

## Chapter 457

### SOLID WASTE

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[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge as indicated in article histories. Amendments noted where applicable.]

#### GENERAL REFERENCES

Brush, grass, weeds and other debris — See Ch. 212.

Littering — See Ch. 347.

Uniform construction codes — See Ch. 249.

Property maintenance — See Ch. 407.

## ARTICLE I

**Recycling****[Adopted 12-19-1988 by Ord. No. 88-21<sup>1</sup> (Ch. 53 of the 1986 Code)]****§ 457-1. Definitions.**

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

ALUMINUM — Recyclable aluminum cans.

CLOSED STORAGE AREA — An area set aside on a parcel of property which includes a structure with a roof and which shall be totally enclosed. The facility shall be constructed in accordance with the local building code.

COMMINGLED RECYCLABLES — The accumulation in a separate container of aluminum, glass, plastics and tin.

CONCRETE MATERIALS — All such concrete and cement material being a part of, by way of illustration and not limitation, masonry steps, foundations, porches and/or patios, used in connection with the construction of buildings or other improvements to real estate within the Borough of Wood-Ridge. **[Added 9-21-1992 by Ord. No. 92-18]**

CONSTRUCTION AND DEMOLITION DEBRIS — Source-separated nonputrescible recyclable material generated from the construction, alteration, repair, maintenance and/or demolition of structures within Bergen County. This material shall include concrete, bricks, block, ferrous and nonferrous scrap, asphalt shingles, recyclable wood scrap and any and all other material generated from the construction, alteration, repair, maintenance and/or demolition of a structure or structures within Bergen County that a municipality may deem recyclable. **[Added 5-16-1994 by Ord. No. 94-12]**

CORRUGATED CARDBOARD — Cardboard of the type used to make boxes, cartons or similar containers and which said cardboard is commonly characterized by its wrinkled, furrowed or ridged-like quality.

FERROUS SCRAP — All metal scrap containing steel or cast iron. **[Added 5-16-1994 by Ord. No. 94-12]**

GLASS — All products made from silica or sand, soda ash and limestone which are transparent or translucent and used for packaging or bottling of various matter and all other materials commonly known as "glass"; excluding, however, blue and flat glass commonly known as "window glass."

HIGH-GRADE OFFICE PAPER — Paper products used by commercial and institutional entities for general office purposes.

HOUSEHOLD-GENERATED BATTERIES — Any type of button, coin, cylindrical, rectangular or other shaped enclosed device or sealed container consisting of a combination of two or more voltaic or galvanic cells electrically connected to produce electric energy, composed of lead, lithium, manganese, mercury, mercuric oxide, silver oxide, cadmium, zinc, copper or other metals, or any combination thereof, and designed for household use, including any alkaline, manganese, lithium, mercuric oxide, silver oxide, zinc-air or zinc-carbon battery, nickel-cadmium, rechargeable battery or sealed lead rechargeable battery. **[Added 3-20-1995 by Ord. No. 95-2]**

LEAVES — Leaves only, for the purposes of this article, and shall not include grass clippings, brush

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1. Editor's Note: This ordinance also repealed original Ch. 53, Mandatory Recycling of Waste Materials, adopted 10-19-1987 by Ord. No. 87-25.

or other growing matters.

**MIXED PAPER** — Source-separated mixture of all types of paper, including but not limited to corrugated, high-grade paper, newspaper, magazines, telephone directories, wrapping paper, box board, books, grocery bags and junk mail. **[Added 5-16-1994 by Ord. No. 94-12]**

**MULTIFAMILY** — Those buildings which contain more than six attached dwelling units, other than condominiums.

**PLASTIC CONTAINER** — Any hermetically sealed or made airtight with a metal or plastic cap container with a minimum wall of thickness of not less than 0.010 inch and composed of thermoplastic synthetic polymeric material.

**PROPERTY MAINTENANCE CODE ENFORCEMENT OFFICER** — An official designated and authorized by the Mayor and Borough Council, under the direction of the Borough Administrator, to enforce any and all provisions of this article in place of the Recycling Coordinator. **[Added 11-30-2022 by Ord. No. 2022-12]**

**RECYCLABLE CONTAINER** — That receptacle designated and approved by the Recycling Coordinator for the gathering and accumulation of recyclable materials and so marked with the recycling insignia of the Borough of Wood-Ridge.

