

## CHAPTER XX **SOLID WASTE MANAGEMENT**

### 20-1 **GARBAGE AND TRASH COLLECTION.**

#### 20-1.1 **Purpose.**

The purpose of this section is to regulate and control the collection, disposition and transportation of trash within the Borough and to provide for fines and penalties for the violation thereof. (Ord. No. 2-2006 § 7-5.1)

#### 20-1.2 **Definitions.**

As used in this chapter:

**Condominiums** shall mean any residence part of and subject to a condominium agreement.

**Director** shall mean the Director of Public Works.

**Garbage** shall mean any animal or vegetable **waste** solids resulting from the handling, preparation, cooking or consumption of foods, not including human **waste**.

**General Contractor** shall mean any person engaged in the business of service, construction, repairing, refurbishing or remodeling of buildings, the demolition of buildings or the care and maintenance of buildings or grounds within the borough.

**Hazardous Materials** shall mean wastes presenting a danger to the health and safety by reason of their pathological, explosive, radiological, toxic and/or physical characteristics.

**Human Waste** shall mean feces and excrement and specifically includes diapers.

**Nonresidential User** shall mean any type of commercial, industrial, professional or similar activity, whether or not operated for a profit, occupying premises within the Borough creating **solid waste** in any form.

**Occupant** shall mean the owner, agent, tenant, lessee, caretaker or any other person in charge of any premises affected by this section.

**Recyclables** shall mean used newspapers, paper, plastics, aluminum cans, glass, cardboard, and other such items as may be determined by the Borough Council, or their designee. Items designated to be recycled shall conform with standards set forth in Section 20-2, Recycling.

**Refuse and Trash** shall mean combustibles such as wood and yard debris and noncombustibles, such as metal, nonrecyclable glass, ceramics and stoneware. Refuse and trash are not to exceed fifty (50) pounds in weight or four (4) feet in any dimension except as noted under subsection 20-1.5, Special Materials.

**Resident** shall mean any person occupying or retaining their place of residence within the Borough.

**Residential Solid Waste** shall mean garbage, refuse and trash resulting from normal residential activities.

**Residential User** shall mean any person occupying any dwelling unit, such as a home, tract or multi-family dwelling of two (2) or fewer units.

**Scavenger** shall mean any unauthorized or unlicensed person collecting or sorting garbage, refuse or trash placed at the collection point for borough collection.

**Solid Waste** shall mean garbage, refuse and trash in any form.

**Special Material** shall mean bulky items such as furniture, white goods, appliances or other household goods.

**Special Permit** shall mean a permit issued by the Borough, as allowed by this section.

**Standard Solid Waste Containers** shall mean a standard, watertight vessel, made of metal or plastic with a tight fitting lid or cover and handles for carrying, designed and constructed for the storing of garbage, refuse, and trash. Standard **solid waste** containers shall not weigh more than fifty (50) pounds when placed at the curb for collection. Plastic disposal bags are acceptable provided they are capable of containing fifty (50) pounds of refuse when lifted. (Ord. No. 2-2006 § 7-5.2; Ord. No. 08-01 § 1)

### **20-1.3 Accumulation, Storage of Waste.**

a. No person shall accumulate or permit the accumulation in any building or on any premises owned, occupied or controlled by him/her any **waste** material for a period longer than the time from one collection day to the next ensuing collection day.

b. All **waste** material of any nature which shall be made and accumulated in dwelling houses, hotels, stores, markets and other buildings or premises in the Borough shall either be removed by the Borough in accordance with the regulations set forth herein or by an authorized collector.

c. The owner, agent, lessee, tenant or occupant of every dwelling, market, restaurant or other premises in the borough where garbage may accumulate must provide and keep on the premises sufficient and suitable receptacles, cans or barrels having tight fitting covers, for receiving and holding garbage.

1. **Sufficient** shall mean, for the purpose of this subsection, to be at least one (1) metal/plastic receptacle, metal/plastic can or metal/plastic barrel for each family unit residing on the premises and at least two (2) such receptacles for each restaurant, market, store or similar establishment where the aforesaid material shall accumulate.

