

**BOROUGH OF WRIGHTSTOWN  
COUNTY OF BURLINGTON  
NEW JERSEY  
ORDINANCE NO. 2017-11**

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**AN ORDINANCE AMENDING  
CHAPTER 181, ENTITLED "SOLID WASTE", OF THE  
CODE OF THE BOROUGH OF WRIGHTSTOWN, NEW JERSEY**

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BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WRIGHTSTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY AS FOLLOWS:

Section One: Chapter 181 of the Code of the Borough of Wrightstown is hereby amended as set forth in this Ordinance.

Section Two: Section 181-1 is deleted in its entirety.

Section Three: Add New Section 181-1.1 PURPOSE:

This Ordinance is adopted pursuant to law in order to provide regulations for the efficient collection of solid waste by the Borough. This Ordinance shall be entitled "Solid Waste Collections".

Section Four: Add New Section 181-1.2 DEFINITIONS:

As used in this article, the following terms shall have the meanings indicated:

- a. Brush shall mean branches, twigs and cuttings from shrub and tree pruning operations that have a diameter of less than five inches and Christmas trees.
- b. Bulk Materials shall mean any nonrecyclable materials that are too large to fit into the Containers.
- c. Containers shall mean a trash can approved by the Borough to be compatible with the Borough's Automated Trash Trucks.
- d. Construction Materials, Class #1 shall mean lumber, shingles, wallboard or other materials or debris generated by a project that does not require a Borough permit.

- e. Construction Materials, Class #2 shall mean lumber, shingles, wallboard, or other materials or debris generated by a project requiring a permit from the Borough.
- f. Curbside shall mean a location in the public right-of-way in proximity to the curb or in a similar area where a curb does not exist or in an alternate location as determined by the Maintenance Department Supervisor or his or her designee.
- g. Garbage shall mean all waste material, including paper and cartons; and, provided, further, that newspapers and cartons flattened and securely tied in bundles to prevent blowing about shall be deemed in compliance with this article whether or not placed in plastic bags or cans as provided above
- h. Leaves shall mean seasonal vegetative residue generated by deciduous trees mainly during the autumn months and early spring in normal growth cycles.
- i. White Goods shall mean items of all or mostly metal consistency, including but not limited to household appliances, exercise machines, bicycles, swing sets, refrigerators, stoves, water heaters, air conditioners, etc.
- j. Yard Waste shall mean any vegetative materials which are not commonly recyclable in existing Borough programs, including but not limited to seed pods, flowering garden plants, vegetable plants, fruit tree discards, bark, weed, twigs, hedge clippings too small for bundling, any briar or thorn-bearing branch or limb cuttings.

Section Five: Section 181-2 is deleted in its entirety.

Section Six: Add New Section 181-2.1 REGULATIONS:

Garbage shall at all times be kept in Containers. The garbage placed in Containers shall be wrapped and securely tied or placed therein in plastic bags with the tops securely tied; provided, however, that garbage kept in dumpsters or in a utility building need not comply with this article prior to being placed outside for collection.

Section Seven: Add New Section 181-2.2 COLLECTION OF GARBAGE:

- a. Yard Waste. Yard waste, excluding brush and leaves, may be placed in Containers as defined herein. At no time may grass clippings, leaves, brush or yard raking be placed loose or in piles at the curb, on sidewalks, gutters or streets where the same may be dispersed by wind, stormwater runoff, forces of nature, passersby or traffic, except as specified herein.
- b. Containers must meet the trash can specifications of the Borough to be compatible with the

Borough's automated trash trucks. A list of compatible Containers can be obtained from the Borough Clerk.