**RECYCLABLE MATERIALS** —

- (1) Those materials including aluminum, glass, tin cans, newspaper, certain plastic containers, white goods, magazines, corrugated and other cardboard, high-grade office paper, motor oil, leaves, ferrous scrap and mixed paper. **[Amended 5-16-1994 by Ord. No. 94-12]**
- (2) In addition, those materials which would otherwise become municipal solid waste and which may be collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

**RECYCLING COORDINATOR** — The official designated and authorized by the Mayor and Borough Council to administer the recycling program of the Borough of Wood-Ridge. The Mayor and Council may adopt an interlocal services agreement or shared services agreement with the County of Bergen, or an authority or agency of the County of Bergen, or one or more other municipalities to fill the position and perform the duties of Recycling Coordinator. In the event that such a service agreement is utilized, the Borough Administrator and/or the Administrator's designee(s) shall possess the powers and perform the duties of the Recycling Coordinator except for those so reserved and delineated by said service agreement. The Property Maintenance Code Enforcement Officer and the Superintendent of Public Works shall be ex officio designees of the Borough Administrator for purposes of this article. **[Amended 11-30-2022 by Ord. No. 2022-12]**

**REGULATIONS** — Includes such rules, implementation dates, schedules of times and such other requirements promulgated by the Recycling Coordinator and approved by the Borough Council as may be necessary to carry out the purposes and objectives of this article.

**ROOFING MATERIALS** — All such sheathing, shingles, tiles and/or lumber being a part of, by way of illustration and not limitation, or used in connection with roofing of buildings or other improvements to real estate within the Borough of Wood-Ridge. **[Added 9-21-1992 by Ord. No. 92-18]**

**SUPERINTENDENT OF PUBLIC WORKS** — An official designated and authorized by the Mayor and Borough Council, under the direction of the Borough Administrator, to enforce any and all provisions of this article in place of the Recycling Coordinator. **[Added 11-30-2022 by Ord. No. 2022-12]**

**2022-12]**

USED NEWSPAPER — Includes paper of the type commonly referred to as "newsprint" and having printed thereon news and opinions and containing advertisements and other matters of public interest. Magazines or similar periodicals as well as catalogs and junk mail and the like shall also be construed as "used newspaper" for the purposes of this article.

WHITE GOODS — Those materials commonly used in the production of household appliances. Refrigerators, dishwashers, clothes dryers and washers, gas or electric stoves, microwave or toaster ovens, air conditioners, water heaters, furnaces, standard or wall-mounted radiators and metal pipe made from iron, steel or lead, by way of example but not by way of limitation, shall be construed as "white goods" for purposes of this article.[Amended 5-16-1994 by Ord. No. 94-12]

YARD WASTE — Includes grass clippings, brush, twigs or other growing matter.

- B. In addition to the above-enumerated definitions, all those definitions set forth in N.J.S.A. 13:1E-99.12 are hereby incorporated in this article by reference as if more particularly set forth herein.

**§ 457-2. General obligations of property owners.**

All persons, except those physically disabled, who are owners, lessees and occupants of residential, institutional, commercial or industrial property in the Borough of Wood-Ridge shall separate used newspaper, corrugated cardboard, tin cans, glass, aluminum, certain plastics, motor oil, high-grade office paper and leaves from any other trash and garbage produced by such residential, institutional, commercial or industrial properties and shall separately bundle or contain the same for pickup, collection and recycling in accordance with all applicable Borough regulations.

- A. Residential properties. All residential occupants, whether owners or lessees, except those physically disabled, must recycle in accordance with the provisions of this article. The occupant, lessee, owner or his designee shall place at curbside in a recyclable container or otherwise bundled or stacked, at scheduled times, those materials designated in §§ 457-2 and 457-4 of this article.
- B. Multifamily properties. All multifamily property owners shall provide at their expense two closed storage areas to be used as a recyclable facility. The storage area shall be clearly posted and easily accessible to residents. One storage area shall include an area for used newspaper collection, and the other storage area shall provide for commingled recyclables. The storage area shall be properly cared for and maintained in conformity with the applicable ordinances of the Borough of Wood-Ridge. The owner shall contract with a scavenger to directly remove such recyclable materials from the property. The owner shall be responsible to forward tonnage slips (actual weight of removed materials) to the Recycling Coordinator on a yearly basis.
- C. Institutional, commercial or industrial properties.
- (1) All institutional, commercial or industrial owners, lessees and/or occupants of property shall provide adequate recycling facilities and attendant scavenger service at their expense. The owner, lessee and/or occupant shall clearly designate the location of such facility and the nature of the materials which shall be placed in such facility. A designated scavenger contractor shall be provided to the Recycling Coordinator as the chosen entity to remove the required recyclable material from the property, and the scavenger, owner, lessee and/or occupant, as the case may be, shall forward a copy of the tonnage slip (actual weight of removed materials) directly to the Recycling Coordinator on a yearly basis.
  - (2) In the alternative, all institutional, commercial and/or industrial owners, lessees and/or

occupants of property may utilize the Borough recycling facility located at the Department of Public Works yard for disposal of the required commingled recyclable materials. The separation methods required for residential units as set forth in § 457-4 shall apply in such event.

