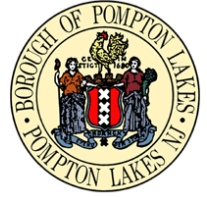


BOROUGH OF POMPTON LAKES PASSAIC COUNTY, NEW JERSEY



ORDINANCE NO. 24-06

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE I "SOLID WASTE COLLECTION" SUBSECTION 1.4C.3 OF THE BOROUGH OF POMPTON LAKES' CODE TO CORRELATE TO THE NEEDS OF THE BOROUGH OF POMPTON LAKES RECYCLING AND WASTE REMOVAL CONTRACTS.

WHEREAS, the Borough of Pompton Lakes has entered into various agreements with solid waste removal and recycling removal contractors and desires to amend its code to reflect the terms of such agreements; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal and enforce such other ordinances, regulations, rules and bylaws not contrary to the laws of this state with the federal government, as it may deem necessary and proper for the good of government, order of protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle or by any law; and

WHEREAS, the Borough of Pompton Lakes has concluded that it is in the best interest of the Borough and its citizenry, to amend the aforementioned code sections to correlate to the contractual terms for removal of various wastes.

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 §14-1.4C.3 of the Borough Code is amended as follows:

SECTION 1. Purpose and Authority. The purpose of this Ordinance is to modify and amend Chapter 14 "Solid Waste Collection", Subsection 1.4C.3 pursuant to N.J.S.A. 40:48-1, and 40:49-2.

SECTION 2. Recitals. The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION 3. Chapter 14, Subsection 1.4C.3 shall be amended as follows:

Note: Additions are shown in **bold and underline** and deletions are shown as ~~strike through~~.

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.

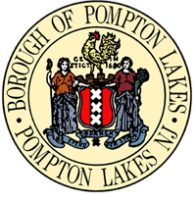
(1) Capacity. Garbage containers shall have a capacity of not more than 45 gallons or 60 pounds, whichever is less.

(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.

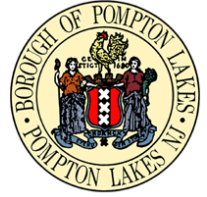
(c) Ashes. Ash containers shall be made of metal and shall have a capacity of not more than **45** ~~36~~ gallons; cold ashes only, not to exceed 60 pounds.

(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.



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~~(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.~~

(fg) Cans. Can containers shall be made of metal or plastic or plastic bags and have a capacity of not more than 45 ~~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.

SECTION 4. Any ordinance or parts thereof in conflict with the provisions of this ordinance are repealed to the extent such conflict exists.

SECTION 5. 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.

SECTION 6. This ordinance shall take effect upon final passage and publication according to law.

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced at a Reorganization meeting of the Mayor and Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey held in the Municipal Building on the 10th day of January, 2024 and the same came up for final passage at the regular meeting of the Mayor and Borough Council held on the 24th day of January, 2024 at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Borough of Pompton Lakes after approval by the Mayor or in accordance with law.

APPROVED:

MICHAEL SERRA, MAYOR

ATTEST:

ELIZABETH BRANDSNESS, RMC
MUNICIPAL CLERK