

**LEGAL NOTICE  
ORDINANCE NO. 9  
2024  
TOWNSHIP OF WAYNE  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 141 (RECYCLING) OF THE CODE OF  
THE TOWNSHIP OF WAYNE**

**WHEREAS**, N.J.S.A. 40:48-2 provides that the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good of government, order and protection of person 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 Director of Public Works has recommended amendments to Chapter 141 (Recycling), Section 141-2 (Definitions), Section 141-4 (Separation regulations) and Section 141-8 (Verification of private recycling tonnage).

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Wayne in the County of Passaic, State of New Jersey, as follows:

**SECTION 1.** Chapter 141 (Recycling), Section 141-2 (Definitions), Section 141-4 (Separation regulations) and Section 141-8 (Verification of private recycling tonnage) of the Code of the Township of Wayne are hereby amended and supplemented to read as follows [additions by **bold**, deletions by ~~strikethrough~~]:

§ 141-2. Definitions.

**COMMINGLED RECYCLING**

Includes glass, bottles and jars, food, beverage and pet cans, all plastic bottles, plastic containers, [~~polystyrene containers and packaging peanuts, shrink wrap,~~] solid plastic outdoor furniture and plastic toys.

**ELECTRONIC WASTE**

**Includes desktop or personal computers, computer monitors, portable computers (i.e. tablets/I-pads), desktop printers, desktop fax machines, or televisions sold to a consumer.**

**GLASS**

Includes all products made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging of various matter, and any and all other materials commonly known as "glass," excluding, ~~however,~~ ~~blue and~~ flat glass commonly known as "window glass."

§ 141-4. Separation regulations.

Said recyclable materials shall be separated and prepared for pickup in the following manner:

A. Commingled recyclables shall be placed in a reusable metal or plastic container, supplied by the owner or occupant for pick-up by the Township.

B. Mixed paper shall be securely tied in bundles with twine, rope, cord or brown bagged to facilitate handling and ensure that it will not be windblown or distributed onto public thoroughfares. Bundles should not exceed a weight of 30 pounds each or a height of more than 12 inches each.

C. Vegetative waste shall be placed in double-ply paper bags, securely tied or fastened at the top or in reusable metal or

plastic containers with a maximum capacity of ~~32~~ **35** gallons and a secure fitting top. The use of plastic bags in the recycling of vegetative waste is prohibited. **It shall be unlawful to place loose vegetative wastes in or on the curb or street**

**D. Recycling and** ~~Vegetative~~ waste shall be placed at the curblines **no later than** ~~by 7:00~~ **6:00 a.m.** on the designated collection days. ~~Between April 1 and December 31 unless the vegetative waste is composted or mulched by the owner or occupant.~~ **All receptacles containing recyclables and vegetative waste shall be placed at the curb for collection no earlier than one day preceding the scheduled collection date and shall be removed the day of collection, and such receptacles shall be stored in an inconspicuous and sanitary location. Any person violating this section shall on the first violation, be issued a written warning and for a subsequent violation shall be subject to a penalty, upon conviction, as stated in Chapter 1, Section 1-15.**

~~[It shall be unlawful to place loose vegetative wastes in or on the curb or street.]~~

~~[D.]~~ **E. White goods and large metal items.** Persons shall call the Department of Public Works for a scheduled pick-up of all white goods **and large metal items.**

~~[E.]~~ **F.** Oil, in accordance with New Jersey State regulation N.J.A.C. 14A:3-11, shall be taken to any licensed private inspection center, oil retailer or retail service station with used-oil collection tank(s) on the premises, up to 5 gallons of used oil per day from any person.

~~[F.]~~ **G.** Tires shall be placed at the curb for collection only after **the fees have been paid and** arrangements have been made with the Department of Public Works. Rims do not need to be removed from the tires.

~~[G.]~~ **H.** Automotive batteries are the responsibility of each party. Disposal may be arranged through the county or certain auto supply dealers.

[Ord. No. 53-2014]

**I. Electronic Waste cannot be placed at the curb for collection. It must be brought to the Wayne Recycling Center or another designated E-Waste collection center for disposal.**

§ 141-8. Verification of private recycling tonnage.

B. Written documentation of tonnage of each material recycled in accordance with this chapter shall be submitted to the Superintendent of ~~[Recycling]~~ **Operations.** Said documentation shall be certified weight receipts or on letterhead from the recycling center indicating the date material was delivered, weight of each material and the end market of each material. Documentation shall satisfy the State of New Jersey's requirements for the Township to be eligible for state tonnage grants for recycling of materials as defined in § **141-2.**

**SECTION 2.** All other provisions of Chapter 141 of the Code of the Township of Wayne shall remain unchanged.

**SECTION 3: Severability.** The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, phrase, or any other part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the validity of the remaining sections, subsections, sentences, clauses, and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 4: Repeal of Inconsistent Provisions.** All ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

**SECTION 5: Codification.** This Ordinance shall be a part of the Code of the Township of Wayne as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Wayne in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**SECTION 6.** This ordinance shall take effect in the manner prescribed by law at N.J.S.A. 40:69A-181.

ATTEST:

\_\_\_\_\_  
PAUL V. MARGIOTTA  
TOWNSHIP CLERK

\_\_\_\_\_  
JASON DESTEFANO  
PRESIDENT OF THE COUNCIL

**NOTICE**

I hereby certify that the aforementioned ordinance was published in the Herald News, a newspaper published in the County of Passaic and circulated in the Township of Wayne, in the issues of February 28, 2024 and March 13, 2024.

\_\_\_\_\_  
PAUL V. MARIOTTA  
Township Clerk

This ordinance is hereby  
approved this 7th day  
of March 2024.

ADOPTED ON: March 6, 2024

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CHRISTOPHER P. VERGANO  
Mayor