

ORDINANCE 2019-10

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER TWO HUNDRED EIGHTY SIX, LITTERING; SOLID WASTE

WHEREAS, the Borough of Bradley Beach (“Borough”) has adopted Chapter 286, to regulate Littering, Solid Waste and Recycling, within the Borough; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, Monmouth County, State of New Jersey, that Chapter 286 of the Borough Code be updated and amended as follows:

Article I. Littering

§ 286-3. Littering; use of containers.

C.

No person shall deposit any garbage, trash, rubbish, debris, recyclables or refuse and the like in or upon any sidewalk, street, other public place, or private property except in approved or authorized containers properly placed for collection at appropriate times and places as hereinafter set forth in Article II of this chapter. Garbage, trash, rubbish, debris or refuse shall be as defined in § 286-9. Recyclable materials shall be as defined in §286-18 and §286-19

~~F. No person shall dispose, dump or deposit trash in a public trash container which originated on any private property.~~

F.

~~No person shall dispose, dump or deposit trash in a public trash container which originated on any private property.~~

No person shall deposit household or commercial refuse recyclables or liquid wastes in a public litter or recyclable container placed on the streets by the Borough or any other person. There shall be a rebuttable presumption that the person whose name, or other identifying information appears on any household or commercial refuse, recyclables or liquid wastes deposited in such public litter basket violated this paragraph.

§ 286-10. Collection of garbage, trash, and rubbish.

The Borough of Bradley Beach, ~~through its authorized solid waste collection~~ through its authorized solid waste collection, shall collect and dispose of garbage, ashes, trash, and rubbish from all residential dwelling units and commercial establishments in the Borough of Bradley Beach that

are properly placed and prepared for collection and disposal in authorized containers as provided in this article. The garbage, trash and rubbish collection shall occur between the hours of 5:00 a.m. and 4:00 p.m. on days and in locations as provided for in the Borough's waste collection schedule. The waste collection schedule is available for inspection in the Borough Clerk's office, at 701 Main Street, and/or the Bradley Beach Police Department, 701 Main Street, Bradley Beach, New Jersey. Approved or authorized containers for garbage, trash and rubbish shall be as defined in § [286-9](#).

§ 286-12. Owners of multifamily residential property to provide for removal of trash, garbage and rubbish.

C.

The owners of said parcels of real property housing five or more dwelling units as hereinabove described, may not place garbage, trash and rubbish containers at the curbside for pickup by the Borough, but must instead maintain an area on the parcel for storage of containers or dumpster and arrange for pickup of said containers or dumpster by the Borough ~~in an approved~~ ~~an approved a~~ ~~location approved by the Borough solid waste collection contractor~~ ~~solid waste collection contractor~~. The costs of garbage, trash and rubbish removal and disposal fees will be paid by the Borough of Bradley Beach ~~through its solid waste collection and disposal contractor.~~ ~~through its solid waste collection and disposal contract.~~ The costs of the containers or dumpster and any additional cost for pickup from the designated solid waste storage area shall be paid by the property owners and not by the Borough.

D.

Any property owner who does not wish to have garbage, trash and rubbish collection provided by the Borough of Bradley Beach ~~or who cannot provide an accessible location approved by the Borough must~~ ~~may~~ ~~may~~ arrange for private pickup and disposal. Said property owners shall submit a copy of their contracts for solid waste collection to the Borough of Bradley Beach if requested to do so.

Article III. Recycling

§ 286-21 Recycling program for residential property.

A.

All owners, tenants, occupants and/or operators of every residential dwelling unit as outlined above shall separate from trash those items required to be recycled, which items shall be left at the curb separate from trash, garbage, and rubbish for collection by the Borough of Bradley Beach ~~or its solid waste contractor(s)~~ ~~or its solid waste collection contractor(s)~~ at times scheduled for collection of same. The recyclable materials collection schedule is available for inspection in the Borough Clerk's office and/or at the Police Department.

§ 286-22 Recycling program for commercial property and multifamily residential property.

~~Apartments, condominiums and businesses (including restaurants). It is the property owner's responsibility to notify all tenants of these regulations and to provide authorized~~

~~containers and an area screened from view by neighboring properties and public streets for storage of the containers.~~

~~In the case of a commercial property, including restaurants, or parcels of real estate containing five or more dwelling units, including condominium developments, attached housing, garden apartments, townhouses, and parcels of real estate containing five or more dwelling units, the owners of said parcels shall provide a proper and sufficient number of authorized containers to store recyclables between collections and shall maintain said containers in good repair and in a clean and satisfactory condition and shall be screened from view by neighboring properties and public streets. It is the property owner's responsibility to notify all tenants of these regulations~~

§286-23. Recycling procedures.

A.

~~The Borough shall collect recyclables through single stream recycling, which includes: newspaper, mix paper, high-grade paper (computer paper, printouts, tab cards, and white paper) metal, plastic, glass containers, aluminum cans, tin cans, plastic. Cardboard and corrugated boxes (unwaxed) may be placed in an authorized recycling container with a secured lid or may be collapsed, folded and tied securely. Bundles must be two feet by two feet maximum size and shall not exceed 30 pounds. Cardboard can also be brought to the Recycling Center. Absolutely no wood pallets or trash inside of the boxes will be collected.~~

~~All of the above mentioned items may be brought to the Borough trash/recycling lot located on Main Street.~~

~~Newspapers, magazines. Number 1 newspapers as picked up at the newsstand. Newspaper must be tied in bundles not to exceed 30 pounds before being placed at the curb. No newspaper or plastic bags can be brought to the Recycling Center.~~

B.