**§ 457-3. Exemption from recycling program.**

All owners, lessees or occupants of institutional, commercial or industrial properties who are users of recyclable materials shall file, on an annual basis, a request for exception from mandatory municipal recycling form to be considered exempt from the recycling collection dates and times promulgated by the Borough of Wood-Ridge. The form must be filed by May 1 of each year with the Recycling Coordinator of the Borough of Wood-Ridge. Each owner, lessee or occupant of institutional, commercial or industrial properties shall forward to the Recycling Coordinator a yearly tonnage report of recyclable materials removed from his respective property. All reports must be completed by May 1 on forms made available by the Recycling Coordinator.

**§ 457-4. Residential properties; separation and placement for collection.**

All separated recyclable material collected by residents, excluding multifamily, commercial, industrial and institutional properties, shall be placed for curbside pickup, collection and recycling in strict conformity with the following requirements:

- A. Used newspaper shall be separated and secured in bundles, not to exceed 12 inches in height. Such bundles shall not be placed in plastic bags nor weigh more than 30 pounds each.
- B. Aluminum, glass, plastic and tin materials shall be rinsed and commingled in the recyclable container and placed at curbside for collection in accordance with the schedule established by the Recycling Coordinator. All commingled materials shall be washed or rinsed with all labels removed.
- C. Leaves shall be bagged in biodegradable paper bags and placed curbside from September 1 to December 1 of each year. In the alternative, leaves may be swept into the street as close to the curb as possible from September 1 to December 1 of each year. At all other times, leaves shall be bagged as hereinabove noted and placed curbside for pickup by the Department of Public Works of the Borough of Wood-Ridge. **[Amended 3-21-1994 by Ord. No. 94-8]**
- D. Used motor oil must be collected by resident occupants and deposited at automobile service stations in containers not exceeding one gallon in weight.
- E. White goods shall be collected on the date established by the Recycling Coordinator and more particularly provided for in such regulations promulgated under this article. **[Amended 5-16-1994 by Ord. No. 94-12]**
- F. Condominium developments shall collect and dispose of all recyclable materials in accordance with the provisions of this section, except that specific rules and regulations shall be promulgated by the Recycling Coordinator in accordance with this article for the removal of such recyclable materials, taking into account the physical characteristics and needs of each such condominium development.

**§ 457-5. Nonresidential properties; separation and placement for collection.**

- A. All other classes of property owners, users and/or occupants not provided for hereinabove in § 457-4 of this article shall collect and dispose of recyclable materials in accordance with the provisions set forth in §§ 457-2B and C and 457-3 of this article.

- B. Commercial, industrial and/or institutional property owners and/or occupants thereof shall provide the Borough with information relating to the disposal of corrugated cardboard materials and high-grade office paper. If such material is privately carted from the Borough, a yearly report of the total tons generated shall be submitted to the Recycling Coordinator no later than May 1 of each year. The Borough shall provide a storage area for corrugated cardboard and high-grade office paper, and each such owner or occupant utilizing the same shall prepare the cardboard and high-grade office paper into tied bundles of four by four feet and deposit the same at the designated Department of Public Works facility during normal daily working hours.

**§ 457-6. Promulgation of additional rules and regulations.**

The Recycling Coordinator on January 1 of each year shall promulgate reasonable rules and regulations establishing the dates for mandatory separation of recyclable material and the manner, dates and times for the collection of the same in accordance with the terms of this article. Any such regulations promulgated by the Recycling Coordinator shall be approved by the Borough Council and may be changed, modified, repealed or amended in whole or part by majority vote of the Borough Council at its annual reorganization meeting or such other meeting which shall occur thereafter. A copy of such regulations promulgated by the Recycling Coordinator and approved by the Borough Council shall be available for public inspection at the office of the Borough Clerk during regular office hours.

