

**CHAPTER 23**

**COLLECTION & DISPOSAL OF SOLID WASTE**

**ARTICLE 1.**

**COLLECTION & DISPOSAL OF SOLID WASTE**

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**ARTICLE 1.            COLLECTION & DISPOSAL OF SOLID WASTE**

**Sec. 23.1-1            Definitions**

- A. PERSON – Any individual, partnership, corporation, municipal corporation or association of persons.
- B. SOLID WASTE – Means solid waste as defined in NJAC 7:26-1.6. Designated collected solid waste shall not consist of recyclable materials, hazardous waste, or solid animal and vegetable waste collected by swine producers licensed by the State Department of Agriculture to collect, prepare and feed such waste to swine on their farms. It shall include but it shall not be limited to garbage, trash, and other discarded materials resulting from domestic household and institutional activities.
- C. GARBAGE – All decaying animal and vegetable organic waste, resulting from the handling, preparation, cooking and consumption of food.
- D. RESIDENTIAL SOLID WASTE – All solid waste generated by the occupants of residences located within the Township of Pennsville.
- E. COMMERCIAL SOLID WASTE – All solid waste generated by the owners of commercial entities located within the Township of Pennsville.
- F. CONTRACTOR SOLID WASTE – All solid waste generated by the owners or employees of contractor businesses or firms including but not limited to building contractors, paving companies, electricians, plumbers, HVAC companies, remodelers, renewable energy equipment installers and landscapers.

**Sec. 23.1-2            Responsibility for Non-Residential Waste**

Any waste generated by an industrial business or commercial use shall be disposed of lawfully by the owner or operator of said industrial business or commercial use, and more specifically the disposal of such waste shall not be the responsibility of the Township of Pennsville.

**Sec. 23.1-3            Prohibitions**

- A. No person shall dispose of, deposit or throw any refuse, garbage or rubbish upon or along any public or private property within the Township of Pennsville.
- B. No person shall dispose of, deposit or throw any refuse, garbage or rubbish upon, or in any river, lake, stream or body of water within the Township of Pennsville.

- C. No commercial solid waste as defined in this Ordinance shall be accepted by the Township of Pennsville nor its employees nor its agents as curb side pickup nor by drop off at any Township facility, complex or property.
- D. No contractor solid waste as defined in this Ordinance shall be accepted by the Township of Pennsville nor its employees nor its agents as curb side pickup nor by drop off at any Township facility, complex or property.

**Sec. 23.1-4                    Unauthorized Removal or Taking of Disposed Refuse, Garbage or Rubbish**

- A. Refuse, garbage, rubbish or other material placed by residents or occupiers of real property in the Township at their curb sites or other designated locations intended for municipal collection and disposal by the Township refuse collectors shall be deemed to be property abandoned to the Township for such purpose and shall be and become the property of the Township of Pennsville or its designated agents at the time of said placement.
- B. No unauthorized person shall remove or take, pick or collect from, or cause to be removed, taken, collected or picked any of the items mentioned in Paragraph A from said placement.

**Sec. 23.1-5                    CREATION OF FEES**

The Township has incurred substantial increased cost to collect, transport and dispose of solid waste including, among other costs, a tipping or disposal charge paid to the Salem County Utilities Authority for the use of the County Landfill. The disposal charge is in addition to the other costs of administration, equipment and labor which the Township maintains for providing this service to the community. Unless the increased costs are not offset by the creation of new revenue, the service of trash and garbage collection and disposal by the Township will be in serious jeopardy of continuance.

The intention of this Section is to provide a method of securing revenue to meet at least in part the added costs and to impose the charges for this service approximately to the persons who receive the service. This result has not been reached arbitrarily and is a conclusion taken from a study of costs and charges which face the Township. The resulting method and fees are deemed to be fair and equitable without intending to be a revenue measure beyond need. The fees imposed will be charged to the person receiving the service and in relation to the extent of the service furnished.

