

TOWNSHIP OF WALL

ORDINANCE NO. 29-2014

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 191 SOLID WASTE TO UPDATE THE DEFINITIONS AND TO PROVIDE FOR SINGLE STREAM RECYCLING

WHEREAS, the Township Committee regulates the storage, collection and disposal of solid waste and recyclables by and through Chapter 191 of the Code of the Township of Wall; and

WHEREAS, the Township Committee wishes to amend Chapter 191 to update the definitions and to provide for single stream recycling; and

WHEREAS, the Township Committee of the Township of Wall finds that it is in the best interest of the citizens of the Township of Wall to supplement and amend Chapter 191 to update the definitions and to provide for single stream recycling.

NOW, BE IT ORDAINED by the Township Committee of the Township of Wall, in the County of Monmouth, in the State of New Jersey, as follows:

Section 1. Chapter 191, Article I, Section 2, “Definitions” of the Code of the Township of Wall shall be amended to provide as follows:

BULK ITEMS - Items such as furniture, household effects and appliances. This shall also include debris resulting from minor alteration to private residence by the owner. This is not intended to include debris from alterations done by contractors.

CONSTRUCTION MATERIALS – Any debris including fencing, decks, sheds, and all debris generated as a result of remodeling, demolishing or constructing homes or other buildings. Also includes by-products of clearing of land for the purpose of preparing the same for use as the site for a building or structure or for roadways or similar purposes.

CONTAINERIZED - The placement of yard waste in a trash can or bucket such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with storm water.

Section 2. Chapter 191, Article I, Section 3, “Preparation for Collection” of the Code of the Township of Wall shall be amended to provide as follows:

A. Garbage. Garbage shall only be placed in the containers provided by the Township of Wall for that purpose. Each eligible residential property shall receive an initial container from the Township at no cost for use with solid waste disposal. The property owner shall have a choice of three container sizes which shall be 96 gallon, 64 gallon or 48 gallon. Each property owner may “purchase” up to two additional household trash containers from the Township. Requests for additional containers shall result in the economizing of sizes as to maximize the efficiency of the collection program. For example, a resident with a current 48 gallon container that requests a second shall receive a 96 gallon container in place of those two containers resulting in one garbage container to be “tipped” each week as opposed to two. Exceptions to this policy shall only be made in cases where there exists a proven hardship or limitation that requires multiple smaller sized cans. Once the container(s) is placed at the property by the Township, any changes in size shall be at the cost of the property owner unless the Township can accommodate a swap with another returned container.

1. Placement- Each container shall be placed near the roadway at the curb or near the edge of the pavement free of obstructions with the wheels and hinge facing toward the house in order accommodate the orderly collection of debris as designed. No bags or trash should be placed outside of the container. Garbage shall be thoroughly and completely drained of all liquids and placed in the containers hereinbefore set forth. The Township shall collect no more than three household trash containers from any separate residence. No containers shall be placed for collection prior to sunset of the evening before the scheduled collection day, nor shall containers remain at the roadside later than 9:00 PM the day they are collected.

2. Ownership- All containers shall remain the property of the Township of Wall regardless of whether the container was an initially provided container at no cost to the property or if it was an additional purchased container. For the purposes of this section, the term purchase shall be interpreted to mean a perpetual lease between the Township, the property, and the property owner. For clarity of this interpretation, the initial container provided by the Township shall remain with the property when

ownership of the property changes. Any additional containers that may have been “purchased” by an owner shall remain with the owner if said owner acquires or moves to a different eligible property within Wall Township. In the event that a resident owner ceases domicile of an eligible property all additionally “purchased” containers shall be returned to or collected by the Department of Public Works.

3. Newly Constructed Residential Eligible Property- Each newly constructed residential property within the Township of Wall shall be issued an initial garbage container, at no cost, upon the provision of a copy of the temporary certificate of occupancy.

4. Maintenance- The Township of Wall will provide maintenance to the Township containers at no cost to the residents. In the unlikely event that the can is damaged due to misuse or abuse by the resident, it will be the resident’s responsibility to pay for the necessary repairs or replacement of the container.

If a container is lost or stolen, it is the resident's responsibility to pay for a replacement container.

B. Single stream recycling. Single stream recycling shall only be placed in the containers provided by the Township of Wall for that purpose. This Township issued container shall be clearly distinguishable from the container provided for household trash collection. Each eligible residential property shall receive an initial container from the Township at no cost for use with the Single Stream Recycling Program. The property owner shall have a choice of three container sizes which shall be 96 gallon, 64 gallon or 48 gallon. Each property owner may “purchase” up to two additional household recycling containers from the Township. Requests for additional containers shall result in the economizing of sizes as to maximize the efficiency of the collection program. For example, a resident with a current 48 gallon container that requests a second shall receive a 96 gallon container in place of those two containers resulting in one garbage container to be “tipped” each week as opposed to two. Exceptions to this policy shall only be made in cases where there exists a proven hardship or limitation that requires multiple smaller sized cans. Once the container(s)

is placed at the property by the Township, any changes in size shall be at the cost of the property owner unless the Township can accommodate a swap with another returned container.