- c. Brush. Tree trimmings, hedge clippings and similar materials commonly referred to as "brush" shall be put at the curb in lengths not to exceed four feet and securely tied in bundles not more than two feet thick and/or 40 pounds in weight. Contracted brush removal debris shall be bundled as required by this Ordinance or otherwise disposed of by the contractor.
- d. Bulk material, White Goods, Construction Materials Pickup. Bulk materials that are not recyclable as white goods, such as carpeting, sheet flooring, small furniture and other bulky household items that are too large to be disposed of in a Container, shall be collect at the curb as follows:
  - (1) Bulk collection is every Monday.
  - (2) Collection volume per appointment is limited to two cubic yards, or three feet by three feet by six feet. (two cubic yards roughly equals capacity of four ninety-five-gallon automated refuse carts) each collection day.
  - (3) Large items of furniture, such as couches, easy chairs, etc., shall be limited to two items per collection.
  - (4) Mattresses and box springs that are placed curbside for bulk collection shall be wrapped in plastic or placed in disposable plastic bags. Plastic wrapping or plastic bags must be sufficient to cover all exposed areas of the mattress and box spring. The plastic wrapping and/or disposable plastic bags are required to avoid, to the greatest extent possible, Borough employees from coming into contact with bedbugs or bedbug-infested materials.
  - (5) Furniture, mattresses or box springs or other items placed curbside for bulk collection that are infested with bedbugs may be refused pickup for bulk collection in the absolute discretion of the Maintenance Department Supervisor or his designee.
  - (6) Carpeting. Carpeting, sheet flooring and other like materials shall be put at the curb on bulk collection days that have been previously scheduled by appointment. Material shall be cut into lengths not to exceed four feet and securely tied in bundles not more than two feet thick and/or 40 pounds in weight.
  - (7) Hide-a-beds with metal frames shall be disassembled to separate the metals from the frame elements. A prescheduled bulk collection appointment shall be arranged for the nonmetallic frame materials, and a separate prescheduled white goods collection appointment shall be arranged for the metals.
  - (8) Wooden fencing, including stockade, picket and others, shall be cut into pieces not to exceed four feet by two feet.
  - (9) Construction materials, Class #1. Lumber, shingles, wallboard or other building material or debris from a project that does not required a Borough permit shall be stacked and securely tied in bundles of not more than four feet in length and/or 40

pounds per bundle. Protruding nails, screws and other sharp fasteners shall be removed from construction materials prior to placing them out for collection, which shall be previously scheduled by appointment only. Window casings shall have the glass panes removed and the glass separately packaged to render it free of hazard. All Class #1 construction materials must originate from the property upon which the refuse is placed for collection. None of the above-mentioned refuse shall be brought from off site for collection.

- (10) Construction materials, Class #2. The disposal of lumber, shingles, wallboard or other building material or debris that comes from a project requiring a permit from the Borough shall not be subject to municipal collection.
- e. Dangerous materials. No dangerous or environmentally injurious material, highly volatile or explosive matter, either in liquid, gaseous or solid form, shall be placed or set out for collection either by itself or in connection with any other garbage, trash, waste, rubbish or other refuse material. No person shall place in any receptacle any garbage, refuse or material that would detrimentally affect the environment and/or pose a risk of injury to those persons charged with collection of such material.
- f. Disturbing receptacles. After materials have been placed at the curbside for collection, no person shall scavenge or disturb the same or upset any such receptacle in the street or cause the matter contained therein to be scattered or deposited in the street prior to its being collected by the persons authorized to do such work.
- g. Overturned containers or scattered refuse.
  - (1) The person or persons by whom such solid waste has been placed or caused to be placed in the street for collection shall be responsible for the same until it is collected by persons authorized to do such work, and in the event that any of the contents of said receptacles are removed and deposited or scattered in the street, the person who placed said receptacles in the street for collection, or caused the same to be so placed, shall as promptly as possible cause such matter to be placed in said proper receptacle.
  - (2) If any container or garbage is upset or overturned by a Borough employee, that person shall immediately collect such garbage and dispose of the same.
- h. It shall be unlawful for any person to litter the sidewalks and three feet of the gutter nearest the sidewalk in any part or section or street in the Borough. It shall be the duty of the user, occupier or owner of each property to keep the same clean and free from dirt and rubbish of every kind and description.
- i. There shall be no collection of any solid waste items unless and until such items are prepared for municipal collection and disposal as direct in §181-2.2 of this Ordinance, unless otherwise directed by the Maintenance Department Supervisor or his or her designee.

- j. Any Borough employee who observes noncompliance with any of the regulations of §181-2.2 herein shall immediately notify the Superintendent of Public Works or his or her designee. The Maintenance Department Supervisor or his or her designee shall provide notice to the occupant of the violation and direct that said refuse not be collected until the violation is abated.

Section Eight: Add New Section 181-2.3.

All garbage, brush, bulk materials, construction materials class #1, leaves, white goods, and yard waste shall be placed curbside after sunset on Sunday, unless there is an underground, fully covered receptacle or an above-ground covered dumpster provided for the temporary placing and storage of such garbage, waste material paper and rubbish. Trash Containers shall be removed from the curb and sidewalk in front of the building no later than sunset Monday and shall be stored in such a manner as to not be visible from the street fronting on the premises. Suitable trash enclosures aesthetically designed may be utilized in those instances where trash receptacles may not be stored behind the premises and out of sight from the street fronting on the premises. Such trash enclosures, however, shall, wherever practical, be placed on the side of the property and not in the front.