2. **Suitable** shall mean, for the purpose of this subsection, to be a receptacle, can or barrel made of plastic or metal with a tight fitting cover, so constructed as to prevent spilling or leakage of its contents. It shall be waterproof, not more than eighteen (18) inches in diameter and twenty-six (26) inches in height, not more than thirty (30) gallons capacity and equipped with pull handles.

d. In dwellings, tenements and apartment houses containing three (3) dwelling units or less, the receptacles shall be purchased and maintained, in the absence of a contract, by the tenants. In the dwellings, tenements and apartment houses of more than three (3) dwelling units, such receptacles shall be purchased and maintained, in the absence of a contract, by the landlord. (Ord. No. 2-2006 § 7-5.3)

#### **20-1.4 Collection.**

a. *Curbside Collection.* Curbside collection for residential users shall be provided by the Borough at such times and intervals as set by the Director in accordance with health, safety and manpower considerations. Timely notice of pickup dates shall be provided occupants. Special materials shall be collected on one (1) occasion per month during a regularly scheduled trash pickup date. In addition, special materials shall be collected, as needed, upon request to the Director and/or Superintendent of Public Works.

b. *Time for Placement, Removal of Trash; Containers.* Occupants shall place their trash in standard **solid waste** containers, no earlier than twelve (12) hours prior to 6:00 a.m. of the designated trash day, in front of their dwelling at curbside. Special pickup points may be designated by the director. All empty containers shall be removed by occupants from curbside by 11:00 p.m. on the day of pickup.

c. *Limitation on Containers.* Generally occupants are limited to five (5) standard containers per unit at each pickup. Yard refuse, brush and recyclables are excepted. Excessive abuse of the limitation on containers will be addressed by the Director of Public Works.

d. *Identification of Containers.* In buildings in which two (2) or more families reside, each family shall mark its own receptacles with the house number of the respective dwelling unit so as to render the receptacles readily identifiable.

e. *Animal, Human Waste.* Animal, fowl and human **waste** shall be collected as set forth herein in accordance with subsection 20-1.7.

f. *Recyclables.* Recyclables shall be picked up at curbside as set forth herein in accordance with Section 20-2. The times for such pickup shall be set by the Director.

g. *Removal of Water.* Garbage shall be drained of excess water and stored in covered containers.

h. *Leaf Collection.* Leaves shall be placed in the roadway next to the curb or at the curb in open containers. The Borough will collect the leaves at intervals set by the Director and duly announced.

i. *Grass Collection.* Grass clippings shall be placed at curbside in open containers on regularly scheduled trash days.

j. *Brush and Debris.* Brush and tree debris shall be in lengths of four (4) feet or less, less than six (6) inches in diameter and less than fifty (50) pounds per individual piece. Such debris shall be piled neatly at curbside on regularly scheduled trash days. (Ord. No. 2-2006 § 7-5.4; Ord. No. 08-1 § 1)

### **20-1.5 Special Materials.**

a. *Time for Placement at Curb.* Special materials shall be placed between the curb and the sidewalk, and shall be placed so as not to block the passageway of the sidewalk or driveway, or make the sidewalk or driveway hazardous or inaccessible to the public. Special materials shall be placed between the curb and the sidewalk no earlier than twelve (12) hours prior to 6:00 a.m. of the designated day for collection.

b. *Limitation on Number.* Residential users may place special material items which do not fit in a standard **solid waste** container at curbside per pickup.

c. *Limitation on Size.* Items which cannot fit in a standard trash vehicle (packer truck) in use by the borough will not be collected by the Borough.

d. *Limitation on Weight.* Any special material item in excess of one hundred (100) pounds will be removed at the discretion of the Director and upon prior notification by the residential user.

e. *Items Constituted Safety Hazard.* Special items whose weight and/or physical characteristics constitute, in the sole discretion of the Director, a safety hazard to Borough employees or personnel will be refused.

f. *Construction Material.* Disposal of construction material will be the sole responsibility of the property owner, tenant, occupant, contractor and/or residential user. Disposal of concrete is the sole responsibility of the property owner, tenant, occupant, contractor and/or residential user.

g. *Tires.* Automobile and truck tires will be collected at the discretion of the Director from residential users only, upon the issuance of a special permit.

h. *Dirt.* Dirt and/or sod will be removed by the Borough from the curbside only upon arrangement with the Director.

i. *Hazardous Materials.* Hazardous materials may be disposed of at the County of Gloucester's hazardous **waste** collection days. Notices of the collection days are posted in the newspaper of record throughout the year with notice to the public. (Ord. No. 2-2006 § 7-5.5; Ord. No. 08-1 § 1)