~~Mixed paper. High grade paper (computer paper, printouts, tab cards, and white paper) should be placed in clear plastic bags not to exceed 30 pounds before being placed at the curb. These items can also be brought to the Recycling Center.~~

C.

~~Commingled metal, plastic and glass containers.~~

(4)

~~Aluminum cans, tin cans, plastic and glass bottles (all colors) must be placed into authorized containers and placed at the curb for pickup on the assigned day. These items can also be taken to the Recycling Center.~~

~~Newspapers, magazines. Number 1 newspapers as picked up at the newsstand. Newspaper must be tied in bundles not to exceed 30 pounds before being placed at the curb. No newspaper or plastic bags can be brought to the Recycling Center.~~

~~**B.**~~

~~Mixed paper. High grade paper (computer paper, printouts, tab cards, and white paper) should be placed in clear plastic bags not to exceed 30 pounds before being placed at the curb. These items can also be brought to the Recycling Center.~~

~~**C.**~~

~~Commingled metal, plastic and glass containers.~~

~~**(1)**~~

~~Aluminum cans, tin cans, plastic and glass bottles (all colors) must be placed into authorized containers and placed at the curb for pickup on the assigned day. These items can also be brought to the Recycling Center.~~

~~**(2) (2) - B.**~~

Metal, Plastic and Glass Containers: All cans, bottles and plastics should be washed to control bugs and odors. No motor oil containers, mirrors, bulbs, dishes, ceramics or window glass. No plastic bags and no broken bottles or glass should be placed with these items.

~~**D.**~~

~~Cardboard and corrugated boxes (unwaxed) must be collapsed, folded and tied securely. Bundles must be two feet by two feet maximum size and shall not exceed 30 pounds. Cardboard can also be brought to the Recycling Center. Absolutely no wood pallets or trash inside of the boxes will be collected.~~

~~**E. C.**~~

~~**D.** Cardboard and corrugated boxes (unwaxed) must be collapsed, folded and tied securely. Bundles must be two feet by two feet maximum size and shall not exceed 30 pounds. Cardboard can also be brought to the Recycling Center. Absolutely no wood pallets or trash inside of the boxes will be collected.~~

~~**E.**~~

~~Batteries: A, AA, AAA, C, D and nine (9) volt batteries may be placed with household trash for collection Silver "button" batteries and rechargeable/battery pack (like those found with power tools laptops, etc.) and car batteries can be brought to the Monmouth County Hazardous Waste Facility.~~

~~**Batteries: Nine volt, six volt, AA batteries, etc, must be brought to the Recycling Center**~~

~~F. Batteries. Nine volt, six volt, AA batteries, etc. must be brought to Recycling Center.~~

F. D.

The owner, tenant, occupant or operator of every residential and/or commercial establishment shall provide a proper and sufficient number of authorized containers as herein defined for the storage of recycling material between collections. It shall be the duty of said owner, tenant, occupant, or operator of every residential and/or commercial establishment to maintain such containers in good repair in a clean and satisfactory condition, and to store properly therein. In residential zones, containers and dumpsters shall not be stored in front yards without an approved screen from Code Enforcement Office. In all other zones, containers and dumpsters shall be screened from the public view from the front yards of neighboring properties and public streets. The screens shall be constructed from a weather-resistant material or fence-like material that is approved by the Code Enforcement Office prior to installation.

Article IV. Yard Waste

§ 286-28. Materials to be collected; leaves, brush and yard waste.

B.

Brush and shrubs, not more than eight inches in diameter and not in excess of 10 feet in length, may be placed between the curb and sidewalk for collection by the Borough only on days specified for brush collection. Brush will be collected on the second and fourth Monday of April and the second Monday in March, May, June, September, October and November. There will be no brush collection in January, February, July, August and December. Brush collection dates may be added at the discretion of the Borough's Supervisor of Public Works on an as needed basis. In the event of a major storm during these months, Public Works will collect brush until the entire Borough is done. All brush placed at any curb must have originated at the property adjacent to the curb at which same is placed for collection.

D.

All brush and yard waste shall be placed at curbside by 5:00 a.m. ~~7:00 am~~ ~~7:00 a.m.~~ of the day designated for collection above. No brush or yard waste shall be placed at the curbside more than 72 hours prior to any scheduled collection.

Article V. Bulk Items

§ 286-34 Bulk sticker fees for collection of bulk goods.

A.

The Borough of Bradley Beach shall arrange for the collection of certain bulk items ~~through its garbage contractor or supplier~~ ~~through its garbage contractor or supplier.~~ Persons desiring collection of these bulk items shall place the items at curbside and place the appropriate number

of fee stickers on each item to be collected. The fee for each sticker shall be set by resolution of the Council and must be purchased from the Borough Clerk.

C.

In addition to curbside collection, The Department of Public Works operates a trash/recycling lot at 1107 Main Street for residents to dispose of trash, recycling, yard waste, etc.

C.C.D.

All items containing any type of refrigerant must have the refrigerant removed and system flushed prior to being placed at curbside for pickup. Items placed at the curb containing a refrigerant or any other chemical will not be picked up and will be considered in violation of these regulations and subject to the penalties contained herein.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, This ordinance shall take effect twenty (20) days after passage by the Mayor and Council and publication according to law.

SO ORDAINED as aforesaid.

KELLY BARRETT
Municipal Clerk

GARY ENGELSTAD
Mayor

Introduced
Final Reading & Adoption