Material to be placed in the single stream recycling container includes: cardboard, newspaper, plastic bottles, glass jars, magazines, etc. Single stream recycling material must go directly into the container, trash bags in these containers is not acceptable. Each container shall be placed in a position by the curb line free of obstructions to the collection system operating as designed. The Township shall collect no more than three household trash containers from any separate residence.

1. Placement- Each container shall be placed near the roadway at the curb or near the edge of the pavement free of obstructions with the wheels and hinge facing toward the house in order accommodate the orderly collection of debris as designed. No recyclables should be placed outside of the container. Recycling material shall be thoroughly and completely drained of all liquids and placed in the containers hereinbefore set forth. The Township shall collect no more than three household recycling containers from any separate residence. No containers shall be placed for collection prior to sunset of the evening before the scheduled collection day, nor shall containers remain at the roadside later than 9:00 PM the day they are collected.
2. Ownership- All containers shall remain the property of the Township of Wall regardless of whether the container was an initially provided container at no cost to the property or if it was an additional purchased container. For the purposes of this section, the term purchase shall be interpreted to mean a perpetual lease between the Township, the property, and the property owner. For clarity of this interpretation, the initial container provided by the Township shall remain with the property when ownership of the property changes. Any additional containers that may have been “purchased” by an owner shall remain with the owner if said owner acquires or moves to a different eligible property within Wall Township. In the event that a resident owner ceases domicile of an eligible property all additionally “purchased”

containers shall be returned to or collected by the Department of Public Works.

3. Newly Constructed Residential Eligible Property-0 Each newly constructed residential property within the Township of Wall shall be issued an initial recycling container, at no cost, upon the provision of a copy of the temporary certificate of occupancy.
 4. Maintenance- The Township of Wall will provide maintenance to the Township containers at no cost to the residents. In the unlikely event that the can is damaged due to misuse or abuse by the resident, it will be the resident's responsibility to pay for the necessary repairs or replacement of the container. If a container is lost or stolen, it is the resident's responsibility to pay for a replacement container.
- E. Trade waste. Trade waste is not to be collected by the Township. Trade wastes are to be disposed of at the county dump.
- G. Cardboard, periodicals and other waste paper. Cardboard, periodicals and other waste paper should be placed with single stream recycling in the Township issued recycling container in accordance with section 191-3B above.
- K. Animal waste & human waste. Animal & human waste, (i.e. pet waste or diapers), shall be contained in a tightly sealed bag or container and placed with household trash.

Section 3. Chapter 191, Article I, Section 4, "Garbage and Recycling Receptacles" of the Code of the Township of Wall shall be amended to provide as follows:

- A – The owner, resident, tenant, agent, lessee or occupant of every residential dwelling shall provide and keep on such premises sufficient and suitable receptacles supplied by the Township for automated pickup.
- B. All Township supplied receptacles will be picked up by automated vehicles.
- C – Any trash contained in bags must be put in Township authorized receptacles. It is highly recommended that small household trash items and especially food and other perishables be placed in garbage bags before placing in the Township

issued containers that are used in conjunction with the automated sanitation trucks.

D – Apartment complexes and condominium developments. The owner or manager of such complexes or developments shall provide suitable trash and recycling receptacles if said garbage and recycling is to be collected by the Township. Trash and recycling receptacles shall be in accordance with the requirements established by the Superintendent of Public Works for Township collection.

E. At no time shall garbage or recycling be picked up in anything other than Township authorized containers. The Township will only pick up any material that is in the proper Township authorized containers that are compatible with the automated sanitation trucks and system.

G. The owner, resident, tenant, lessee, or occupant of every residential dwelling, shall keep on such premises suitable Township approved receptacles for the collection of trash and recyclables.

H – All receptacles supplied by the Township for single stream recycling shall be clearly marked with a distinguishable colored and marked lid on the container. Each container shall be placed near the roadway at the curb or near the edge of the pavement free of obstructions with the wheels and hinge facing toward the house in order accommodate the orderly collection of recyclable material as designed.

I. Fees

1. Household Trash Containers – property owners may purchase up to two additional containers for household trash collection. The fee for these containers shall be no less than the cost to the Township for the acquisition of the containers through the bulk public purchase of the container. Such subsequent price to the resident/property owner shall be established by resolution of the Township Committee upon the advice and recommendation of the Township Administrator and Director of the Department of Public Works from time to time as it becomes necessary depending upon demand. It is not the intention of the Township to financially benefit from such sale to the resident/property owner but to merely pass on the actual cost of the initial acquisition so that no additional cost through taxation is borne by a property owner not receiving the additional container.