### **20-1.6 Dumpsters.**

- a. The Borough will collect trash from dumpsters owned by:
1. The Borough.
  2. The school board.
  3. Residential users in units of more than four (4) residences.
  4. Churches.
  5. Fire and Ambulance Companies.

b. All dumpsters must be registered with the Borough and demonstrate to the Director that the dumpster is beneficial to the safe and efficient removal by the Borough of trash, and will comply fully with recycling laws.

c. Dumpsters must be of a size and type acceptable to the director. The dumpsters must be in good repair, kept clean and odor free, and be capable of being locked. All dumpsters shall be clearly marked with the owner's name, address and phone number, and shall be placed on an asphalt or concrete pad of sufficient thickness and length to allow for the proper loading and unloading without damaging either the pad or adjacent surroundings.  
(Ord. No. 2-2006 § 7-5.6)

### **20-1.7 Regulations.**

The following regulations shall govern trash collection in the Borough.

a. All owners and occupants of property within the Borough shall provide standard **solid waste** containers for storing trash on their premises between the periods of trash collection.

b. On trash collecting days, owners and occupants shall place their receptacles on the curb in front of their respective properties for collection of trash by the Borough, except that trash collection shall be made from the rear of properties situated on Avenues 1st to 12th.

c. All newspapers and magazines shall be bundled and securely tied or placed in the recycling container provided by the Borough.

d. Brush, tree limbs and other large objects shall not be longer than four (4) feet and shall be neatly bundled and placed at the curb for collection.

e. No **waste** from any human, animal or fowl defined herein shall be deposited in the trash or **waste** to be collected by the Borough or its agents, except under the following conditions:

1. Such **waste** shall be placed in a completely contained, airtight and sealed container (i.e. the **waste** may be placed in a plastic baggie).

2. The container in which such **waste** is deposited shall be capable of resisting breakage upon impact (i.e. the **waste** may be placed in a plastic baggie which in turn is placed in a metal trash container with the baggie to be thrown away and the metal trash container retained for continued use by the owner).

3. The actual sealed container in which the **waste** is deposited shall not be reusable but be capable of being thrown away and completely disposed of. Any exterior metal container or plastic container holding the baggie or other disposable container is intended to be reused and retained by the homeowner.

4. Any container used shall be within the size and weight limitations as provided for in this section and shall in no instance be greater than fifty (50) pounds in total weight, including the container.

5. The container to be used shall be completely sealed so as not to permit flies, insects, rodents or other animals to have access to the contents thereof nor to permit the release of any odor or smell from the container.

f. Receptacles that are badly broken or otherwise fail to meet the requirements of this section may be classed as rubbish and may be collected as such by the Borough.

g. Garbage shall be thoroughly drained of all water and wrapped securely in paper prior to being placed in a receptacle.

(Ord. No. 2-2006 § 7-5.7)

#### **20-1.8 Construction Debris.**

Refuse from demolition, repairs and/or remodeling of any improvement shall be disposed of by the contractor, owner, tenant and/or occupant doing the demolition, repairing and/or remodeling. (Ord. No. 2-2006 § 7-5.8; Ord. No. 08 § 1)

#### **20-1.9 Placement at Curb.**

It shall be unlawful for any container to be placed in the street or upon another's property unless specific permission shall have been given by the other property owner upon whose property the **waste** may have been placed. (Ord. No. 2-2006 § 7-5.9)

#### **20-1.10 Private Garbage Collectors.**

a. *Compliance With Regulations.* Every private collector of **waste** material, authorized as provided for in this subsection, shall conform to the provisions of this chapter, other ordinances of the Borough and the regulations of the Borough Council governing the collection and disposal of rubbish **waste** materials.

b. *Use of Vehicles.* All vehicles used in transporting garbage through the streets of the Borough must have a good and tight body and be fully enclosed, sanitary packer-type vehicles capable of holding at least six (6) inches of water and at least sixteen (16) cubic yards of refuse. (Ord. No. 2-2006 § 7-5.10)

#### **20-1.11 Licensing of Collectors.**

No person shall collect, store, transport or carry for hire any **solid waste** generated in the Borough without having received a license from the Borough and any other applicable agency. There shall be placed on each side of each vehicle used for the collection or transportation of **solid waste**, the appropriate required State of New Jersey registration numbers and the license number issued by the Borough. In addition, each and every vehicle used to collect, transport or carry any **solid waste** generated with the Borough shall have the name of the owner and/or operator and the business telephone number of same on each side of each vehicle in no less than three (3) inch letters in a color in contrast to its background as a prerequisite to obtaining a permit to operate within the Borough. A license shall be issued by the Borough only upon proof satisfactory to the Borough that the applicant possesses the equipment, expertise, experience and ability to fulfill the terms and conditions of this section. There shall be paid for each license issued a license fee as set by the Borough Council, in accordance with subsection 20-1.10.