Section Nine: Section 181-3 is deleted in its entirety and replaced with the following:

RESTRICTIONS ON COLLECTION

- a. When any of the items referred to in §181-2.2 hereof are placed at the curbside, it shall be assumed that the same are so placed for municipal garbage and refuse collection and disposal. However, the Borough shall not be obligated to collect any garbage or other materials left in a manner not in full compliance with the regulations provided herein.
- b. There shall be no collection of any solid waste items unless and until such items are prepared for municipal collection and disposal as direct in §181-2.2 of this Ordinance, unless otherwise directed by the Maintenance Department Supervisor or his or her designee.

Section Ten: Section 181-4 is deleted in its entirety and replaced with the following:

UNLAWFUL DEPOSITS:

- a. The depositing or placing of solid waste in the street or other public place of the Borough, in any manner whatsoever, except in the manner provided by this Ordinance, is hereby forbidden.
- b. The depositing or placing of refuse and debris from excavations, grading, building operations, construction, demolition, repairs or alterations of buildings, manufacturing operations or any other refuse or debris in the street or upon any property owned, occupied or controlled by the Borough of Wrightstown, in any

manner, except as provided in §181-2.2 is hereby forbidden unless otherwise specifically authorized by the Borough Council of the Borough of Wrightstown.

- c. Any person, firm, corporation or association violating the terms of the Ordinance, whether as principal, agent or employee of another, shall, upon conviction in the Municipal Court of the Borough, be subject to a fine not exceeding \$2,000 or to imprisonment in the County jail not exceeding 90 days, or both.

Section Eleven: The title of Section 181-5 shall be changed to COLLECTION OF GARBAGE AT COMMERCIAL AND MULTI-FAMILY ESTABLISHMENTS.

Section Twelve: Add new Section 181-10.1 as follows:

- a. The developer of any new housing unit(s) shall be required to purchase a recycling container as approved by the Borough.
- b. As a condition to the issuance of the first certificate of occupancy for any approved housing development, the developer shall deposit with the Borough Clerk escrow funds in an amount specified by the Borough that is sufficient for the municipality to supply a recycling container of a quantity, size and type that shall be specified by the Borough recycling coordinator.

Section Thirteen: All Sections of Chapter 181 unaffected by this Ordinance shall remain in full force and effect.

Section Fourteen. Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section Fifteen: Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section Sixteen: Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

## NOTICE

The Ordinance published herewith was introduced and passed upon first reading at a regular meeting of the Borough Council of the Borough of Wrightstown, held on November 8, 2017. It will be further considered for final passage after a Public Hearing at the regular meeting to be held on November 21, 2017, at the Borough Hall, 21 Saylor's Pond Road, Wrightstown, New Jersey at 6:30 P.M. at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard.

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FREDA H. GORMAN, RMC  
Municipal Clerk

*November 8, 2017: Introduction/First Reading*

**Motion:** Mr. Lownds

**Second:** Mr. Severns

**Roll Call:**

Ayes: Mr. Lownds, Mrs. Knapp, Mr. Severns, Mr. Timberman

Nays: None

Absent: Mr. Bird, Mr. Grove

Abstain: None

*November 21, 2017: Table, Amend and Re-advertise Public Hearing for December 13, 2017 Meeting*

**Motion:** Mr. Severns

**Second:** Mr. Grove

**Roll Call:**

Ayes: Mr. Bird, Mr. Grove, Mrs. Knapp, Mr. Severns, Mr. Timberman

Nays: None

Absent: Mr. Lownds

Abstain: None

*December 13, 2017: Second Reading/Public Hearing*

**Motion:** Mrs. Knapp

**Second:** Mr. Bird

**Roll Call:**

Ayes: Mr. Bird, Mr. Grove, Mr. Lownds, Mrs. Knapp, Mr. Severns, Mr. Timberman

Nays: None

Absent: None

Abstain: None

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THOMAS E. HARPER

Mayor

### **CERTIFICATION**

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Borough Council of the Borough of Wrightstown on November 8, 2017 and adopted after a public hearing at a meeting of the Borough Council of the Borough of Wrightstown held on December 13, 2017.

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FREDA H. GORMAN, RMC

Municipal Clerk

Date: December 13, 2017

Ord2017-11 Amending Solid Waste AMENDED FINAL