

ORDINANCE 23-34

BOROUGH OF POMPTON LAKES

**AN ORDINANCE AMENDING §14-1.4A CONCERNING
THE DISPOSAL OF SOLID WASTE**

WHEREAS, the Mayor and Council of the Borough of Pompton Lakes desire to amend Ordinance §14-1.4A, regarding the disposal of solid waste.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Ordinance §14-1.4A of the Borough Code is amended as follows:

SECTION 1. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Note: Additions are shown in **bold and underlined** and deletions are shown as ~~strikethrough~~.

SECTION II.

§14-1.4A Administration by Superintendent of Public Works; Regulations.

A. All solid waste accumulated in the Borough by noncommercial establishments shall be collected, conveyed and disposed of by the Borough under the administration of the Superintendent of Public Works. The Superintendent of Public Works shall have the responsibility to propose regulations concerning the days of collection, type and location of waste containers and such other matters pertaining to the collection, conveyance and disposal as he shall find necessary and recommend changes and modifications to the same. Said regulations shall be subject to adoption by the Mayor and Borough Council. The Superintendent of Public Works, the Property Maintenance Code Official and Police personnel shall have the authority to enforce the ordinances of Pompton Lakes and the regulations as promulgated by the Superintendent of Public Works.

B. Appeals. Any person aggrieved by a regulation shall have the right to appeal to the Mayor and Borough Council, who shall have the authority to confirm, modify or revoke any such regulation.

C. Pre-collection practices.

1. Separation of solid waste. Garbage, ashes, rubbish, newspapers, magazines and other recyclable paper and cardboard, glass, plastic, tin cans and aluminum shall each be placed and maintained in separate containers or bundles as specific products become part of the mandatory program.

2. Separation of refuse.

(a) Garbage. All garbage, before being placed in garbage cans for collection, shall have drained from it all free liquids.

(b) Rubbish. All rubbish shall be drained of liquid before being deposited for collection.

(c) Cans. All cans shall be thoroughly rinsed and drained before being deposited for collection.

(d) Bottles. All bottles shall be thoroughly rinsed and drained before being deposited for collection.

(e) Tree trimmings, hedge clippings and similar materials shall be cut to a length not to exceed four feet and securely tied in bundles not more than two feet thick and not to exceed 60 pounds before being deposited for collection.

(f) Leaves. All leaves shall be dry and placed in biodegradable paper leaf and lawn waste disposable bags, securely tied and of a size and capacity not exceeding 15 inches by 12 inches by 35 inches or a maximum of 50 pounds, per bag, whichever is less.

3. Containers.

(a) Solid waste. Solid waste containers shall be provided by the owner, tenant, lessee or occupant of the premises. Solid waste containers shall be maintained in good condition. Any container that does not conform to the provisions of this article or that may have ragged or sharp edges or other defects liable to hamper or injure the person collecting the contents thereof shall be promptly replaced on notice. The Superintendent of Public Works shall have the authority to refuse collection services for failure to comply herewith.

(b) Garbage. Garbage containers shall be made of metal or plastic with suitable handles and tight-fitting covers and shall be watertight.

(1) Capacity. Garbage containers shall have a capacity of not more than ~~36~~ **45** gallons or 60 pounds, whichever is less.

(2) Sanitation. Garbage containers shall be of the type approved by the Board of Health and shall be kept in clean, neat and sanitary condition at all times.

(c) Ashes. Ash containers shall be made of metal and shall have a capacity of not more than 36 gallons; cold ashes only, not to exceed 60 pounds.

(d) Rubbish. Rubbish containers shall be of a kind suitable for collection purposes and shall be of such weight as can be handled by one person.

(e) Newspapers, cardboard, magazines and books. Newspapers, cardboard, magazines and books shall be stacked and tied and shall be of such weight as can be handled by one person and tied with a cord of sufficient strength that it will not break under ordinary handling and shall not exceed 60 pounds.

(f) Glass. Glass containers shall be made of metal or plastic, shall have tight-fitting covers and shall be of a capacity of not more than 36 gallons and shall not exceed 60 pounds.

(g) Cans. Can containers shall be made of metal or plastic or plastic bags and have a capacity of not more than 36 gallons and shall have suitable handles and tight-fitting covers, weight not to exceed 60 pounds.

(h) Commercial establishments. All commercial establishments shall store their refuse in containers as specified herein so as to eliminate wind-driven debris and unsightly litter in and about their establishments. Approved methods of containerization shall be made of reusable metal or hard plastic, sealable with a lid, and shall include refuse receptacles, bulk containers and detachable containers. The number of containers necessary for each commercial establishment shall be as required to maintain a clean, neat and sanitary premises as directed by the Superintendent of Public Works. Spillage and overflow shall be immediately cleaned up when and as it occurs by said establishment. The Superintendent of Public Works may order installation of sealed receptacles of the compactor nature when practicable after a commercial establishment has been twice warned of a violation of this section.

4. Storing of solid waste. Any unauthorized accumulation of solid waste on any premises is hereby declared to be a nuisance and is prohibited.

5. Points of collection. Solid waste containers shall be placed at the curb line of the property or at such other location as may be designated by the Superintendent of Public

Works. Containers may be placed at the collection point at any time after 6:00 p.m. the night before collection day and before ~~7:00 a.m.~~ **6:00 a.m.** of the day of collection and shall be removed from the collection point and stored in accordance with the regulations and ordinances of the Board of Health prior to the end of the day of collection.

SECTION III.

If any Article of this Ordinance or its application to any person or circumstances shall be adjudged invalid, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable. This Ordinance is not meant to repeal any provisions of the Revised code of the Borough of Pompton Lakes other than those designated herein, but to add to its requirements, and all Ordinances or parts thereof inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency only. This Ordinance shall take effect immediately upon final passage and publication as provided by law.

NOTICE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and Adopted on First Reading at the regular meeting of the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey held in the Municipal Building, 25 Lenox Ave., Pompton Lakes, NJ on November 8, 2023, and the same shall be presented to the Municipal Council for Second Reading and Final Adoption at the regular meeting held on the December 6, 2023, at which time, the public is given the opportunity to discuss the Ordinance. Said Ordinance will be in full force and effect in the Borough of Pompton Lakes after Second Reading and Final Adoption and publication in accordance with law.

Approved:

Michael Serra, Mayor

Elizabeth Brandsness, Borough Clerk