Licenses shall be for a term of one (1) year and shall be renewable.

Each licensed contractor shall, as a condition of his/her license, provide to the Borough Clerk a list of accounts within the Borough giving the name, address and telephone number of each account, the frequency and days of collection and the volume and nature of the refuse collected. Such information shall be revised and updated semi-annually as a condition of approval for renewal. Failure to supply such information will result in either immediate revocation of the license or forfeiture of renewal privileges and will constitute a violation of this section. (Ord. No. 2-2006 § 7-5.11)

#### **20-1.12 Contractor Hired by Borough for Removal.**

The Borough may hire such contractors as it deems necessary to perform any collection obligations as herein set forth. Such contractor shall be subject to any and all public laws and such additional regulations as the borough may direct. (Ord. No. 2-2006 § 7-5.13)

#### **20-1.13 Scavenging.**

It shall be unlawful for any unauthorized person, his/her agents or employees, to pick, sort or salvage any garbage or refuse placed out for collection. (Ord. No. 2-2006 § 7-5.13)

#### **20-1.14 Commercial Waste.**

a. The Borough will collect refuse from nonresidential users contained in no more than five (5) standard **solid waste** containers per each collection period, except those users set forth in subsection 20-1.6 permitted to use Borough collected dumpsters.

b. Nonresidential users who generate trash in excess of the above amount shall be serviced by a private trash contractor at the generator's own expense.  
(Ord. No. 2-2006 § 7-5.14)

#### **20-1.15 Special Permits, Licenses and Fees.**

a. Special permits and licenses shall be issued by the Borough Clerk in accordance with the requirements of this section.

b. Fees for the special permits and licenses shall be set by resolution of Borough Council and collected by the Borough Clerk.

c. Any assessments for special trash pickups or handling shall be set by the director in keeping with the Borough Clerk.  
(Ord. No. 2-2006 § 7-5.15)

#### **20-1.16 Notice by Borough of Collection Days.**

The Borough reserves the right to select, from time to time, and to advertise and give notice accordingly to the public the day and/or days for collection of trash and special materials. (Ord. No. 08-01 § 1)

### **20-1.17 Enforcement.**

It shall be the responsibility of the Director and/or Superintendent of Public Works and/or Health Department and/or Police Department or their designated agents to inspect and enforce all provisions of this chapter. (Ord. No. 08-01 § 1)

### **20-1.18 Appeal of Decision of Director.**

Any decision hereunder of the director may be appealed to the Borough Council, which may affirm, modify or reverse such decision. (Ord. No. 08-01 § 1)

### **20-1.19 Violation; Penalty.**

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine in an amount not less than twenty-five (\$25.00) dollars nor more than seventy-five (\$75.00) dollars; upon a second violation, a fine in an amount not less than seventy-five (\$75.00) dollars nor more than one hundred fifty (\$150.00) dollars; and upon a third or subsequent violation, a fine in an amount not less than one hundred fifty (\$150.00) dollars nor more than three hundred (\$300.00) dollars and/or a period of community service not to exceed ten (10) days. Whenever such person shall have been officially notified or by service of a Summons in a prosecution, or in any other official manner, that said person is committing a violation, each day's continuance of such violation after such notification shall constitute a separate offense, punishable by a like fine or penalty. (Ord. No. 2-2006 § 7-5.17; Ord. No. 08-1 § 1)

## **20-2 SOURCE SEPARATION AND RECYCLING.**

Source history includes Ordinance No. 2-2006 and Ord. No. 08-01.

### **20-2.1 Definitions.**

As used in this section:

**Borough Recycling Coordinator** shall mean the person or persons appointed by the Borough Governing Body and who shall be authorized to, among other things, enforce the provisions of this section, and any rules and regulations which may be promulgated hereunder.

**Commingled** shall mean a combining of non-putrescible source-separated recyclable materials for the purpose of recycling.