**§ 457-7. Recyclable materials to be Borough property upon placement for collection.**

From the time of placement at the curb for pickup and collection, recyclable material shall be the property of the Borough of Wood-Ridge or its duly authorized agent. No person unauthorized by the Borough of Wood-Ridge shall collect, pick up or cause to be collected or picked up any such recyclable material. Each collection or pickup of recyclable material in violation hereof from any one or more separate properties shall constitute a separate and distinct offense.

**§ 457-8. Authorized groups or individuals permitted to collect recyclable materials.**

No provision herein shall be construed to prohibit groups or individuals who shall be authorized by the Recycling Coordinator from collecting or picking up recyclable material at curbside or otherwise in such manner and under such terms and conditions as shall be prescribed by the Coordinator. No such collection or pickup shall conflict with or interfere with pickup and collection by the Borough of Wood-Ridge and/or its authorized agent(s).

**§ 457-9. Enforcement officers designated. [Amended 11-30-2022 by Ord. No. 2022-12]**

The Borough of Wood-Ridge Recycling Coordinator, Property Maintenance Code Enforcement Officer, and Superintendent of Public Works, and/or any authorized deputy or assistant of said officials, under the direction of the Borough Administrator, are hereby designated and authorized as enforcement officers of this article.

**§ 457-10. Notification of recycling opportunities to be given.**

Within six months of the effective date of this article and at least once every six months thereafter, the Recycling Coordinator shall notify all persons occupying residential, commercial, industrial and institutional premises within the Borough of the local recycling opportunities provided for by the Borough as well as the source separation requirements of this article.

**§ 457-11. Violations and penalties.**

- A. Any owner, renter, lessee, occupant and/or other applicable class of person who shall violate or fail to comply with any provision of this article or of any regulation promulgated hereunder shall be refused garbage removal service by the Borough scavenger. Each general refuse container in violation of this article shall be marked with a warning sticker to signify that recyclable materials exist in such container, and the contents of the same will not be disposed of until the recyclable materials are removed. A final and second warning sticker shall be placed on any such violating refuse container. Thereafter, any such subsequent violation and conviction under this article shall result in the application of the general penalty provisions established in the Code of the Borough of Wood-Ridge.<sup>2</sup>
- B. Any person, firm, corporation, entity or other applicable class of persons who or which shall violate or fail to comply with any provision of this article or of any regulation promulgated pursuant hereto shall, upon conviction thereof, be punished in accordance with the general penalty provisions of the Code of the Borough of Wood-Ridge.<sup>3</sup>

**§ 457-12. Disposal of roofing, concrete construction and demolition materials and/or debris. [Added 9-21-1992 by Ord. No. 92-18; amended 5-16-1994 by Ord. No. 94-12]**

- A. Upon the issuance of a building or demolition permit by the Construction Code Official of the Borough of Wood-Ridge, there shall be delivered to the contractor or other applicant for the same a recycling form, which shall be completed by said contractor or applicant and returned to the Construction Code Office with the original or certified copy of a weight slip from an authorized recycling facility respecting the disposal of roofing, concrete, construction and demolition materials and/or debris generated at the applicable job site. [Amended 12-20-2022 by Ord. No. 2022-21]
- B. All roofing, concrete, construction and demolition materials and/or debris removed from any job site within the Borough of Wood-Ridge shall be disposed of at an authorized recycling facility.
- C. No final approvals, inspections and/or certificates of occupancy shall be conducted or issued without compliance by the contractor or other applicant with the requirements of Subsections A and B above.

**§ 457-13. Commercial disposal of automotive tires, batteries and motor oil. [Added 9-21-1992 by Ord. No. 92-18]**

All commercial retail and/or industrial property owners, lessees and/or occupants, including but not limited to any commercial garage, public garage and service station, as those terms are defined at Chapter 530, Zoning, § 530-4, of the Code of the Borough of Wood-Ridge, New Jersey, shall dispose of automotive tires, motor oil and batteries at an authorized recycling facility in accordance with § 457-2C(1) of this article.

**§ 457-14. Disposition of household-generated batteries. [Added 3-20-1995 by Ord. No. 95-2]**

All household-generated batteries shall be deposited at an approved depository as may be from time to time designated by the Borough Recycling Coordinator and thereafter disposed of by the Borough at a Bergen County Utilities Authority sponsored household hazardous waste collection programs facility.

**§ 457-15. Yard waste collection and disposal program. [Added 2-8-2005 by Ord. No. 2005-4]**

- A. Purpose. A section to establish a yard waste collection and disposal program in the Borough of Wood-

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2. Editor's Note: See Ch. 1, General Provisions, Art. II.