2. Single Stream Recycling Containers – property owners may purchase up to two additional containers for household recyclables. The fee for these containers shall be no less than the cost to the Township for the acquisition of the containers through the bulk public purchase of the container. Such subsequent price to the resident/property owner shall be established by resolution of the Township Committee upon the advice and recommendation of the Township Administrator and Director of the Department of Public Works from time to time as it becomes necessary depending upon demand. It is not the intention of the Township to financially benefit from such sale to the resident/property owner but to merely pass on the actual cost of the initial acquisition so that no additional cost through taxation is borne by a property owner not receiving the additional container.

In order to encourage residential recycling, the Township will reduce the cost of the first additional recycling container by 50%. Such reduction shall be reflected in the approved resolution of the Township Committee adopted to establish the fees for the acquisition of additional containers by eligible Township residents/property owners.

Section 4. Chapter 191, Article I, Section 5, “Storage and Placement for Collection” of the Code of the Township of Wall shall be amended to provide as follows:

A. Storage- All receptacles containing solid waste or recyclables which are not being placed for collection or disposal shall be stored in such a manner as to minimize the potential negative impact upon the adjoining property owners reasonably inconspicuous from adjacent streets. Receptacles should be stored indoors, in sheltered storage areas or, if kept outdoors, receptacles should be stored at the rear of each private dwelling not closer than fifteen (15') feet from the boundary line of their property or located in such other place as the owner, lessee, tenant, occupant or agent of the premises may be reasonably certain that the receptacles will not interfere with the health, safety and welfare of an adjoining owner.

B. Placement- No containers shall be placed for collection prior to sunset of the evening before the scheduled collection day, nor shall containers remain at the roadside later than 9:00 PM the day they are collected.

Section 5. Chapter 191, Article II, Section 12, “Provisions and Labeling of Recycling Containers” of the Code of the Township of Wall shall be amended to provide as follows:

B. Any company or agency providing dumpsters or roll-off or other containers to any apartment or other multifamily complex with shared disposal and recycling

areas or to any business, school or other institution or for any construction/demolition project shall clearly mark such container for trash or for single stream recycling as may be appropriate.

Section 6. Chapter 191, Article II, Section 13, “Residential and Public Institutional Single Stream Recycling” of the Code of the Township of Wall shall be retitled as indicated above and amended. All of subsection (A) shall be deleted and replaced as follows:

A. Definitions.

SINGLE STREAM RECYCLING - also known as “fully commingled” or "single-sort" recycling refers to a system in which all paper fibers, plastics, metals, and other containers are mixed in a collection truck, instead of being sorted by the depositor into separate commodities (newspaper, paperboard, corrugated fiberboard, plastic, glass, etc.) and handled separately throughout the collection process. In single-stream, both the collection and processing systems are designed to handle this fully commingled mixture of recyclables, with materials being separated for reuse at a materials recovery facility.

Subsection (E) shall be amended to provide as follows:

E. Leaves shall be kept separate from other vegetative waste and shall only be placed for collection in the manner and according to the schedule as shall be published and distributed by the municipality. Grass clippings shall not be placed with other materials for solid waste collection. This requirement shall not prohibit any person or establishment from making arrangements to collect leaves and grass directly from his, her or its property through his, her or its own efforts.

Section 7. Chapter 191, Article II, Section 14, “Commercial, Business, Industrial and Private Institutional Single Stream Recycling” of the Code of the Township of Wall shall be retitled as indicated above and amended to delete all of subsections (A) through (G) and to replace them with the following:

SINGLE STREAM RECYCLING - also known as “fully commingled” or "single-sort" recycling refers to a system in which all paper fibers, plastics, metals, and other containers are mixed in a collection truck, instead of being sorted by the depositor into separate commodities (newspaper, paperboard, corrugated fiberboard, plastic, glass, etc.) and handled separately throughout the collection process. In single-stream, both the collection and processing systems are designed to handle this fully

commingled mixture of recyclables, with materials being separated for reuse at a materials recovery facility.

Section 8. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 9. Should any section, paragraph clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 10. This Ordinance shall take effect upon its passage and publication according to law.

Introduced on:

Adopted:

Attest:

Approve:

Roberta M. Lang
Township Clerk

Clint C. Hoffman
Mayor

NOTICE AND SUMMARY OF

ORDINANCE NO. -2014

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 191 SOLID WASTE TO UPDATE THE DEFINITIONS AND TO PROVIDE FOR SINGLE STREAM RECYCLING

The purpose of this Ordinance is to amend Chapter 191 to update the definitions and to provide for single stream recycling.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on _____, 2014, and further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on _____, 2014 at 7:30 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to members of the general public who shall request the same or on our website www.wallnj.com under Legal Notices.

ROBERTA LANG

Township Clerk