be brought to the Township yard. Earth and dirt, not to exceed one (1) **forty-five (45)** gallon container, may be brought to the Township yard.
- d. Industrial waste, including, but not limited to, processed scrap materials, packing materials and certain hazardous and dangerous materials, such as acids, paints, fluorescent tubes, toxic materials and highly volatile or explosive matter, either in liquid, gaseous or solid form.
- e. Bulk automotive parts, including, but not limited to, transmissions, engines, rear ends, wheels, mufflers and other bulk items normally produced in quantity by vehicular repair operations over twenty-five (25) pounds and car parts with oil.

- f. Animal waste, droppings and feces unless double bagged.
- g. Surgical dressings, syringes and disposable hospital-type waste items, also known as red bag waste.
- h. New and used motor oils, petroleum based products, or antifreeze.
- i. Hazardous waste classified pursuant to regulations issued by the New Jersey Department of Environmental Protection (NJDEP), adopted under authority of N.J.S.A. 13:1D-9 and 13:1E-6, as amended. Toxic chemicals commonly known as "commercial hazardous waste" and "household hazardous waste."
- j. Dead animals.
- k. Grass clippings.

§ 21-3.5 **Bulky Items from Residential Use.**

- a. Domestic or household bulky items, such as washing machines, dryers, dishwashers, stoves, household appliances, and other household furnishings, such as chairs, sofas, rugs, padding, etc., shall be placed at the curb for collection as specified by subsection **21-3.2b** and in accordance with the published collection schedule of the Township of Neptune. No bulky item shall be of weight or be of a size greater than four (4) cubic yards such that it cannot be **lifted** by two (2) persons.
- b. It shall be a violation of this chapter for any individual, association, partnership or corporation to leave outside of any building or dwelling, in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator, freezer or dishwasher or any other item of any kind which has an airtight door, with or without lock, without first removing said airtight door.
- c. It shall be a violation of this chapter for any individual, association, partnership or corporation to conduct a repair or salvage operation and use the services of the Township for solid waste collection.
- d. All Freon appliances, including, but not limited to, refrigerators, air conditioners, freezers and dehumidifiers, will be collected provided that twenty (\$20.00) dollars is paid in advance and the pickup is scheduled at the Public Works Department.
- e. The Public Works Department may permit additional bulky items to be placed, providing that special prior arrangements have been made with the department.

SECTION 2.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3.

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5.

This Ordinance shall take effect upon its passage and publication according to law.

Motion/	Roll Call To Adopt On First Reading				Adopted on First Reading
Second		YAY	NAY	ABSTAIN	ABSENT
	Dr. Michael Brantley				X
Second	Keith Cafferty	X			
	Robert Lane, Jr.	X			
Motion	Tassie D. York	X			
	Nicholas Williams	X			
					_____ Gabriella Siboni, RMC Township Clerk

Motion/	Roll Call To Adopt On Second and Final Reading				Adopted on Second Reading
Second		YAY	NAY	ABSTAIN	ABSENT
	Dr. Michael Brantley	X			
	Keith Cafferty	X			
Second	Robert Lane, Jr.	X			
Motion	Tassie D. York	X			
	Nicholas Williams				X
					_____ Gabriella Siboni, RMC Township Clerk

Gabriella Siboni
Township Clerk

Nicholas Williams
Mayor