3. Editor's Note: See Ch. 1, General Provisions, Art. II.

Ridge so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

- B. Definitions. For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

CONTAINERIZED — 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 — Any individual, corporation, company, partnership, firm, association or political subdivision of this state subject to municipal jurisdiction.

STREET — 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 — Includes, but is not limited to, grass, weeds, trimmings, shrubs, plants, flowers and other vegetative waste. Leaves shall not be considered as yard waste unless they are intermingled with other materials and/or waste as that which is described herein.<sup>4</sup>

- C. Yard waste collection. Sweeping, raking, blowing or otherwise placing yard waste, other than leaves, that is not containerized at the curb or along the street is not allowed. Placement of yard waste containers at the curb or along the street shall comply with all provisions of § 457-23. 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.<sup>5</sup>
- D. Enforcement. The provisions of this section shall be enforced by the Department of Public Works and/or Property Maintenance Code Enforcement Officer of the Borough of Wood-Ridge.<sup>6</sup>
- E. Violations and penalty. Any person(s) who violates any of the provisions of this section shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article II.

**§ 457-16. Proper handling of yard waste. [Added 2-8-2005 by Ord. No. 2005-5]**

- A. Purpose. A section to establish requirements for the proper handling of yard waste in the Borough of Wood-Ridge so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- B. Definitions. For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely

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4. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

directory.

**CONTAINERIZED** — 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** — Any individual, corporation, company, partnership, firm, association or political subdivision of this state subject to municipal jurisdiction.

**STREET** — 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.

- C. Prohibited conduct. The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste in the street. If yard waste is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this section.<sup>7</sup>
- D. Enforcement. The provisions of this section shall be enforced by the Department of Public Works of the Borough of Wood-Ridge.
- E. Violations and penalty. Any person(s) who violates any of the provisions of this section shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article II.

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7. **Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).**

## ARTICLE II

**Collection****[Adopted 11-20-1991 by Ord. No. 91-17 (Ch. 215 of the 1986 Code)]****§ 457-17. Preparation for collection.**

All solid waste shall be thoroughly drained of all water, wrapped securely in paper and placed in a proper receptacle. Ashes, trash and rubbish shall be placed in a suitable receptacle which may be the same receptacle used to contain the wrapped garbage. Where any rubbish is too bulky to be placed in a proper receptacle, it must be disassembled, broken or cut up as much as practicable and placed on the curb on the prescribed collection day. All rubbish shall be securely tied, where applicable, and shall be of such size that the longest dimension thereof shall not exceed four feet and the total weight thereof shall not exceed 70 pounds.

**§ 457-18. Limits on volume.**

Each residential unit shall be entitled to set out for collection on each collection day a volume not to exceed six receptacles, bags, boxes, bundles or a combination thereof.

**§ 457-19. Places of collection.**

The collection of solid waste shall be made from all one- through four-family residential dwellings, retail businesses on Valley Boulevard and Hackensack Street, residential condominium units and multifamily (five or more) apartments. All material collected shall be removed from the Borough of Wood-Ridge on the same day collected and in the same vehicles. No part of the contents of one vehicle shall be transferred to another within the Borough.

**§ 457-20. Points of collection.**

- A. All solid waste to be collected, removed and disposed of shall be placed between the curb and sidewalk on a public street or a road which has been dedicated to and accepted by the Borough of Wood-Ridge at one collection point. In the case of corner lots, solid waste shall be placed at the curb most accessible to the collection vehicle. This shall include those streets that are temporarily closed for repairs or construction. In the latter case, special collection points shall be designated by the Borough of Wood-Ridge if the condition of the street would prevent access thereto by the collector's trucks.
- B. Residential condominium and multifamily apartments.
  - (1) The Borough of Wood-Ridge may, in its sole discretion, determine that collection from residential condominium and multifamily apartments may be made by entering upon private property to remove solid waste from dumpsters or other containers. If the collection is to be made from private property of residential condominiums and multifamily apartment houses, the location of dumpsters will be determined by the boards of directors of the respective homeowners' associations and the owners of the multifamily apartments, provided that said locations are not in violation of prior site plan approval. Condominium associations and multifamily apartment owners shall be responsible for providing their own dumpsters, which shall be of standard size and which shall be maintained in good condition. Should the boards of directors or owners decide to change the location of collections, they will be required to notify the Borough 60 days in advance. In any event, final placement for location of collections shall be at the discretion of the Mayor and Council.