**Sec. 23.1-6                    FEES IMPOSED**

There is hereby created a fee for the collection and disposal of solid waste in the Township of Pennsville to be known as the Sticker Fee, Salem County Tipping Imposed Cost.

Each person, firm or corporation who is a qualified user and accepts the service of collection and disposal of solid waste or who delivers waste for direct deposit to the Township Waste Handling Station shall pay for such service to the Township according to the following fees:

- A. \$1.50 Per bag/containing of trash and garbage (not to exceed either 30-gallon size or 20 pounds).
- B. \$0.00 Recyclables properly prepared and placed in accordance with the provisions of this Ordinance.
- C. \$50.00 Per vehicle load (Allowance up to 1,500 pounds maximum)

D. Scheduled Clean Up Items List

<u># of Stickers</u>	
4	Refrigerator
4	Freezer
4	Sofa Bed
3	Sofa
4	Cooking Stove
4	Washer or Dryer
4	Hot water heater
3	Room air conditioner
3	Carpet per roll or part roll
3	Mattress or box spring
3	Stuffed chair or recliner
3	Bureau, dresser or similar furniture item
3	Console television
2	Table television
2	Desk
2	Table (kitchen or dining)
3	Tire (passenger or pickup)
1	Miscellaneous other small items grouped (per 20 pounds)

**Sec. 23.1-7                      STICKERS; ADVANCE PAYMENT**

The fees provided for shall be paid to the Township by purchase of Township approved and issued stickers to be applied to the solid waste sought to be disposed.

Stickers shall be placed upon the bag, container or item being disposed in a conspicuous place thereon. If no sticker is applied, the waste will not be collected.

Stickers may be purchased only from designated employees of the Township of Pennsville or other persons or entities so designated by the Township Committee of the Township of Pennsville from time to time, who will issue them to qualified users of this service in books of such number prescribed to be issued.

Application may be made to such officer during any business day so that the service will not be interrupted according to the need of the user to have its waste collected.

The application to secure such stickers shall require the name of the user, the address of the property adjacent to which the waste will be placed for collection and the nature of the use of the property. The stickers will not be transferable; however, they may be redeemed from the Township at a cost if the user decides that there is no further use required. The stickers will remain subject to the conditions of issuance.

**Sec. 23.1-8 MISUSE OF STICKERS**

Any person who attempts to duplicate or counterfeit a sticker, reuse a cancelled sticker, provide a sticker to an unqualified user, or transfer a sticker to any person to whom such sticker was not issued shall be in violation of this Article and be subject to prosecution in the municipal court. Any person determined guilty shall be subject to the payment of a fine not to exceed \$500 or imprisonment for a period of up to 90 days, or both, for each violation.

**Sec. 23.1-9 TIMES FOR THE PLACEMENT OF CONTAINERS USED FOR THE DISPOSAL AND PICKUP OF SOLID WASTE AT CURBSIDE**

It shall be the responsibility of the owner or occupant to properly segregate the uncollected residential solid waste for proper disposal and/or recycling. All materials placed for collection shall be placed at the required location no sooner than 6:00 p.m. on the day prior to the day of collection and not later than 6:00 a.m. on that date. The containers for such materials shall be promptly removed from curbside after collection. Allowing such unseparated residential solid waste and recyclables to accumulate at curbside beyond 7:00 p.m. on the day of collection will be considered a violation of this Ordinance and the Local Sanitary Code.

**Sec. 23.1-10 PENALTY**

Any person or entity violating or failing to comply with any of the provisions provided in this Ordinance shall, upon conviction thereof, be punishable by a fine of not less than \$50 and not more than \$1,000 or by imprisonment, in the discretion of the municipal judge. The continuation of any violation for each successive day shall

constitute a separate offense, and the person, persons or entity allowing or permitting the continuation of the violation may be punished as provided above for each separate offense. Any violation may be afforded warnings at the discretion of the enforcement designees before the issuance of any fines.