**Designated Recyclable Materials** shall mean those materials designated within the Gloucester County District **Solid Waste Management** Plan to be source separated for the purpose of recycling. These materials include:

- Newspaper
- Glass Bottles and Jars
- Aluminum Cans
- Bi-metal Cans ('Tin' Cans)



Plastic Containers Nos. 1 and 2  
Leaves and Brush

In addition, all government offices, institutions (schools and colleges) as well as commercial businesses, are also required to recycle:

Corrugated Cardboard  
Office Paper  
Used Motor Oil  
Clean Wood **Waste**

Although it is not mandated in Gloucester County, it is also recommended that magazines, catalogs, phone books, junk mail, brick, concrete, scrap metal, appliances, textiles, batteries, CFL and fluorescent bulbs are to be recycled whenever possible.

**Multifamily Dwelling** shall mean any building or structure, or complex of buildings in which three (3) or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see N.J.S.A. 13:1E-99.13a.) and shall include hotels, motels, or other guest houses serving transient or seasonable guests as those terms are defined under subsection (j) of section 3 of the "Hotel and Multiple Dwelling Law," P.L. 1967, c. 76 (C.55:13A-1 et seq.).

**Municipal Solid Waste (MSW) Stream** shall mean all **solid waste** generated at residential, commercial, and institutional establishments within the boundaries of the Borough of Pitman.

**Recyclable Materials** shall mean those materials which would otherwise become **solid waste**, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

**Source Separated Recyclable Materials** shall mean recyclable materials which are separated at the point of generation by the generator thereof from **solid waste** for the purposes of recycling.

**Source Separation** shall mean the process by which recyclable materials are separated at the point of generation by the generator thereof from **solid waste** for the purposes of recycling.

(Ord. No. 09-22)

#### **20-2.2 Recycling Coordinator.**

The Mayor and Council of the Borough of Pitman shall appoint a Recycling Coordinator for a term of one (1) year. (Ord. No. 09-22)

#### **20-2.3 Mandatory Source Separation.**

It shall be mandatory for all persons who are owners, tenants, or occupants of residential and nonresidential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the Borough of Pitman, to separate designated recyclable materials from all **solid waste**.

Designated recyclable materials shall be deposited separate and apart from other **solid waste** generated by the owners, tenants, or occupants of such premises and shall be placed separately at the curb in a manner and on such days and times as may be hereinafter established by regulations promulgated by the Pitman Public Works Department. (Ord. No. 09-22)

#### **20-2.4 Collection of Recyclable Materials; Placement of Containers.**

The collection of recyclable material shall be in the manner prescribed as follows:

a. Recyclable materials listed above shall be placed in a 65- or 96-gallon wheeled container and placed between the sidewalk and curb, in the specified orientation, on the designated pickup day. Where there are no sidewalks or curbs, containers shall be placed in locations designated by Public Works Department.

b. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be disposed of shall be placed as noted above anytime after 5:00 p.m. of the day immediately preceding the day of collection, but no later than 6:00 a.m. of the day of collection. After collection, any containers shall be removed from the curbside no later than 7:00 p.m. of the day of collection.

c. All recycle containers shall be maintained in accordance with the Health Code of the Borough of Pitman.  
(Ord. No. 09-22)

#### **20-2.5 Residential Dwelling Compliance Requirements.**

The owner of any property shall be responsible for compliance with this section. For multi-family units, the **management** or owner is responsible for setting up and maintaining the recycling procedures in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner or **management**, in those instances where the violator is not easily identifiable. The **management** shall issue notifications and collection rules to new tenants upon arrival and insure compliance on an on-going basis. (Ord. No. 09-22)

#### **20-2.6 Nonresidential Establishment Compliance Requirements.**

a. All commercial and institutional generators of **solid waste** shall be required to comply with the provisions of this section.

b. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, unless the Borough provides for the collection of designated recyclable materials. All commercial, institutional or industrial properties that provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.

c. Every business, institution, or industrial facility shall report on an annual basis to the Recycling Coordinator on recycling activities at their premises, including the amount of recycled

material, by material type, collected and recycled and the vendor or vendors providing recycling service.

d. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.  
(Ord. No. 09-22)