- (2) The condominium associations and multifamily apartment house owners will be required to provide a certificate of insurance setting forth liability coverage in an amount of no less than \$2,000,000, which said certificate shall provide for the Borough of Wood-Ridge and its solid waste contractor as additional insureds.
  - (3) In addition, a form of indemnification agreement shall be signed on behalf of each condominium association and multifamily apartment owner flowing to the benefit of the Borough and its solid waste contractor, which said indemnification form shall be prepared by the Borough.
- C. The Borough may, in its sole discretion, choose to reimburse property owners who do not receive service, but such reimbursement shall not exceed the cost that would be incurred by providing the collection or disposal service directly.

**§ 457-21. Provision of suitable containers.**

It shall be the duty of the owner or owners or occupant or occupants of every premises to provide suitable metal or plastic containers for the collection of solid waste.

**§ 457-22. Removal; exceptions.**

- A. All solid waste put out for collection between the curb and sidewalk on a public street or road from all one- through four-family residential dwellings, retail businesses on Hackensack Street and Valley Boulevard, residential condominiums and multifamily apartments shall be removed at the general expense of the Borough of Wood-Ridge. As stated in § 457-20 herein, the Borough may, in its discretion, choose to enter private property to collect solid waste or to reimburse property owners who do not receive service.
- B. Material of any type generated by private contractors arising from building operations or from the altering, changing, replacing, remodeling or tearing down of the buildings or parts thereof, structures or machinery of any kind is exempt from this section, and the expense of the removal of such material is the sole responsibility of the owner or occupant of the premises where such activity is carried on.
- C. Mandated recyclables shall be also collected at the general expense of the Borough of Wood-Ridge, but such collection shall be in accordance with the Borough's recycling regulations and Article I, Recycling, of this chapter. Mandated recyclables shall not be mixed with solid waste, and if mixed, the solid waste container will not be collected and a warning sticker will be applied to the container so contaminated. Repeated warnings will result in a violation and the imposition of the penalties provided for herein.

**§ 457-23. Schedule for removal; placement and removal of containers.**

- A. The Borough shall annually establish a schedule for the separate collection dates of solid waste.
- B. Solid waste shall be placed in proper containers and put out for collection at curbside after 6:00 p.m. on the day preceding collection.
- C. Solid waste containers shall be returned to the rear of all premises by 9:00 p.m. on the day of collection.

**§ 457-24. Definitions.**

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

**BULKY METAL WASTE** — Large items or solid metal waste, such as household appliances, air conditioners, heating units, metal furniture and other oversized items whose size precludes or complicates handling by the normal collection process and which requires a special collection vehicle. These items will not be collected on normal collection days. The Borough will set special days during the month for the collection of these items.

**BULKY SOLID WASTE** — Includes all solid waste material resulting from a residential dwelling or waste from minor residential home improvements, such as carpet, carpet pads, nonmetal furniture, wallboard or lumber, that has been packaged by the homeowner to meet the size and weight standards herein. For collection purposes, "bulky solid waste" shall be included with "solid waste," and the terms shall be synonymous.

**MANDATED RECYCLABLES** — Those items commonly defined as commingled recyclable material, newspapers, magazines, cardboard and vegetative waste.<sup>8</sup>

**SOLID WASTE** — The useless, unwanted or discarded material with insufficient liquid content to be free flowing, and shall mean and include rubbish, garbage, kitchen waste, food waste, vegetable matter, condemned foods, animal or vegetable matter, offal, decaying decomposing matter, rags, ashes, household items, refuse and other customary household waste and discarded waste material which shall be collected and disposed of from residential dwelling units.

**SOLID WASTE CONTAINER** — A container which shall be watertight and of metal or plastic with a tight-fitting cover and handles. Each container shall have a capacity of not less than 20 gallons nor more than 32 gallons and shall not exceed 70 pounds when containing solid waste material. Containers that are badly broken or otherwise fail to meet the requirements of this provision may be classified as solid waste and will be disposed of. An identifying tag will be placed on the container notifying the owner of its unacceptable condition. If the container is used again in an unacceptable condition, the container will be disposed of. Containers must be maintained in a manner that is not a danger to the health and safety of the community. Plastic disposal bags, not less than three mil thick, will be accepted as solid waste containers. It is understood that the owner, agent, lessee, tenant or occupant may use plastic receptacles at his own risk.

#### **§ 457-25. Violations and penalties.**

Any owner or owners or occupant or occupants or associations of persons or corporations violating any of the provisions of this article shall be subject to a fine not exceeding \$1,000 for each offense or shall be subject to a period of community service not exceeding 90 days, or both.

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**8. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).**