

**LEGAL NOTICE**  
**ORDINANCE NO. 8**  
**2024**  
**TOWNSHIP OF WAYNE**  
**COUNTY OF PASSAIC**  
**STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 83 (GARBAGE, RUBBISH AND REFUSES) 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 83 (Garbage, Rubbish and Refuses), Section 83-2 (Removal from residential premises; frequency), Section 83-5 (Receptacle specifications; removal from curb after collection; penalty), Section 83-6 (Receptacles required in multi-dwelling complexes) and Section 83-7 (Storage of dumpsters and compaction systems in multi-dwelling complexes).

**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 83 (Garbage, Rubbish and Refuses), Section 83-2 (Removal from residential premises; frequency), Section 83-5 (Receptacle specifications; removal from curb after collection; penalty), Section 83-6 (Receptacles required in multi-dwelling complexes) and Section 83-7 (Storage of dumpsters and compaction systems in multi-dwelling complexes) of the Code of the Township of Wayne are hereby amended and supplemented to read as follows [additions by **bold**, deletions by ~~striketrough~~]:

§ 83-2. Removal from residential premises; frequency.

A. The owner, tenant or occupant or agent of the owner, tenant or occupant of any residential premises shall cause to be removed from the premises at a minimum of at least ~~once~~**twice** weekly all solid waste, ~~except during June, July and August when solid waste will be collected twice weekly.~~

C. All household bulk items shall be collected on the ~~first and second~~ solid waste collection days of each ~~month~~ **week. A maximum of 3 large non-metal items is permitted per week.**

§ 83-5. Receptacle specifications; removal from curb after collection; penalty.

A. All solid waste shall be kept in watertight metal or plastic receptacles not to exceed ~~30~~**35** gallons in capacity **and a maximum of 50 pounds** with tightly fitted covers.

B. All solid waste receptacles shall be kept clean and in good repair.

C. Household bulk items, for the purpose of collection ~~monthly~~ **weekly**, must be stored on residential premises in such manner as not to create a nuisance.

D. **All solid waste shall be placed at the curblin** ~~no later than 6:00am on the designated collection days.~~ All receptacles containing solid waste ~~or recyclables~~ shall be placed at the curb for collection no earlier than the 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.

§ 83-6. Receptacles required in multi-dwelling complexes.

Multi-dwelling ~~units~~ **complexes** utilizing dumpsters for the collection of solid waste shall ~~be provided for multi-dwelling units~~ **provide the dumpsters**. Dumpsters must be fully waterproofed, have tightly fitting plastic lids and, after emptying, **and** be cleaned and sanitized as needed by the management association of said multi-dwelling.

§ 83-7. Storage of dumpsters and compaction systems in multi - dwelling complexes.

A. Dumpster receptacles provided for multi-dwelling units and/or high-rise apartments shall be stored in enclosures approved by the Township. The location of such enclosures shall be convenient to all residents, and the location thereof shall be approved by the Superintendent of ~~Recycling and Solid Waste~~ Operations.

**SECTION 2.** All other provisions of Chapter 83 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.

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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