#### **20-2.7 Exemptions.**

Pursuant to N.J.S.A. 13:1E-99.16(d), the Governing Body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of this section that requires persons generating municipal **solid waste** within its municipal boundaries to source separate from the municipal **solid waste** stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this chapter, a commercial or institutional generator of **solid waste** shall file a written request for exemption with the Municipal Recycling Coordinator. The request shall include, at a minimum, the following information: the name of the commercial or institutional entity, the street address and lot and block designation, the name, official title and phone of the person making the request on behalf of the commercial or institutional entity, the name, address, official contact person and telephone number of the facility that provides the service of recycling those designated materials, and certification that the designated recyclable materials will be recycled, and that, on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the Municipal Recycling Coordinator of the total number of tons collected and recycled for each designated material. (Ord. No. 09-22)

#### **20-2.8 New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties (Pursuant to N.J.S.A. 13:1E-99.13a. and 9.16c.)**

a. Any application to the Planning Board of the Borough of Pitman for subdivision or site plan approval for the construction of multi-family dwellings of three (3) or more units, single-family developments of fifty (50) or more units or any commercial, institutional, or industrial development for the utilization of one thousand (1,000) square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:

1. A detailed analysis of the expected composition and amounts of **solid waste** and recyclables generated at the proposed development and locations documented on the applicant's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Borough Recycling Coordinator.

b. Prior to the issuance of a Certificate of Occupancy by the Borough of Pitman, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purpose of

collection and recycling of source-separated recyclable materials, in those instances where the Borough does not otherwise provide this service.

c. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of **solid waste**, to be approved by the Borough Engineer.  
(Ord. No. 09-22)

#### **20-2.9 Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials.**

a. It shall be unlawful for **solid waste** collectors to collect **solid waste** that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for **solid waste** collectors to remove for disposal those containers of **solid waste** which visibly display a warning notice sticker or some other device indicating that the load of **solid waste** contains designated recyclable materials.

b. It shall be the responsibility of the resident of occupant to properly segregate the uncollected **solid waste** for proper disposal or recycling. Allowing such unseparated **solid waste** and recyclables to accumulate will be considered a violation of this section and the local sanitary code.

c. Once placed in the location identified by this section, or any rules or regulations promulgated pursuant to this section, no person, other than those authorized by the Borough, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.  
(Ord. No. 09-22)

#### **20-2.10 Enforcement.**

The Code Enforcement Official, the Board of Health, the Recycling Coordinator, the Public Works Director, and the Housing Officer, are hereby individually and severally empowered to enforce the provisions of this section. An inspection may consist of sorting through containers and opening of **solid waste** bags to detect, by sound or sight, the presence of any recyclable materials. (Ord. No. 09-22)

#### **20-2.11 Violations and Penalties.**

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this section or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than two hundred fifty (\$250.00) dollars nor more than one thousand (\$1,000.00) dollars. Each day for which a violation of this section occurs shall be considered a separate offense. Fines levied and collected pursuant to the provisions of this section shall be immediately deposited into the Municipal Recycling Trust Fund (or equivalent). Monies in the Municipal Recycling Trust Fund shall be used for the expenses of the municipal recycling program, including the purchase of recycle containers and related materials, equipment, and salaries of employees engaged in recycling activities. (Ord. No. 09-22)

## **20-3 YARD WASTE COLLECTION.**

### **20-3.1 Purpose.**

The purpose of this section is to establish a yard **waste** collection and disposal program in Borough of Pitman, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. (Ord. No. 5-2005 § 1)

### **20-3.2 Definitions.**

As used in this section:

**Containerized** shall mean the placement of yard **waste** in a trash can, bucket, bag or other vessel, such as to prevent the yard **waste** from spilling or blowing out into the street and coming into contact with stormwater.

**Person** shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**Street** shall mean any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, County or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

**Yard Waste** shall mean leaves and grass clippings.  
(Ord. No. 5-2005 § 2)

### **20-3.3 Yard Waste Collection.**

Sweeping, raking, blowing or otherwise placing yard **waste** that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than ten (10) feet from any storm drain inlet. Placement of such yard **waste** at the curb or along the street at any other time or in any other manner is a violation of this section. If such placement of yard **waste** occurs, the party responsible for placement of the yard **waste** must remove the yard **waste** from the street or said party shall be deemed in violation of this section. (Ord. No. 5-2005 § 3)

## **20-4 BURNING OF RUBBISH PROHIBITED.**

No person shall burn or cause to be burned any leaves, grass, wastepaper or other combustible refuse material within the Borough. (1967 Code § 4-8)

## **CHAPTER XX SOLID WASTE MANAGEMENT**

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