

**ORDINANCE NO. 2023 - 34**

**AN ORDINANCE OF THE TOWNSHIP OF STAFFORD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 167 OF THE TOWNSHIP CODE, ENTITLED "RUBBISH AND GARBAGE COLLECTION"**

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Township of Stafford, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Township Code of the Township of Stafford is hereby amended and supplemented so as to amend Chapter 167, entitled "Rubbish and Garbage Collection," so as to amend §167-3 entitled "Rules and Regulations," to read as follows:

**§ 167-3. Rules and regulations.**

The following regulations shall govern the collection and removal of garbage, rubbish, ash, yard waste, bulk waste and recyclable materials:

A. The occupant of any dwelling house or other residential building shall place the materials described in this chapter for collection in an appropriate place on the curb in front of such dwelling house, or other residential building, after separation in appropriate separate containers. The owner of the said dwelling house or other residential building shall be jointly and concurrently responsible for the compliance with the terms of this chapter by all occupants of the same.

B. No more than three recycling totes per collection day per property shall be collected by the Township.

C. No person shall place any materials or the receptacles containing any materials described in this chapter for collection prior to 5:00 p.m., local time, 24 hours prior to the day said materials are to be collected in his particular zone.

D. In those areas designated for the use of the automated trash containers, all garbage and rubbish must be placed in the automated trash containers either as provided by or approved by the Township. No garbage and rubbish shall be placed outside of receptacle for collection. No more than three trash receptacles per collection day per property shall be collected by the Township. Receptacles should be placed a minimum of three feet apart.

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E. It shall be unlawful for any person to dump garbage, rubbish, ash, yard waste, or recyclable materials upon any public property of the Township or to trespass upon the property of another and deposit said materials thereon.

F. No person shall break into any container of garbage, rubbish, ash or recyclable materials that may be found upon the streets or sidewalks of the Township, nor shall any owner or occupant permit the same to occur with regard to such garbage, rubbish, ash or recyclable materials placed at or near the curb for collection.

G. No garbage, rubbish, ash, yard waste, or recyclable materials shall be collected by the Township from any manufacturing, commercial office or other business establishment.

H. The occupant of any residential dwelling or other residential building shall remove all containers for garbage, rubbish, ash or recyclable materials from the street or curblines by 10:00 a.m., local time, of the day after the Township has collected the garbage, rubbish, ash or recyclable materials from the containers.

I. Items must be source-separated for collection at the curb. Metal and recyclables to be placed for collection separate from bulk trash.

J. The Township shall not collect any hazardous materials including but not limited to asbestos, gasoline, paints, oils, et cetera.

K. Bushes, limbs, branches and small trees that are the result of incidental pruning and ornamental tree maintenance or minor storm damage, up to four inches in diameter, with the stumps or root balls removed, may be placed at the curb for collection with the cut ends facing the street. They shall be placed in one pile no larger than ten feet wide by four feet high by eight feet long. Disposal of oversized amounts of brush and logs that are the result of large or multiple tree removal and clearing activities shall be the responsibility of the homeowner or contractor.

L. Bulk waste is an item too large to fit inside a person's trash receptacle. No person shall place an item or a combination of items that exceed 10 feet wide by five feet high by six feet long. Further, no one item may exceed fifty pounds in weight. Examples of acceptable items include the following: chair, desk, mirrors, home furnishings, and rugs cut into 3 foot sections, no wider than 12 inches. Unacceptable items include the following: air conditioners, dehumidifiers, appliances, concrete, pavers, bricks, asphalt, electronics, tires and asbestos materials.



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**SECTION 2.** The Township Code of the Township of Stafford is hereby amended and supplemented so as to amend Chapter 167, entitled "Rubbish and Garbage Collection," so as to amend §167-4 entitled "Fees for automatic trash and recycling containers," to read as follows:

**§ 167-4. Fees for automatic trash and recycling containers; limitation on number of containers.**

A. The following fees and charges are hereby established for automated trash containers (charcoal gray containers):

- (1) Ninety-six-gallon container: Most recent bid.
- (2) Sixty-four-gallon container: Most recent bid.
- (3) Thirty-eight-gallon container: Most recent bid.

B. The following fees and changes are hereby established for automated recycling containers (blue containers):

- (1) Ninety-six-gallon container: Most recent bid.
- (2) Sixty-four-gallon container: Most recent bid.
- (3) Thirty-two-gallon container: Most recent bid.

C. Each property shall be limited to the purchase of two additional automated trash containers and two additional automated recycling containers.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

Date: \_\_\_\_\_

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**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Stafford held on the **12<sup>th</sup>** day of **September, 2023** and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the **3<sup>rd</sup>** day of **October, 2023** at 7:00 p.m., at the Township Council Meeting Room, located at 260 East Bay Avenue, Manahawkin, New Jersey, 08050 at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

  
**SUSAN FARRELL**  
**TOWNSHIP CLERK**

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Introduction: September 12, 2023


Motion to Introduce: <i>Mower</i>	Second: <i>Otte</i>	Roll Call:	Esposito	<i>absent</i>
			Henken	<i>yes</i>
			Krier	<i>No</i>
			Otte	<i>yes</i>
			Mower	<i>yes</i>
			Steadman	<i>yes</i>
			Myhre	<i>yes</i>

Adoption: October 3, 2023

Motion to Adopt: <i>Mower</i>	Second: <i>Otte</i>	Roll Call:	Esposito	<i>yes</i>
			Henken	<i>yes</i>
			Krier	<i>No</i>
			Otte	<i>yes</i>
			Mower	<i>yes</i>
			Steadman	<i>yes</i>
			Myhre	<i>yes</i>

**CERTIFICATION**

I, **SUSAN M. FARRELL**, Municipal Clerk of the Township of Stafford, do hereby certify that the foregoing Ordinance was duly adopted on second reading and public comment by the Stafford Township Governing Body at their meeting held on the 3<sup>rd</sup> day of October, 2023.

  
 Susan M. Farrell, RMC  
 Municipal Clerk, Stafford Township  
 Ordinance No. 2023-34

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